HER MAJESTY’S GOVERNMENT

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(FORMED BY THE Rt HON. DAVID CAMERON, MP, MAY 2015)

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30 November 2015
Mr Speaker: As a guest of the Lawn Tennis Association, I had the pleasure and privilege of being present in Ghent to observe the Davis cup final over the weekend, and I feel sure that the whole House will wish to join me in expressing congratulations to the victorious British team. Captained by Leon Smith, it featured, legendarily, Andy Murray, Jamie Murray, James Ward, Kyle Edmund, Dan Evans and Dominic Inglot. It was a superb team effort to secure the cup, and to enable Britain to be the world champion of tennis for the first time since 1936. How fitting it was that the victory was sealed by a performance, both outstanding and majestic, by Andy Murray. We congratulate each and every one of those players.

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Autism Support

1. Keir Starmer (Holborn and St Pancras) (Lab): What support the Government provide to children with autism in the education system; and if she will make a statement.

The Minister for Children and Families (Edward Timpson): On behalf of Conservative Members and, I am sure, the whole House, let me echo the sentiments that have just been expressed about the Davis cup victory of the Great British team. It was good to see the Scots leading the way in ensuring that we had our first Great British victory in about 70 years.

The Children and Families Act 2014 introduced significant reforms so that children and young people with autism could be better supported in education. The reforms have rightly focused on needs and aspirations, enabling all pupils, including those with autism, to achieve better outcomes in education and adult life. The Department is also funding the Autism Education Trust to deliver training to staff, the National Autistic Society to help to reduce exclusions, and Ambitious about Autism to support transition to college.

Keir Starmer: Netley primary school in my constituency has a fantastic resource base for 25 children with autistic spectrum disorders. Many of them are making excellent progress, but one of the concerns raised with me is that Ofsted’s published data for the school, which includes children from the resource base along with other pupils, do not adequately reflect that. Does the Minister agree that Ofsted data should clearly take into account the specific needs and challenges of children with special educational needs such as autism, and will he agree to meet me to discuss the specific case of Netley primary school?

Edward Timpson: I should be happy to meet the hon. Gentleman to discuss what Netley primary school is doing, and some of the challenges it faces in the hon. Gentleman’s constituency. We obviously want to ensure that every child, irrespective of his or her needs, is receiving the best possible education, and we are introducing progression measures throughout the school system so that every child’s progress counts towards a school’s overall performance. We shall also be introducing the first ever special educational needs inspection framework, along with both Ofsted and the Care Quality Commission. I am sure that that will help to deal with many of those issues, but I should be happy to discuss them further with the hon. Gentleman.

Ben Howlett (Bath) (Con): One of the key challenges for those with autism and Asperger’s is the transition between leaving school and attending university, which is
Edward Timpson: I am delighted to hear about the great work that is being done in my hon. Friend's constituency. I know that Bath university has a good and proud record of supporting all vulnerable children, but it is important for those who have autism to be given the same opportunities to move on to higher education. There are independent institutions, but, through the new code of practice and our special educational needs reforms, we have tried to bring forward the time when assessments take place to ensure that all children with a special educational needs background who have the potential to go on to higher education are given support as soon as they arrive at university, so that they can thrive and move on to better things.

Joan Ryan (Enfield North) (Lab): I recently spent some time at Durants school, a secondary school for pupils with autism in my constituency. It does a fantastic job, but one of the big problems is that so little support is available to students who could leave and go into employment or training beyond secondary school. Will the Minister undertake to meet me, and the head teacher of Durants school, to discuss the problem?

Edward Timpson: My diary is filling up, and we are only on the first question. There is more that we can do, and the whole thrust of the special educational needs reforms is to move towards an ambitious birth-to-25 system so that those who have the potential to move on from secondary school into college, apprenticeships, university and the world of work have every chance to do so. In some areas of the country, the new supported internships have seen the number of young people moving into employment rising from around 15% to 70%. We know that there is more we can do through different routes, but we need to make them available to more young people. I am happy to discuss with the right hon. Lady how we can do that.

Mark Pawsey (Rugby) (Con): It is good to hear about the Government's support for children with autism. Will the Minister join me in welcoming proposals for additional resource in Rugby from MacIntyre Academies, who are setting up a new special free school specifically for children with learning difficulties?

Edward Timpson: I am very pleased to hear about the initiative in Rugby, which is one of many across the country that is using the new free schools programme to bring about a whole range of specialist schools for those with special educational needs. I think that that will include five in the next tranche of free schools that are specifically for children and young people with autism. This is a great step forward and it is good to see Rugby leading the way.

Bill Esterson (Sefton Central) (Lab): The Minister mentioned the importance of staff training in his initial answer, and I wonder whether he could comment further on the importance of building awareness and understanding among teaching staff, so that children with autism and many other children with poor mental health and other additional needs really get an opportunity to develop and thrive in mainstream schools?

Edward Timpson: I have just come from a conference organised by the Nuffield Foundation, at which we heard that a new report on the educational attainment of children in care—the vast majority of whom have some form of special educational needs—was advocating exactly that. It proposed more training for the whole care workforce and all education staff. Through funding from the Department, the Autism Education Trust has trained more than 80,000 staff in schools, but we need to do more to ensure that there is consistency right across the country, so that all those children get their chance to thrive, irrespective of background.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): To improve the provision of special educational needs and disability support for young people, including those with autism, it is vital that the best quality data are collated and the results shared to establish best practice. As the Minister knows, I was successful in bringing forward a private Member's Bill in 2008 to ensure that data on special educational needs were collated and published. However, that legislation has since been repealed by the Children and Families Act 2014, and many charities have told me that they now find it increasingly difficult to obtain that information. Will the Minister therefore give me an assurance that the data will continue to be published annually and to be made readily available to all bodies in the sector, including me, so that issues can be highlighted and improvements made?

Edward Timpson: I will look carefully at what the hon. Lady says. Another of my diary appointments is a meeting with her tomorrow to discuss this—and, I am sure, a whole range of other issues that cross my brief. I am conscious of the need to ensure, through the publication of the local offer that every local authority now has and through the increasingly rich data that are available on children with special educational needs, that we use those sources to inform our decision making on how we support children. I will use my meeting with the hon. Lady tomorrow to extrapolate the matter further and see what progress we can make.

School Funding

2. Mr Laurence Robertson (Tewkesbury) (Con): What progress she has made on introducing a national funding formula for schools. [902409]

3. Peter Aldous (Waveney) (Con): What plans the Government have to deliver fairer funding for schools. [902410]

7. Andrew Bingham (High Peak) (Con): What plans the Government have to deliver fairer funding for schools. [902414]

8. Mr Alan Mak (Havant) (Con): What plans the Government have to deliver fairer funding for schools. [902415]
10. **Pauline Latham** (Mid Derbyshire) (Con): What plans the Government have to deliver fairer funding for schools.

**Nicky Morgan** (Secretary of State for Education, Con): The Government are firmly committed to implementing our manifesto pledge to make school funding fairer. In the spending review last week, my right hon. Friend the Chancellor of the Exchequer announced our intention to introduce a national funding formula for schools, high needs and early years in 2017. This will mean that, for the first time ever, funding is transparently matched to pupils’ and schools’ needs, and we will set out our detailed plans in the new year.

**Mr Robertson** (Con): I am grateful to the Secretary of State for that response; it is welcome that this is finally going to happen. May I urge her to introduce a full national funding formula for all schools as soon as possible? The longer we leave it, the worse the problem is going to get and the more difficult it will be to put it right. We need to ensure that children in Gloucestershire no longer lose out in the way they have been doing for far too long.

**Nicky Morgan** (Con): My hon. Friend is right; we need to move as quickly as possible to ensure that low-funded areas such as his constituency of Tewkesbury are funded fairly and transparently. We have taken the first step by increasing Gloucestershire’s schools budget by £12 million and protecting that amount, and we will now go further by introducing a national funding formula while ensuring that the pace of change provides security for schools and local authorities.

**Peter Aldous** (Con): As Suffolk’s schools have suffered from underfunding for many years, last week’s announcement was extremely welcome. Time is of the essence in addressing this iniquity. The Secretary of State has said she will start work straight after Christmas, but I would be grateful if she went into a little more detail about the first steps she will be taking.

**Nicky Morgan** (Con): I wish to thank my hon. Friend. Friend, who made a very valuable contribution to the recent petition to the Prime Minister calling for urgent action on fairer funding. I intend to consult in the new year, but I assure my hon. Friend that much work has been going on already, led by the Under-Secretary of State for Education, my hon. Friend the Member for East Surrey (Mr Gyimah), to unpick the funding formula so that all schools are funded fairly and all pupils have access to a good education.

**Andrew Bingham** (Con): Schools in my constituency have suffered greatly under the current formula. For example, funding in Glossop is almost £300 per pupil less than in neighbouring Tameside, so for the sake of just a few miles the funding is about 6% less than it is elsewhere. Will the Secretary of State therefore ensure that the new funding formula she is going to work on—I am pleased to hear that she has started so quickly—will at last remedy this anomaly, which has been going on for far too long?

**Nicky Morgan** (Con): My hon. Friend puts into words just one of the differentials between areas. It shows exactly why we need to tackle this unfairness in the funding formula—it is a matter of social justice that drives our determination to solve it—and why the Government are committed to introducing a funding formula to ensure that funding is transparently matched to need.

**Mr Mak** (Con): Will my right hon. Friend join me in congratulating Purbrook Park school, Havant academy and Crookhorn college, which have all recently received good ratings from Ofsted and all stand to benefit from this new fair funding formula?

**Nicky Morgan** (Con): I, of course, take great pleasure in congratulating all the staff and pupils at Purbrook Park school, Havant academy and Crookhorn college on their hard work and their excellent Ofsted rating—I know how much hard work goes into getting that. As I said, we will consult in the new year and set out the schools benefiting in the detailed plans for a national funding formula.

**Pauline Latham** (Con): I am glad the Chancellor announced that we would fulfil our manifesto commitment of creating a fairer funding system for schools during the spending review last week. Will the Secretary of State confirm when we will have a formula that is fair for all schools across the country? There are winners and losers now, as there have always been. Will it be any different in the future?

**Nicky Morgan** (Con): My hon. Friend is right to say that there is patent unfairness in the system now. Some £16 million extra was allocated to schools in Derbyshire in 2015-16, and we will work with her and other stakeholders to make sure that the funding is based on the characteristics of pupils, rather than on unfair historical calculations.

**Andrew Bridgen** (Con): As my right hon. Friend will be well aware, Leicestershire is second from bottom of the current funding formula league. Despite my constituency having some of the most deprived areas in the county, its children receive almost £500 per pupil less than those in the city of Leicester and a staggering £1,000 per year per pupil less than those in Birmingham, which is only 22 miles away. Will she assure the House that the new funding formula will correct this for our county of Leicestershire?

**Nicky Morgan** (Con): I thank my hon. Friend very much for that. He will not be surprised to know that I am very well aware of the position of Leicestershire, having talked to parents, school governors and of course local councillors. In 2015-16, we made an additional £20 million available to Leicestershire and the county will continue to receive that funding in 2016-17, but he is absolutely right to say that we will be introducing a national funding formula to end the grossly unfair variations he highlighted in his question.

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): The principle of fair funding is clearly right, but the devil will be in the detail. Will the right hon. Lady assure the House that in areas of high poverty such as my constituency in Liverpool this will not result in significant cuts in spending on schools?
Nicky Morgan: I am pleased that we have got to questions from other Members of the House, and the hon. Gentleman rightly says that the principle is of course right, but he will be aware that the Tadcaster grammar school, who were alarmed and surprised by the hon. Member for Waveney (Peter Aldous), raised by the hon. Member for Selby and Ainsty (Nigel Adams), has not been treated differently and that there is no obligation that children of parents who do not contribute will be taught that we are better off together? The Scottish Government have taken the difficult decision that the contributions are voluntary and that there is a potential financial contribution from them?

Ian Austin (Dudley North) (Lab): White working-class boys are three times less likely to go to university than their counterparts from wealthier families, so should the Secretary of State tell us what happens between now and then?

Nicky Morgan: As I have said, there will be a full consultation, but I think that the hon. Gentleman has got the wrong end of the stick. The funding formula to be consulted on will absolutely take into account the needs of disadvantaged pupils. If he wants to talk about working-class boys, let me say that it cannot be right that there are schools in Knowsley that are receiving hundreds of pounds less than schools in Wandsworth, and that is just one such example. We must end that inequity, and this Government have taken the difficult decision to do that.

Daniel Zeichner (Cambridge) (Lab): I echo the concerns raised by the hon. Member for Waveney (Peter Aldous). Cambridgeshire schools, like Suffolk schools, have suffered historical underfunding. As 2017 is some way away, will the Secretary of State tell us what happens between now and then?

Nicky Morgan: I thank the hon. Gentleman for his question. I know that, in the past, he has been an influential member of the f40 group of local authorities. The funding formula was first introduced—at a cost of more than £2.5 billion a year. We want to make sure that there will be full consultation, and all Members and others will have an opportunity to have their say.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): What the effect of the spending review was on the amount her Department plans to spend on policies and services which in Scotland are devolved to the Scottish Government.

The Secretary of State for Education (Nicky Morgan): First, I wish the hon. Lady and all Members a happy St Andrew’s day. As she will know, education is fully devolved in Scotland, so the Scottish Government will benefit from the Barnett consequentials of the cash terms increase to my Department’s budget that was announced last week. That includes real-terms protection for core schools funding, investing a record extra £1 billion a year by 2020 in free childcare and protecting core 16-to-19 funding, so that all young people gain the skills they need.

Dr Cameron: I wish all hon. Members a happy St Andrew’s day. Gaelic medium education is available on St Andrew’s day. Gaelic medium education is available in Scotland. Notwithstanding devolution, which is all very good, cannot she be a little bit inventive and find some way of ring-fencing the money so that children can be taught that we are better off together?

Nicky Morgan: I am very happy to look further into the decision, which has not been raised with me before. I think we all agree—that of us who, presumably, are in this Chamber today because we care about education and the standards in our schools—that the most important thing in children learning is the quality of the teaching. As I have said, education is a devolved matter, and the Scottish Government will make decisions about how they are spending on languages.

Michael Fabricant (Lichfield) (Con): My right hon. Friend has said that an additional £1 billion will be spent in Scotland. Notwithstanding devolution, which is all very good, cannot she be a little bit inventive and find some way of ring-fencing the money so that children can be taught that we are better off together?

Nicky Morgan: I admire my hon. Friend’s bid to help the Scottish Government to write the curriculum, and I can see that SNP Members are ready to take him up on
that offer. I should clarify that I was talking about the extra £1 billion a year for free childcare, but he is absolutely right to say that we are spending more on education in this Parliament.

Carol Monaghan (Glasgow North West) (SNP): I join my colleague, my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), in wishing the House staff and all Members latha Naomh Anndra sona dhuiibh, or happy St Andrew’s day.

I am glad that the Secretary of State has recognised the importance of BBC Alba, but of course it is more than just a TV channel in Scotland: it plays a crucial role in supporting parents of children in Gaelic medium education. Will she outline what she can do to support those parents as a result of this savage UK Government cut?

Nicky Morgan: The hon. Lady will be pleased to hear that I am not going to compete with her Gaelic.

Education funding, as I have already said, is devolved to Scotland and although BBC Alba might provide a valuable service I am sure that there is much more that the Scottish Government can do to support both parents and teachers in schools with the funding that they receive. I note that the attainment gap between the advantaged and disadvantaged in education in Scotland has not narrowed at all.

Sixth Form Colleges: VAT

5. Bob Blackman (Harrow East) (Con): What discussions she has had with the Chancellor of the Exchequer on the VAT treatment of sixth form colleges.

The Minister for Skills (Nick Boles): Following a sustained and effective campaign by my hon. Friend and others, in last week’s autumn statement the Government announced that we will give sixth form colleges the opportunity to establish themselves as 16-to-19 academies as part of the area reviews of post-16 education and training. A sixth form college that becomes an academy will be eligible to recover its non-business VAT costs.

Bob Blackman: I thank my hon. Friend for all his efforts to lobby the Chancellor to ensure that that sensible decision was made. Will he update the House on the timescale for 16-to-19 colleges to transfer to the new regime? Most importantly, will those that are involved in mid-term reviews or area reviews at the moment or have not chosen to take this route be eligible for this new opportunity?

Nick Boles: Proposals for individual sixth form colleges to become academies will be considered alongside other recommendations from the relevant area reviews, which are taking place between now and March 2017. When a college’s application is approved, it will be eligible for VAT reimbursement as soon as it has been re-established with 16-to-19 academy status. Once all the area reviews have been completed, we will of course review which sixth form colleges have not yet taken up the option and what course they want to take.

Kevin Brennan (Cardiff West) (Lab): What justification is there for treating sixth form colleges differently from other schools for tax purposes?

Nick Boles: I assume that the hon. Gentleman will be able to tell me, not least because a Labour Government put up with it for 13 years.

Neil Carmichael (Stroud) (Con): Does the Minister agree that a great advantage of this change will be that it will enable sixth form colleges to become academies and therefore part of multi-academy trusts, which will stimulate them to even greater things?

Nick Boles: I entirely agree with the Chairman of the Select Committee on Education. One of the great opportunities that this proposal offers is for sixth form colleges to become part of academy groups, to become the sixth form for those academy groups and to thrive.

Mr Gordon Marsden (Blackpool South) (Lab): Does the Minister recognise that, although the Government finally allowed sixth form colleges welcome VAT relief through their becoming academies, it will not alter the cuts so far, which mean that three quarters of sixth form colleges have had to slash language and STEM—science, technology, engineering and maths— provision? Of course, they still face a real-term funding cut until 2020. Is it not critical that their excellence and innovation should not now be curbed by DFE micromanagement of them as academies?

Nick Boles: Last week—perhaps it was the week before—the hon. Gentleman was shroud waving, suggesting that there would be cuts of somewhere between 25% and 40% to the per pupil funding for 16-to-19 education. I did not hear him welcome the Chancellor’s confirmation that it will remain flat cash throughout this Parliament. It is, of course, important that sixth form colleges can prosper, which is why we introduced this proposal.

Education Maintenance Allowance

6. Natalie McGarry (Glasgow East) (Ind): What recent assessment she has made of the effect of the abolition of the education maintenance allowance on educational participation and attainment inequality.

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): The purpose of the education maintenance allowance was to raise educational participation. Our reforms, including targeted routes to employment for all 16 to 19-year-olds and the creation of 3 million apprenticeships, deliver far higher participation and attainment than EMA on its own ever did.

Natalie McGarry: In Scotland, EMA provides a lifeline to support for talented young people from a low-income background to give them access to decent opportunities. In England, EMA has been yet another casualty of the Government’s austerity obsession. Why has the Minister not followed the lead of the Scottish Government, who have not only retained EMA support but from January will expand that key support to an additional 12,000 students in Scotland?

Mr Gyimah: I thank the hon. Lady for her question and congratulate her on her recent engagement to a Conservative councillor. I did not think such things were possible, but they are yet another reminder that there are ways in which we are better together.
I draw the hon. Lady’s attention to the point made by the Scottish Education Minister on narrowing the gap: children from the 20% most deprived areas in Scotland are seven times less likely to attain three A grades in their higher exams than their most affluent peers. There are no lessons that we can take from Scotland on narrowing the gap.

Carol Monaghan (Glasgow North West) (SNP): Of course in Scotland, when we put together our figures on further and higher education and compare them with figures put together on further and higher education in England, we see that Scotland is leading.

As a teacher, I am only too aware of how important EMA is for keeping talented young people not in apprenticeships but in education, so what steps has the Minister taken to ensure that youngsters from disadvantaged backgrounds can continue to access further and higher education?

Mr Gyimah: Education is a devolved matter in Scotland, but if we are talking about huge cuts, there were 141,726 fewer college places in 2013-14 than in 2008-09. As I said, we will take no lessons from the Scottish National party.

School Attendance

9. Caroline Nokes (Romsey and Southampton North) (Con): What plans the Government has to improve attendance in schools.

The Minister for Schools (Mr Nick Gibb): Regular attendance at school is vital for academic success. Overall absence rates are down from 6% in 2009-10 to 4.4% in 2013-14, amounting to some 14.5 million fewer school days lost. We have supported head teachers to improve school behaviour, and we have addressed the misconception that pupils are entitled to time off for holidays in term time. Some 200,000 fewer pupils regularly miss school compared with 2010.

Mr Speaker: While we are on the subject of congratulations, I congratulate in public, as I have congratulated him in private, the Minister of State on his recent marriage. [HON. MEMBERS: “Hear, hear.”]

Caroline Nokes: I echo the Speaker’s comments. Does my hon. Friend agree that improving attendance can sometimes come about as a result of a range of innovative and interesting measures? The all-girls breakfast club at Cantell school in Southampton is a brilliant example of how building a strong and cohesive school community can improve attendance.

Mr Gibb: I am grateful to you, Mr Speaker, and to my hon. Friend the Member for East Surrey (Mr Gyimah): we are better together.

I am delighted to pay tribute to the work of the breakfast club at Cantell school in Southampton, which is an excellent example of the innovative approaches that many schools take to improve attendance. The Department funds the charity Magic Breakfast to provide free, sustainable breakfast clubs in 184 schools in disadvantaged areas. We are also giving parents new rights to request breakfast clubs and other wrap-around care, which should expand their availability.

Paula Sherriff (Dewsbury) (Lab): Has the Minister considered the impact of the Government’s welfare policies on school attendance by disabled pupils over 16 who are required to attend interviews for the personal independence payment? I have been dealing with the case of a constituent who has been summoned under threat of sanction for this stressful process in the middle of their exams. Will the Government take action to ensure that the timing of PIP assessments for those in full-time education works around the school year and the timetable?

Mr Gibb: I am grateful to the hon. Lady. I am grateful to her for raising that matter with me. I will, of course, look at the case in detail and write to her.

Holiday and Wrap-around Care

11. Mike Wood (Dudley South) (Con): What steps the Government is taking to give parents a greater say in access to holiday and wrap-around care.

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): Childcare is the key issue for many parents, not just for under-fives, but for all children. That is why my right hon. Friend the Secretary of State announced in October that parents will be granted a new right to request wrap-around or holiday childcare at their school. Childcare providers will also be given the right to request the use of school sites outside school hours to provide this care.

Mike Wood: Flexibility is key in the provision of childcare, for both school-age and pre-school children. Can the Minister assure my constituents that, as the Government extend childcare provision, they will allow for greater flexibility over things such as drop-off and pick-up times?

Mr Gyimah: The autumn statement set out the record levels of funding available to deliver our pledge of 30 hours of free childcare. As working fathers, my hon. Friend and I know that it is not just about the money; it is about flexible childcare available when it is needed. We will be consulting in the new year on ways to deliver that.

Ms Karen Buck (Westminster North) (Lab): Has anyone told Westminster City Council of the Government’s intention to increase choice in school-age childcare? The council has just announced an end to all funding for the play service, which provides its after-school care for primary school-age children. It offered this to schools and, the last time I asked, only one school had agreed to take on the service because of the pressure on school budgets. Is it not the case that, in places such as Westminster, it is essential that working parents have the opportunity of decent after-school childcare, but that that is in retreat, not in advance?

Mr Gyimah: That is precisely the purpose behind the announcement that my right hon. Friend the Secretary of State made. Where schools cannot deliver wrap-around care themselves, they can work with private and voluntary providers to use their site to deliver that wrap-around care. This change will set a new expectation for schools to follow through on it.
**Pat Glass** (North West Durham) (Lab): Questions about childcare—wrap-around, flexible childcare and childcare during school holidays—are particularly opportune. Before the election in May, the Minister told us that Labour’s 25 hours of free childcare would cost £1.2 billion. The Independent Institute for Policy Research has said that the Government’s 30 hours will cost £1.6 billion. Last week, the Chancellor told us that he was setting aside just over £600,000 for this, which leaves a shortfall of almost £1 billion annually. Will that come from quality, will it come from ratios or will it come from both?

**Mr Gyimah:** It was impossible for the IPPR to know how much the Government’s policy would cost before it knew the eligibility criteria for the new entitlement. The Chancellor announced the eligibility criteria at the autumn statement and made it clear that there is record investment going into childcare—£1 billion in 2019-20. That is something we should all be proud of.

**Educational Provision: City Regions’ Contribution**

12. **John Mann** (Bassetlaw) (Lab): What discussions she has had with the Secretary of State for Communities and Local Government on the potential contribution by city regions to developing educational provision.

**The Minister for Children and Families (Edward Timpson):** The hon. Gentleman will be pleased, I am sure, to learn that the Secretary of State regularly meets Cabinet colleagues to discuss a range of issues. City regions can certainly play a role, as seen from our work with Greater Manchester on a review of children’s services, and we already have combined authorities in Sheffield and Manchester leading the area reviews of post-16 education provision. We expect new combined authorities and city regions to work closely with the eight regional school commissioners.

**John Mann:** That was a bit of waffle. Is it not a good idea formally to link secondary academies with city regions so that the economic development and education potential can be rolled together? Will the Minister take that forward to other Ministers and get it properly on the agenda?

**Edward Timpson:** The hon. Gentleman has a habit of calling anything that anyone else says waffle. I have described what is happening, which is devolution, which I am sure he will welcome, as the area in which his constituency is located is looking to create a combined authority. We have the regional school commissioners doing excellent work, holding each area to account and making sure that regions are raising the performance of schools and education across their area. I am sure that is something he would welcome in Bassetlaw and elsewhere.

**Kevin Foster** (Torbay) (Con): Does the Minister agree that the bonus of city regions is that they are a way of bringing together public services, including those delivering skills and education to younger people, to create better outcomes that reflect the priorities of their areas, such as the heart of the south-west?

**Edward Timpson:** My hon. Friend is absolutely right. One of the advantages, of course, is that such regions bring together post-16 education and employers, which are parts of the system that we need to connect much more closely so that we deliver the opportunities that we know are out there for young people who have ambition about where their world of work will be, they have a greater understanding of what they can achieve and a much closer relationship with the businesses that want to employ them.

**Tristram Hunt** (Stoke-on-Trent Central) (Lab): Was the Minister as delighted as I was on Friday when the hon. Member for Uxbridge and South Ruislip (Boris Johnson), the Mayor of London, supported Labour policy by advocating a schools commissioner for London? When will the Government accept political reality, start devolving power, introduce some democratic accountability into our schools policy and raise standards at a local level?

**Edward Timpson:** Like the hon. Gentleman, I am always delighted to hear from my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson), who speaks with a lot of wisdom on a range of subjects. On this issue, the most important thing is that we devolve power to where it is most needed—to teachers and head teachers, so that they can run their schools in the free way that I know deep down he really wants them to.

**Teacher Recruitment**

13. **Sir Simon Burns** (Chelmsford) (Con): What steps she is taking to ensure adequate recruitment of teachers by primary and secondary schools; and if she will make a statement.

**The Minister for Schools (Mr Nick Gibb):** There are now more better qualified teachers in England’s classrooms than ever before. We are attracting top graduates and career changers with generous incentives, including tax-free bursaries worth up to £30,000 and the opportunity to earn a salary while training. This year over 2,000 more post-graduate trainee teachers were recruited than in 2014-15. We exceeded our target for new primary teachers and finished ahead of last year in key secondary subjects such as maths and physics.

**Sir Simon Burns:** I am grateful to my hon. Friend for his response, but can he explain how schools that have historically struggled to attract great teachers can find the best and brightest teachers for their areas?

**Mr Gibb:** My right hon. Friend raises an important point. That is why we have established the new national teaching service, which by 2020 will place 1,500 outstanding teachers and middle leaders in underperforming schools in areas that, as he suggests, find it hardest to attract, recruit and retain good teachers.

**Valerie Vaz** (Walsall South) (Lab): UCAS has reported a shortfall in trainee teachers for chemistry and physics. What bold steps will the Minister take to ensure that young people are taught by qualified teachers in science, technology, engineering and maths?
Mr Gibb: We have introduced generous bursaries—up to £30,000—for top physics graduates coming into teaching. If we look at this year’s teacher training recruitment, we see that in physics we recruited 746 graduates, compared with 637 last year, and in mathematics we recruited 2,407 graduates, compared with 2,170 last year. There is more to do, but we are heading in the right direction.

James Berry (Kingston and Surbiton) (Con): Head teachers in my constituency tell me that the biggest block to the recruitment and retention of teachers is the cost of housing. Can my hon. Friend confirm that in the review of the funding formula the price of property in local areas where teachers have to rent or buy will be factored in?

Mr Gibb: As the Secretary of State has said, we are determined to tackle the historic unfairness of the funding formula. The Secretary of State and the Under-Secretary of State, my hon. Friend the Member for East Surrey (Mr Gyimah), will be consulting on that in the new year.

John Pugh (Southport) (LD): Recent Government figures show that there is a 50% recruitment shortfall in design and technology. Is not there a case for urgent and special attention?

Mr Gibb: We continue to offer bursaries for graduates coming into teaching design and technology. We have also revised the curriculum, which we believe has made it a more attractive and rigorous qualification. The number of students taking it at GCSE and A-level has been falling over a number of years, and to tackle that we have improved the qualifications in that subject. That should follow through into more people becoming graduates in those subjects and moving into teaching.

Rob Marris (Wolverhampton South West) (Lab): Retention in teaching is a far bigger problem than recruitment. We are haemorrhaging teachers. That is caused largely by the adverse workload that teachers are placed under. What specific steps are the Government taking to lessen teacher workloads in England?

Mr Gibb: The doom-mongering notion that the hon. Gentleman is citing is wrong. Eighty-seven per cent. of teachers who qualified in 2013 were still teaching five years later. He should stop talking down what is a very popular profession in this country. We are tackling the excessive workload that teachers inherited from the previous Labour Government. My right hon. Friend the Secretary of State introduced the workload challenge, and we have three working groups specifically tasked with tackling the issues that were identified in it.

EU Funding: Learning Outcomes

14. Hannah Bardell (Livingston) (SNP): What steps her Department is taking to use EU funding to improve learning outcomes.

The Minister for Schools (Mr Nick Gibb): The main sources of EU funding for education are the European social funds and the Erasmus+ programme. Many schools take advantage of the Erasmus+ programme, which supports partnerships among schools across the EU, including through the funding of foreign language assistance. The Department works to ensure effective use of the European social funds, which contribute to technical education, including apprenticeships and 16-to-19 training.

Hannah Bardell: I thank the Minister; I am glad we got someone to answer in the end. Has he considered the consequences that a vote to leave the EU would have for the funding channels for programmes such as Erasmus, with an outcome that would destroy the rich cultural and linguistic programmes that the EU offers, including Erasmus and school trips to visit key institutions such as the Commission and the European Parliament?

Mr Gibb: The Prime Minister is focused on a successful negotiation. The Government are clear that Britain’s best future lies within a reformed European Union if the necessary changes can be agreed. He set out the United Kingdom’s position in his recent letter to the President of the European Council, Mr Tusk.

Mr Gibb: These are the issues that the Prime Minister is tackling, and we will debate them in due course.

Mr David Nuttall (Bury North) (Con): Further to that point, does my hon. Friend agree that if schools use propaganda provided by the European Union, teachers must make certain that both sides of the argument on our membership of the European Union are fairly and properly put to pupils?

Mr Speaker: Order. The question is about learning outcomes.

Mr Gibb: In the name of improving educational outcomes, Mr Speaker, the Education Act 1944 made it absolutely clear that any lessons involving political issues have to be balanced.

Topical Questions

T1. 902398 John Pugh (Southport) (LD): If she will make a statement on her departmental responsibilities.

The Secretary of State for Education (Nicky Morgan): Last week my Department published a call for evidence to help broaden our understanding of out-of-school education settings and the potential scope of the system of oversight announced by my right hon. Friend the Prime Minister last month. We are committed to safeguarding all children and protecting them from the risk of harm and extremism, including in out-of-school settings, many of which provide valuable learning opportunities. I would ask all interested parties to make a contribution before 11 January.
John Pugh: Local education authorities are Ofsted-inspected, which is a good and rigorous system. What plans are there to inspect academy chains, by Ofsted or any other means?

Nicky Morgan: It is very nice to hear the hon. Gentleman, who I believe is his party’s education spokesman, although we have not heard much from him on education since he took up that position. He will be aware that these matters were explored fully by the Education Committee in the previous Parliament. We want Ofsted to inspect individual schools and the support they get. It is able to question multi-academy trusts and chains as part of those inspections.

Mr Speaker: We have heard from the hon. Gentleman twice today, and it is worth pointing out that he is a philosopher. That we know: it is on the record on his CV.

T2. [902400] Chris Green (Bolton West) (Con): What are the Government doing to encourage more young people to study maths and numeracy subjects in school?

The Minister for Schools (Mr Nick Gibb): Our ambition is that by 2020 the vast majority of young people will study maths to the age of 18. We have strengthened GCSE maths, to provide a more secure basis for studying the subject at A-level. We have increased mathematical content in science GCSEs and A-levels. We have introduced the new core maths qualifications so that all students have the opportunity to study the subject after the age of 16. We have also launched the Your Life campaign, to promote to young people the value of studying mathematics and science.

Lucy Powell (Manchester Central) (Lab/Co-op): Thank you, Mr Speaker, for allowing me to arrive a few moments late, as I had to attend a very high-profile meeting elsewhere on the estate. Members can read all about it in the papers later.

Does the Secretary of State now accept that there is a growing teacher shortage in our schools?

Nicky Morgan: I hope the hon. Lady might be able to tell us whether she is going to continue to be a member of the shadow Cabinet after this very exciting vote, but let us talk about the issue at hand. We have always been very clear that there is a challenge in teacher recruitment. Although the overall vacancy headline rates are low, we are aware that there are issues in certain subjects and in certain parts of the country, which is why I announced the creation of the national teaching service earlier this month.

Lucy Powell: I thank the Secretary of State for that reply. It is good to hear that she now accepts that there is a growing problem of teacher shortage. That stands in contrast to some of the earlier answers given by the Minister for Schools. Last week an important report showed that half of all schools had unfilled vacancies at the start of this academic year. To try to plug those gaps, one in four schools are increasingly using supply teachers; one in six are using non-specialist teachers to cover vacancies; and more than one in 10 schools are resorting to using unqualified staff to teach lessons. Does the Secretary of State think that that is good for raising standards in schools, or does she think that that is not happening?

Nicky Morgan: What is needed is for all Members on both sides of the House to recognise the enormous contribution that teachers make. Those who try to talk down teaching at every opportunity by talking about the problems do not help our schools and education service at all. One of the subjects where recruitment is hardest is modern foreign languages, so the hon. Lady might like to reflect on the fact that in 13 years of her party being in power, the number of those teaching, studying and taking exams in modern foreign languages plummeted. That means it is now much harder to find students to teach modern foreign languages.

T4. [902402] Pauline Latham (Mid Derbyshire) (Con): What steps have been taken to encourage more schools outside London to work with charities such as Free the Children?

The Minister for Children and Families (Edward Timpson): I recall meeting my hon. Friend a few years ago to discuss the benefits derived from the work of Free the Children. It is good to hear that she remains a strong advocate of extracurricular activities that support academic attainment and employability skills and that help children to become active citizens. That is why this year we have invested more than £5 million in building children’s character resilience, including £3.5 million in grants to help organisations across the country, not just in London, to deliver competitive sport, volunteering and social action projects.

T3. [902401] Clive Lewis (Norwich South) (Lab): A number of parents whose children attend the Hewett academy in my constituency have made complaints about the implementation of a new uniform policy. At short notice, parents are being told that they must buy a new, full and costly uniform. Children who do not do so have been forced to attend the learning support unit—what is, in effect, an exclusion room. With limited academy accountability, what can Ministers do better to protect parents who cannot afford such upfront costs from their children being punished?

Nicky Morgan: I am very happy to look into the individual case, but I am afraid to say that this is about the hon. Gentleman, Gentleman and others yet again putting more barriers in the way of that school dramatically improving. Since 2005—for more than 10 years—the school has been below the national average for five A* to C English and maths GCSEs. It is now an academy and it is sponsored by a trust, which the hon. Gentleman knows has done extremely well for another school, Norwich primary academy, in his constituency. I am happy to look at the individual case, but the hon. Gentleman would do better as the local MP to work with the school to raise the educational attainment of all children.

T5. [902403] Jake Berry (Rossendale and Darwen) (Con): The Government’s ambition to make sure that every child, regardless of background and circumstances, receives a high-quality education extends to children with special educational needs, including those at the fantastic Tor View school in my constituency. One year on from the
special educational needs and disability reforms, will the Minister update the House on what progress is being made?

Edward Timpson: I am pleased to hear about the work that my hon. Friend is championing in his constituency. The reforms we have brought in represent the biggest change to and the biggest opportunity for special educational needs and disability support in a generation. Good progress is being made. This is a three-year transition, but to date all councils have published their local offer, setting out the support for children and young people with special educational needs and disabilities in their area. Integrated education, health and care plans are also available for the more complex needs that have to be addressed. As I mentioned a few moments ago, we are now working, with Ofsted and the Care Quality Commission, towards the introduction of the first ever SEND inspection framework to ensure parents and young people know whether they are able to access the range and quality of services that they need.

T6. [902404] Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Following the Paris attacks, there is a real concern that intolerance towards ethnic minority pupils could intensify. How will the Secretary of State ensure that ethnic minority pupils continue to participate fully at school, and what plans does she have to prevent religious intolerance?

Nicky Morgan: The hon. Lady asks a very important question. Sadly, it is ever more becoming something that we are all having to think about. Religious intolerance in schools is unacceptable. All schools are required to promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. Schools should be places where we promote community cohesion—for example, through the national curriculum programme for citizenship, and the National Citizen Service—and, of course, such curriculum subjects teach about the importance of respecting others. I am pleased that many schools already do that in very diverse areas, but we will continue to focus on this important matter.

T7. [902405] Sir Simon Burns (Chelmsford) (Con): When considering the review of schools funding, will my hon. Friend ensure that it addresses the problem that has arisen in recent years with the underfunding of the two grammar schools in Chelmsford and other grammar schools in Essex? It seems particularly unfair that they should suffer in the way they have from the current funding formula.

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): As my right hon. Friend is aware, we have protected the core schools budget in real terms, and we intend to make the school funding formula fairer. I can assure him that King Edward VI grammar school and Chelmsford County high school for girls will receive funding that reflects their pupils’ needs transparently and fairly.

Patrick Grady (Glasgow North) (SNP): On Friday, I had a meeting with the Glasgow English for Speakers of Other Languages Forum, whose funding is under pressure at a time when demand is increasing. Will the Secretary of State tell us whether any funds from the refugee resettlement programme will be made available for ESOL? Generally, what steps is she taking to promote ESOL as a means of cultural understanding?

Nicky Morgan: The hon. Gentleman makes an important point. The speaking of English is hugely important for integration. For anyone who comes to this country in need, we can support them if they want to become full members of our society, so English is very important. I am very happy to take this matter away and to talk to my right hon. Friend the Secretary of State for International Development. There are strict rules about what overseas development aid money can be spent on, but I am happy to take that away and to write to the hon. Gentleman.

T8. [902406] Dr Tania Mathias (Twickenham) (Con): Constituencies such as mine have an increasing need for school places and for new schools, but a lack of suitable sites for new schools. Will the Minister visit Twickenham with me to see what more the Government can do to help local authorities find suitable sites for schools in places such as mine?

Mr Gyimah: As the Secretary of State said at last week’s London education conference, we recognise just how challenging affordable sites and buildings are in our capital. We will work with local authorities to support our dedicated property team in the Education Funding Agency by identifying any potential sites. When it comes to school buildings and repairs, the Government are creating places and fixing the school roof while the sun is shining. I will of course be happy to meet my hon. Friend.

Jess Phillips (Birmingham, Yardley) (Lab): Following last week’s devastating report from the Children’s Commissioner about 450,000 children being sexually abused in the past two years, does the Secretary of State still disagree with me and, now, with the Children’s Commissioner that healthy relationships education should be compulsory in all of our schools?

Nicky Morgan: I do not disagree with the hon. Lady. Lady that such education should be compulsory, but I think it should be age-appropriate. Just because something is in statute, which is what I think she is referring to, does not mean that it is always taught well. On these issues, I would rather see that there is a good curriculum, and that it is taught well by confident teachers or people coming in from outside who will inspire young people.

T9. [902407] Neil Carmichael (Stroud) (Con): Will the Secretary of State join me in saluting the work of STEM ambassadors and tell the House what further steps have been taken to ensure that more children do STEM subjects in schools?

Mr Gibb: I join my hon. Friend in saluting the work of STEM ambassadors. Since 2010, A-level entries into STEM subjects have increased significantly by 15% for chemistry, 15% for physics and 18% for maths. Maths is now the single most popular A-level choice, with 92,000 entries last year. We want to go further. The Your Life campaign, for example, is targeting year 11 pupils as they make their A-level choices, with the aim of increasing the uptake of the physics A-level by 50% in three years.
Mr Jim Cunningham (Coventry South) (Lab): Will the Minister for Schools meet me to discuss funding for the new Ernesford Grange school in Coventry?

Mr Gibb: I am very happy to have such a meeting.

Tom Pursglove (Corby) (Con): Prince William school in Oundle recently converted to an academy, but for many years it has suffered from a chronic lack of investment. I am grateful to Ministers for the interest that they have shown to date, but what reassurance can they give that such schools will be at the top of the Government’s investment priorities?

Mr Gibb: We are planning to spend £23 billion on school buildings between 2016 and 2021. In February, we announced allocations of £4.2 billion for between 2015 and 2018 to improve the condition of existing schools. That includes the condition improvement fund, for which Prince William school is eligible to apply. The core priority of the CIF is to keep buildings at academies and sixth-form colleges safe and in good working order. I am happy to discuss the issue further with my hon. Friend.

Steven Paterson (Stirling) (SNP): In June, the Scottish Government launched the new children, young people and families early intervention fund, which is focused on reducing educational inequality and allowing young people to achieve their potential. Given that today is St Andrew’s day, are the Government prepared to say that they will look at that fine example in Scotland and implement something similar down here in England?

Nicky Morgan: We have already had a lot of jokes today about being better off together and I am always happy to look at what is happening in Scotland. The hon. Gentleman and the Scottish Government might want to look at what we have done in England to narrow the attainment gap between the advantaged and disadvantaged. They might find that they can learn something from us.

David T. C. Davies (Monmouth) (Con): How many schools require pupils to wear a burqa or jilbab as part of their uniform?

Mr Gibb: We do not collect data on that, but it is an issue for the headteacher and governing body of a school. By law, they have to act reasonably and as a public body.

Mrs Emma Lewell-Buck (South Shields) (Lab): The Government’s own findings show that the 26-week timescale that is applied in care proceedings is leading to rushed and unsuitable placements for children under special guardianship orders. In the light of that, will the Minister accept what the social work profession has known all along: that 26 weeks is not sufficient to plan properly for a vulnerable child’s life?

Edward Timpson: From memory, the hon. Lady was on the Children and Families Public Bill Committee, so she will know that when we brought in the 26-week timescale for care cases, the average length was over 55 weeks. In anyone’s view, that is well over what it should be for a decision about a child’s long-term future. We have managed to bring the average down to close to 26 weeks. In relation to special guardianship orders, we need to ensure that the assessment of the potential carers for those children is as robust as it is in respect of any other decision about a child’s long-term permanence. There is a concern that, in too many cases, that is not happening.

James Morris (Halesowen and Rowley Regis) (Con): Many headteachers in my constituency are reporting an increased prevalence of mental health problems among young people in schools. Does the Secretary of State agree that we need better integration between schools and child and adolescent mental health services to deal with that growing problem?

Mr Gyimah: My hon. Friend is a passionate campaigner on mental health issues. He will be aware that we have funded a £1.5 million joint pilot with the Department of Health on a single point of contact between schools and CAMHS, so that parents do not have to go through the aggravation of trying to work out how to access those vital services to support their children.
High Speed 2

3.34 pm

Tristram Hunt (Stoke-on-Trent Central) (Lab) (Urgent Question): To ask the Secretary of State for Transport if he will make a statement on his latest decision on the route and station choices for High Speed 2.

The Secretary of State for Transport (Mr Patrick McLoughlin): The Government are getting on with building HS2. Legislation to build the first phase to Birmingham is progressing well, and last week the Chancellor confirmed the funding. Today we are responding to the report published last year by Sir David Higgins, chairman of HS2. He recommended building the line to Crewe more quickly, so as to bring the benefits to the north sooner. I have therefore announced my decision on the section from Fradley in the west midlands to Crewe, now referred to as section 2a. We intend to accelerate the building of that section so that it opens in 2027, which is six years earlier than planned. That will bring faster journeys to Crewe, Manchester, and other cities in the north and Scotland, thereby supporting growth, jobs and the northern powerhouse. I have set out those plans in the Command Paper and supporting documents, copies of which have been placed in the Library.

The remainder of phase 2 will see the full Y-route built to Manchester and Leeds by 2033, and today I have set out my plans for the rest of the Y-route, ahead of a route decision next year. I am also asking HS2 to explore how we might best serve Stoke, including via a junction at Handsacre. Handsacre junction will be part of phase 1 and will allow trains to serve stations on the existing line through Staffordshire.

I want to ensure that those affected by the scheme are properly compensated. The Government are committed to assisting people along the HS2 route from the west midlands to Crewe. Today I am launching a consultation on a proposal to implement the same long-term property assistance schemes for phase 2a as we have for phase 1. As with phase 1, the Government propose to go above and beyond what is required by law, including discretionary measures to help more people. HS2 will deliver economic growth for this country, not just in the immediate future but for the long term, and that is why we continue to commit to this essential project.

Tristram Hunt: I thank the Secretary of State for his response. Today marks a sad day for Stoke-on-Trent as our campaign for “Stop in Stoke” as part of phase 2 of High Speed 2 hits the buffers. We have long argued that the rail line from London to Manchester could have been achieved more quickly and cheaply with a route through the Potteries, and as we seek to mitigate the blow I have some questions for the Secretary of State.

The initial modelling for High Speed 2 suggested a downgrade of services to Stoke-on-Trent based on £7.7 billion of cuts to existing inner-city services to cities such as Stoke, Leicester and Wakefield. Will the Secretary of State confirm that that is no longer the plan? The Department for Transport document published today speaks of working to retain “broadly comparable services to today”, but my constituents are not interested in the expenditure of billions of pounds just for similar services. Will he confirm that the Government are committed to running classic-compatible trains via the Handsacre junction, with equal regularity and faster speeds, so that Stoke-on-Trent maintains its vital connectivity?

Finally, with Crewe rather than Stoke benefiting from this massive investment, plans for a northern gateway partnership between Stoke-on-Trent and east Cheshire become even more important. In the previous Parliament, the city of Portsmouth had a dedicated Minister for regeneration. I am not saying that we necessarily want the right hon. Member for West Suffolk (Matthew Hancock), but it is right that we should have the same support to co-ordinate cross-departmental strategy in the region. High-speed train lines work for the country when they focus on growing the economies of regional and second-tier cities as much as major metropolitan areas. In Britain, Stoke-on-Trent will be the litmus test for the success of such a strategy, and we will be watching it closely.

Mr McLoughlin: First, there has been a positive case made and a good dialogue between Stoke-on-Trent and Sir David Higgins about the way HS2 will serve the whole region. I was a member of Staffordshire County Council for seven years so I know Stoke-on-Trent incredibly well, and I fully accept the importance of the high-speed train link, which I think will come to the whole region. The hon. Gentleman talks as if Crewe is 100 miles from Stoke-on-Trent, but it is literally just up the road and on the other side of the M6, given where the station may well go. I very much look forward to the advantages of it serving not only Crewe but Stoke-on-Trent too.

The hon. Gentleman asks about classic-compatible trains, which are not dissimilar to those serving Kent. Handsacre junction is important in serving not only Stoke-on-Trent but Macclesfield and Stafford, so they will benefit sooner from faster services. I fully accept his point that nobody wants a diminution of services to Stoke-on-Trent, or to anywhere else for that matter. One reason for this huge investment is to have more services and more freight options. The west coast main line is one of the busiest lines anywhere in Europe, so it is right we focus on how to have the relief and extra capacity it needs. I am more than willing to continue conversations with Stoke-on-Trent about the best way for the whole region to move forward.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Despite the documents published today, in the past week alone we have seen the ombudsman find HS2 guilty of a maladministration over communications, the Standing Orders (Private Bills) Committee (Commons) describe its supply of information as an absolute shambles and a freedom of information request from the Chesham Society reveal a massive inaccuracy in basic track assessments in my constituency. What confidence can we have that today’s announcement of a speeded up timetable for phase 2a of HS2 will not lead to an increased catalogue of mismanagement, mistakes and more misery for people along the route?

Mr McLoughlin: The truth is that anything I say about HS2, as far as my right hon. Friend is concerned, will not be met with any kind of favour whatever. She has made her opposition perfectly clear. I believe HS2 is absolutely essential for the long-term economic interests of the United Kingdom, particularly our northern cities,
and that is why it is right to go ahead. I do not dismiss those people directly affected and who, as a result, have trouble with a major infrastructure project taking place, but I am aware of no major infrastructure project that has received universal support at the time of its construction. That support is usually found afterwards. In fact, plans for the very first railway line to be built between Birmingham and London were defeated in the House of Commons because the canals were considered to be perfectly adequate.

Lilian Greenwood (Nottingham South) (Lab): I congratulate my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt) on securing the urgent question. He has campaigned constantly to secure benefits from HS2 for his constituency, and I echo his statements on the importance of Handsacre junction and the existing network.

Labour supports HS2, and we want to make sure that sections of the route can be delivered ahead of schedule, including to Crewe, especially after Ministers’ delays have left the Bill running 18 months late. However, the paper published today raises new questions, alongside some belated answers. Will the Secretary of State explain why Manchester Airport station has still not been fully confirmed? Does he agree that it would be a body blow for the northern powerhouse if Manchester airport was not served by HS2? Why will HS2’s exact route and station locations, including in the east midlands, not be finalised until late 2016? To put it another way, why will it have taken the Government over six years to confirm their plans for high-speed rail in the midlands and the north?

The Government previously said that they would consider accelerating construction of the Leeds to Sheffield part of the eastern leg. Is that still on the table, and what consideration, if any, has been given to accelerating the west midlands to east midlands section of phase 2?

On cost, an increase was announced in the comprehensive spending review from £50.1 billion to £55.7 billion. Will the Secretary of State confirm that this increase is simply a result of recasting HS2 from 2011 prices to 2015 prices, or are there other components to the cost rise?

Finally, Labour amended HS2’s planning legislation to ensure that cost increases or underspends are reported. The Secretary of State’s Department had said that the first such report was due in autumn 2015. Why has that report now been delayed? When will we see it? Does he agree that the Government must keep the costs of this vital project under constant scrutiny?

Mr McLoughlin: I shall answer the hon. Lady’s last question first: I have published the documents today. She pointed out that HS2’s cost has risen to £55.7 billion, which, she is absolutely right, is the costing at 2015 prices, whereas the other costing was at 2011 prices. That is the reason for the increase. During this spending review, HS2 will equate to 0.14% of GDP, so it is not over-burdensome on the Government’s overall spending.

The hon. Lady asked about the other stations. I am pleased that there now seems to be a consensus, which was lacking until fairly recently, on where the east midlands station should go. I hope to say more about that next year, but points raised in the consultation have thrown up issues that need to be addressed, which is why I have said today that I hope to confirm the rest of the route for the east side by late 2016. Manchester Airport station comes under the qualification I just made about the consultation, but these issues are discussed in the document I have published today.

The hon. Lady also said that the Bill was 18 months late. The people serving on the Bill are doing an exceptionally good job, and I do not regard it as 18 months late; I regard it as on time, according to the timetable set out by the former Secretary of State under the last Labour Government, who published their plans only nine months before the general election.

Sir Simon Burns (Chelmsford) (Con): Does my right hon. Friend agree that the most important thing about HS2 is not improved journey times per se, but creating the capacity we need on the west coast, where the conventional line will be full to capacity by 2024? Will he please tell the House whether phases 1 and 2 are still on time and confirm that his announcement about Crewe means that it will be built six years prior to the original deadline?

Mr Speaker, given that you have been so generous in congratulating people today, may I ask you to congratulate the Secretary of State on his birthday?

Mr Speaker: I am very happy to do so. If I had known to remember to congratulate the Secretary of State, I would have done, but I did not, and so I did not, but I do now, and I am very happy to do so. It is always helpful to have a bit of information, even if it is not put across quite as pithily as it might be.

Mr McLoughlin: I thought your birthday present, Mr Speaker, was your granting this urgent question, to give me an opportunity to speak at the Dispatch Box today.

My right hon. Friend is absolutely right that one of the key reasons for the whole HS2 project is not just to have faster journeys but to increase capacity. We have seen a huge increase in the number of people using our railways over the last 20 years—from 750 million to 1.6 billion—and we are seeing continuing growth in our railways, not just in passenger numbers, but in freight. I am pleased to say, therefore, that the project is on time. It is a huge project, and I understand that some people will be disrupted by it, but it is in the long-term economic interests of the UK.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): The Chancellor’s announcement that high-speed rail will reach Crewe six years earlier than planned is to be welcomed, as it should lead to reduced journey times between Scotland and London. But the UK Government now have an opportunity also to accelerate planning to extend high-speed rail to Scotland. Will the Secretary of State reaffirm their aspiration for a three-hour journey time between the central belt in Scotland and London and turn this aspiration into a firm commitment?

Mr McLoughlin: I thank the hon. Gentleman for welcoming my statement. It is true that phase 2a will give Scotland even quicker journeys to London sooner than was originally planned. The journey time between London and Glasgow will be three hours and 42 minutes, when phase 2a opens, which is an improvement. The full Y-network will deliver London to Glasgow journey times of three hours and 38 minutes and London to Edinburgh journey times of three hours and 39 minutes.
Overall, HS2 will bring huge benefits to the Scottish economy. The UK and the Scottish Governments are working closely together to consider options to reduce journey times further, and HS2 is doing further work on that. I hope to make a statement on the next steps in the new year.

Michael Fabricant (Lichfield) (Con): Handsacre 2, which has been mentioned a number of times, is in my constituency, and I am afraid that, once again, my constituents are faced with some anguish as they have already faced phase 1, and phase 2a starts in my constituency as well. I ask my right hon. Friend two specific questions. Will he give an indication of the timetable for the publication of the proposed route, so that my constituents can look at it and come up with suggestions, and when does he think the Committee stage and the petitions might begin? Is the Handsacre junction—the one that connects with the west coast main line, which also goes through my constituency—really necessary now, given that the connection to Crewe will happen six years earlier than planned?

Mr McLoughlin: The plans that I have announced and the maps that have been published today will enable my hon. Friend and his constituents to examine exactly where the proposed route will go. That was part of the announcement made in a written ministerial answer this morning. I appreciate that there will be disruption in certain parts of his constituency, but he will know from his experience with phase 1 that beneficial changes can be made if a case is argued and the engineering is possible, as indeed has happened in and around Lichfield.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): I welcome the announcement that the benefits of High Speed 2 will come to the north sooner than previously planned. However, I emphasise a point made by my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt) that Stoke-on-Trent and indeed other areas not directly on the line should benefit through improved connectivity, and it is very important to arrange things so that that indeed happens. Is the 37% cut to the Secretary of State’s departmental budget announced last week compatible with delivering this important project on time?

Mr McLoughlin: The hon. Lady, through her work as Chairman of the Transport Committee, has always been supportive of the overall objective of greater train capacity, and she has made the case for a more direct service to the west midlands section when it opens in the first couple of years, and what are the consequentials on revenue and subsidies on the existing railway?

Mr McLoughlin: We believe that the benefit-cost ratios for the lines that I have announced today are positive and will bring a return for the country. I say to my right hon. Friend that it is not all about BCRs. If only BCRs had been taken into account, the Jubilee line would never have been built, Canary Wharf would never have been opened, and the Limehouse link tunnel, which had a BCR of 0.4 or 0.7, would never have been built, yet they have made huge differences. Infrastructure is sometimes expensive, but we should judge the BCRs not on the next 30 years, but on the next 100 years.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Given that, unlike Network Rail, HS2 Ltd is not devolved to any part of the United Kingdom, will the Secretary of State explain why the statement of funding policy for the devolved institutions, which was published along with last week’s comprehensive spending review, provides for a 100% Barnett consequential from HS2 to Scotland and Northern Ireland, and one of 0% to Wales?

Mr McLoughlin: I believe that Wales will benefit from what I have announced today, because it will be very important to the north Wales economy.

Andrew Bridgen (North West Leicestershire) (Con): The Secretary of State is well aware of my views about HS2. Two weeks ago, when the Under-Secretary of State for Transport, my hon. Friend the Member for Scarborough and Whitby (Mr Goodwill)—who is responsible for HS2 phase 2—visited my constituency, I explained to him, and showed him, the devastating effect that the current route would have on the village of Measham. It will remove the major employer at the southern end of the constituency, halt a new housing development, and require the building of a new piece of the A42, which will cause huge disruption. When will we have a definite route for phase 2, and when will my constituents receive the compensation that they deserve?

Mr McLoughlin: As I have said to my hon. Friend before, and as I have just said to the House, I hope to be able to say more next year about the entire route, both the east and the west sections.

Tulip Siddiq (Hampstead and Kilburn) (Lab): My opposition to HS2 will not come as a surprise to anyone. It will blight the lives of thousands of residents of Hampstead and Kilburn. Will the Secretary of State make clear whether what he has announced about the line to Crewe will affect the line of route into Euston station, the rest of Camden, and the vent shafts in Brent?

Mr McLoughlin: No. The announcements that I have made today will have no impact at all.
Alec Shelbrooke (Elmet and Rothwell) (Con): I note today that Leeds City Council has been successful in lobbying for the “T” station in the centre of the city, and also that the concerns expressed by my constituents in Woodlesford and—as my right hon. Friend knows, by me—have led to options being at least considered in regard to the route to Leeds. I hope that they will include the tunnel idea. May I urge my right hon. Friend to put pressure on HS2 Ltd to publish the route as soon as possible, in order to avoid circumstances such as those experienced by one of my constituents, who tried to remortgage his house last week and found that the mortgage company had given it a £0 rating?

Mr McLoughlin: I am incredibly sympathetic towards cases of that kind, and my Ministers and I are always willing to look into individual cases. This is a huge project. As I have said, I regret not being able to say more and confirm the rest of the route at this point, but that is still being studied, and all the options suggested by Members are being examined. Once we have announced the route, there will come a time for legislative changes to be made in the House of Commons. I am afraid, however, that part of the difficulty with planning long-term infrastructure projects is caused by the fact that they are long term, and they do take a long time.

Robert Flello (Stoke-on-Trent South) (Lab): I echo everything that was said by my hon. Friend the Member for Stoke-on-Trent Central (Tristram Hunt). The Secretary of State will also know—happy birthday to him, by the way—that, while Crewe may look as though it were next door to Stoke-on-Trent on a map, it takes a good hour for my constituents to drive there. I know that, because I have done it many a time. If they travel by train, once they have got into Stoke, the Crewe-Derby line is appalling, as the Secretary of State will know very well. I think that he needs to look carefully at the line, and bring that work forward by six years.

Mr McLoughlin: All these points need to be considered, but I think it essential for Stoke-on-Trent to benefit from HS2, along with the whole area of north Staffordshire and the southern part of Cheshire. It is a very important area, and we need to ensure that it has the necessary connectivity. Any other issues of connectivity that can be dealt with during the planning process should also be considered.

Jeremy Lefroy (Stafford) (Con): I entirely endorse the comments of the hon. Member for Stoke-on-Trent Central (Tristram Hunt). It is vital for Stoke-on-Trent—and, indeed, Stafford—to have that connectivity. I welcome the Secretary of State’s comments about a generous compensation scheme; it needs to be both generous and swift. May I ask him, however, whether there will be opportunities to look again at the alignment, or at least the elevation, of the route through my constituency, given that every single point that we have made has been disregarded?

Mr McLoughlin: What I have announced today is a line extension of 37 miles between Fradley in the west midlands and Crewe. Of those 37 miles, 1.1 miles consist of three tunnels, and there will also be 4 miles of viaduct. Of course I am always willing to listen to representations from my hon. Friend and others who wish to make them, and once the Bill has been published, people will be able to petition as well.

John Pugh (Southport) (LD): If things are being accelerated, is there any chance of Liverpool being properly linked to HS2 before 2033, if ever?

Mr McLoughlin: As a result of the announcements I have made, Liverpool will get a faster journey time as far as the high-speed link is concerned, so it will see the benefits. Other people are making the case that we should go even further with the HS2 line.

Nigel Mills (Amber Valley) (Con): Will the Secretary of State reconfirm the Government’s full commitment to the whole of the Y-route and, in that regard, will he commit to bringing forward some of the work so that the east midlands gets the proposed connectivity a lot earlier than is planned?

Mr McLoughlin: I very much welcome the fact that there is now a common agreement between the east midlands councils as to where the site will be. On my hon. Friend’s request for a faster decision, I will do what I can, but I have outlined the routes that we are going to take and the process that we are going to go through.

Mr Jim Cunningham (Coventry South) (Lab): I will hold back from wishing the Secretary of State a happy birthday unless he gives me good news. As he knows, I have raised this point many times before. I have constituents who live just outside the catchment area for compensation, but he has said that he intends to extend that area. Can he give me some good news on that now?

Mr McLoughlin: I am glad that the hon. Gentleman does not get a chance to come back with a further comment. The announcements that I have made today will make no difference to the route that is already before the House or to the scheme being investigated by the Committee that is dealing with the route from London to the west midlands. However, we have improved the compensation arrangements for the whole of the route.

Maggie Throup (Erewash) (Con): As my right hon. Friend will be aware, a number of my constituents and businesses in Long Eaton will be bitterly disappointed that, as of today, they still do not know what the route will be. Will he use his influence with HS2 Ltd to bring forward early compensation, so that those people can move on with their lives?

Mr McLoughlin: My hon. Friend should be pleased to note that the new consensus in the east midlands has removed from her constituents in the Breaston area the possibility of a station being located there. I will obviously listen carefully to what she says, however. We have the exceptional hardship payments for certain cases, and I am always willing to look at any individual cases.

Ruth Smeeth (Stoke-on-Trent North) (Lab): I endorse the comments made by my neighbours, my hon. Friends the Members for Stoke-on-Trent Central (Tristram Hunt) and for Stoke-on-Trent South (Robert Flello) and the
hon. Member for Stafford (Jeremy Lefroy). I share their dismay that we are not going to have a station at Stoke-on-Trent. Having said that, I welcome the announcement on Handsacre. Will the Secretary of State give me details of the timing of the consultation and of a final decision on Handsacre?

Mr McLoughlin: The provisions on Handsacre are partly covered by the Bill that is before the House, which is being studied by the special Committee that is looking into the first part of the route. On the hon. Lady’s other point, I refer her to what I said to the hon. Member for Stoke-on-Trent Central (Tristram Hunt), which is that I am keen to see Stoke-on-Trent and Stafford benefiting from the new train services. As I said earlier, capacity is one of the most important reasons for this project.

Several hon. Members rose—

Mr Speaker: Order. I am sorry to disappoint remaining colleagues. We normally take the bulk of Members wishing to ask a question, but we must move on because there is heavy pressure on time today. I thank the Secretary of State and colleagues who have taken part.

Junior Doctors Contract

4.3 pm

The Secretary of State for Health (Mr Jeremy Hunt): With permission, Mr. Speaker, I would like to update the House on the junior doctors’ strike. Earlier this month, the union representing doctors, the British Medical Association, balloted for industrial action over contract reform. Because the first strike is tomorrow, I wish to update the House on the contingency plans being made.

Following last week’s spending review, no one can be in any doubt about this Government’s commitment to the NHS, but additional resources have to be matched with even safer services for patients. That is why, on the back of mounting academic evidence that mortality rates were higher at weekends than in the week, we made a manifesto commitment to deliver truly seven-day hospital services for urgent and emergency care. However, it is important to note that seven-day services are not just about junior doctor contract reform. The Academy of Medical Royal Colleges noted:

“The weekend effect is very likely attributable to deficiencies in care processes linked to the absence of skilled and empowered senior staff in a system which is not configured to provide full diagnostic and support services seven days a week.”

So our plans will support the many junior doctors who already work weekends with better consultant cover at weekends, seven-day diagnostics and other support services, and the ability to discharge at weekends into other parts of the NHS and the social care system. But reforming both the consultants’ and junior doctor contracts is a key part of the mix, because the current contracts have the unintended consequence of making it too hard for hospitals to roster urgent and emergency care evenly across seven days.

Our plans are deliberately intended to be good for doctors: they will see more generous rates for weekend work than those offered to police officers, fire officers and pilots; they protect pay for all junior doctors working within their legal, contracted hours, compensating for a reduction in antisocial hours with a basic pay rise averaging 11% and average pay maintained; they reduce the maximum hours a doctor can work in any one week from 91 to 72, and stop altogether the practice of asking doctors to work five nights in a row; and, most of all, they will improve the experience of doctors working over the weekend by making it easier for them to deliver the care they would like to be able to deliver to their patients.

Our preference has always been a negotiated solution, but the House knows that the BMA has refused to enter negotiations since June. However, last week I agreed for officials to meet it under the auspices of the Advisory, Conciliation and Arbitration Service—ACAS. I am pleased to report to the House that, after working through the weekend, discussions led to a potential agreement early this afternoon between the BMA leadership and the Government. This agreement would allow a time-limited period during which negotiations can take place, and during which the BMA agrees to suspend strike action and the Government agree not to proceed unilaterally with implementing a new contract. This agreement is now sitting with the BMA junior doctors executive committee, who will decide later today if it is able to support it.
However, it is important for the House to know that right now strikes are still planned to start at midnight, so I will now turn to the contingency planning we have undertaken. The Government’s first responsibility is to keep their citizens safe. That particularly applies to those needing care in our hospitals, so we are making every effort to minimise any harm or risks caused by the strike. I have chaired three contingency planning meetings to date, and will continue to chair further such meetings for the duration of any strikes. NHS England is currently collating feedback from all trusts, but we estimate that the planned action will mean up to 20,000 patients may have vital operations cancelled—these include approximately 1,500 cataract operations, 900 skin lesion removals, 630 hip and knee operations, 400 spine operations, 250 gall bladder removals and nearly 300 tonsil and grommets operations.

NHS England has also written to all trusts asking for detailed information on the impact of the strikes planned for the 8 and 16 December, which will involve the withdrawal of not just elective care but of urgent and emergency care as well. We are giving particular emphasis to the staffing at major trauma centres and are drawing up a list of trusts where we have concerns about patient safety. All trusts will have to cancel considerable quantities of elective care in order to free up consultant capacity and beds. So far the BMA has not been willing to provide assurances that it will ask its members to provide urgent and emergency cover in these areas where patients may be at risk, and we will continue to press for such assurances.

It is regrettable that this strike was called even before the BMA had seen the Government’s offer, and the whole House will be hoping today that the strike is called off so that talks can resume. But whether or not there is a strike, providing safe services for patients will remain the priority of this Government as we work towards our long-term ambition to make NHS care the safest and highest quality in the world. I commend this statement to the House.

4.9 pm

Heidi Alexander (Lewisham East) (Lab): I thank the Secretary of State for his statement, and for advance sight of it. When we last debated junior doctors contracts in this Chamber, the Health Secretary was too busy to attend, so I am glad that he has found time to be here today.

May I start by saying that I strongly welcome what the Health Secretary has announced? Nobody wants to see industrial action, not least the junior doctors. Hopefully, common sense will prevail. However, I have a number of issues on which I wish to press the Health Secretary, including how services tomorrow might still be affected, workforce morale, and what happens next.

A week and a half ago, I wrote to the Prime Minister suggesting independent ACAS talks to resolve this dispute. My proposal was immediately supported by the Academy of Medical Royal Colleges and accepted by the British Medical Association. It took the Government a further five days to agree to enter talks. The issue is this: given that a number of operations have already been cancelled, is it not the case that if the Health Secretary had agreed to this proposal when it was first put to him, he could have avoided, or at least mitigated, any disruption to patients tomorrow?

During my urgent question in this House on Friday 20 November, the Minister of State for Community and Social Care was asked 12 times about ACAS involvement, and 12 times he refused to agree to talks. Will the Health Secretary say very clearly why it took the Government so long to agree to talks, and why Ministers initially appeared to rule out the proposal?

Secondly, the Health Secretary will know that this dispute has been deeply damaging to workforce morale. Many junior doctors will have already voted with their feet, or would have been planning to do so over the coming months. Has the Department made any estimate of the effect of the dispute on staff recruitment and retention? What action is the Secretary of State taking to stop the brain drain of our brightest medics to countries such as Australia and New Zealand?

It was clear from my conversations with junior doctors that they felt that they were the first line of defence in a fight for the future of the NHS. Whether that is right or wrong, it is a remarkable situation in which our junior doctors find themselves. Will the Health Secretary now set out his approach to negotiations with other groups of staff about pay and conditions? Does he accept that we cannot keep asking our NHS workforce to do more for less?

Finally, I say gently to the Health Secretary that his handling of these negotiations has been a lesson in precisely how not to do it. I trust that today’s announcement will mark a change in tone and approach on the part of the Government. With that in mind, let me say this to the Health Secretary: everyone in this House agrees that if someone goes to hospital in an emergency on a Sunday, they should get the same treatment as they would on a Tuesday. The Health Secretary has repeatedly failed to make the case for why reforming the junior doctor contract is essential to that aim.

I make a genuine offer to the Health Secretary today. I am prepared to work with him on a cross-party basis to do everything possible to eradicate the so-called “weekend effect” and we will support any necessary reforms to achieving that aim. In return, he needs to be absolutely clear about what needs to change in order to deliver that. As many studies have concluded, there needs to be much more research into why there is a weekend effect, so that we can ensure that we focus efforts on the actual problem. Will he today commit to commissioning new independent research into how reforming staffing arrangements at the weekend might help improve the quality of weekend services? Does he understand that part of the problem has been that he has implied that junior doctors are to blame for differential mortality among patients admitted at the weekend? What other steps will he take to ensure that we have consistent seven-day services, including ensuring that social care is available outside the working week? Will he update the House on the consultant contract negotiations, which are separate to the junior doctor negotiations and are more directly linked to seven-day services?

I welcome the fact that the Health Secretary finally agreed to ACAS talks last week and I welcome the news from those talks today. Nobody wants patients to suffer and I hope that now we can start to put this whole sorry saga behind us.
Mr Hunt: What an interesting response from someone who has never championed seven-day services and has never been prepared to stand up for patients and do the right thing, however difficult it might be.

The hon. Lady asked about ACAS, so let me respond to her comments. We did not respond immediately—incidentally, our response was not to rule it out but to say that we would consider it and that we did not rule it out—because I made a private approach to the head of the British Medical Association to see whether there was enough common ground to make an approach to ACAS worth while. I wanted to give time for that private approach to bear fruit.

The hon. Lady asked about the brain drain. I will tell her what we are doing to stop the brain drain: there will be £3.8 billion of extra resources for the NHS next year. That is £1.3 billion more than Labour promised at the last election. That is a commitment that we can make on the back of a strong economy, which all doctors know that the Labour party would never be able to deliver.

The hon. Lady has repeatedly called for the Government to acknowledge the threat of contract imposition. Let me tell her why we cannot do that. It would give the BMA a veto over a manifesto commitment that has been endorsed by the British people—[Interruption.] She is making noises from her seat, but let me tell her what we have actually said. We will suspend proceeding to the new contracts during the period in which negotiations happen—a short, time-limited period—and in return the BMA will suspend the threat of strikes for that time-limited period. Removing the threat of imposition permanently has not been agreed in any other part of the NHS or any other part of the public sector. The Government must balance the needs of patients, doctors and taxpayers and giving one of those groups a veto over any new contract would make it impossible to make that judgment.

The hon. Lady talked about the way in which I have approached this. Being intertemperate and unreasonable is a quality that I appear to share with every Minister of Health the BMA has met; those are not my words but those of Nye Bevan, the person who founded the NHS. Had he listened to the BMA, he would have not been able to set up the NHS; it would have had to be set up by the Conservative Government who followed that Labour Government.

This junior doctors contract is not the only thing we need to do to have seven-day services, but contract reform is what hospitals say is the most important thing of all. It is based on independent research. The 2013 report from the Academy of Medical Royal Colleges had 10 clinical standards, on which we have based our proposals. We have also based them on the seven studies we have now had over five years that talk about the problems of the weekend effect. We have also had the independent research by the pay review body on which we based the bulk of our proposals.

I gently want to say to the hon. Lady that when it came to the biggest issue of patient safety in the NHS in recent years she did not speak out against the strike. She did not support the Government’s moves to seven-day services and when it came to avoidable mortality she preferred to pick holes in the data rather than make the moral case for action. The British public have noticed.

Mr Kenneth Clarke (Rushcliffe) (Con): I congratulate my right hon. Friend on his steady and patient pursuit of a seven-day service for patients in the face of the extraordinarily militant tactics of the BMA. As one of his predecessors, I can assure him that the tendency to personalise any dispute against the Secretary of State is a long-standing tradition of this trade union that goes back to Lloyd George, when it resisted panel doctors. It was ferocious in its opposition to Nye Bevan and the establishment of the NHS and every Secretary of State of every party since that time has had exactly the same experience in a dispute. If my right hon. Friend succeeds in getting the negotiations under way on a time-limited basis, as he rightly said, will he approach the BMA—of course, in a reasonable way—and insist that it make it clear that it supports a seven-day service, which would be of benefit to the country, and will not turn this into a demand for large amounts of extra pay? I think the British medical profession is among the best paid in Europe, if not the best paid. Everyone should concentrate on how to raise standards of service to ordinary patients up and down the country and how to get rid of higher mortality rates at weekends?

Mr Hunt: I thank my right hon. Friend for his robust support. I seem to remember that when he was Health Secretary posters were put up all over the country saying, “What do you call a man who ignores doctors’ advice”, with a picture of my right hon. and learned Friend. He knows exactly what this is all about.

I welcome the fact that the Secretary of State has been to ACAS and made the change to plain hours that have avoided the situation we are in.

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Mr Hunt: I thank my right hon. Friend for his robust support. I seem to remember that when he was Health Secretary posters were put up all over the country saying, “What do you call a man who ignores doctors’ advice”, with a picture of my right hon. and learned Friend. He knows exactly what this is all about.

I welcome the fact that the Secretary of State has been to ACAS and made the change to plain hours that would have resulted in hours between 7 o’clock to 10 o’clock on a Saturday being counted in the same way as the equivalent period during the week. That would particularly punish people who already work at weekends such as acute medical staff and doctors working in accident and emergency—the very people we need.

I welcome the fact that the Secretary of State has made that change. I should be grateful for clarification of whether the threat of imposition is there or not. The statement says that it has been removed, but in his reply to the shadow Secretary of State he implied that it has not been removed. It would be helpful if he clarified the position.

We keep talking about more people dying at the weekend. May I again stress that it is not excess deaths at weekends, implying that hospitals look like the Mary Celeste? It is excess deaths of people admitted at the weekend, who may die on any day of the week. Junior doctors already cover weekends. It is the additional services...
to diagnose and get people on their journey that we are discussing. We need to focus on that. Unfortunately, the Secretary of State, in previous statements, has moved from talking about excess deaths to talking about the consultant opt-out clause, which applies only to routine work—I am sorry, a toenail clinic on a Sunday will not save lives—but he needs to focus on strengthening the seven-day service for urgent cases, in which people are ill and where existing provision leads to excess deaths. Hopefully, we can make progress. I join the Secretary of State and everyone in the House in hoping that there is not a strike tomorrow.

Mr Hunt: The hon. Lady is right that this is about the excess mortality rates of people admitted at the weekend—not of people who are already in hospital at the weekend. I am afraid that she is mistaken in her characterisation of the rest of the Government position. Clinical standards are clear: people admitted at the weekend, or at any time, should be seen by a consultant within 14 hours, but that is true in only one in eight hospitals across seven days of the week, which is why sorting out the consultant contract for urgent and emergency care matters. Although the opt-out in the consultant contract applies only to elective work, half as many consultants are available in A&E on Sunday as are available during the week, although Sunday is one of the busiest days of the week, so it is not just about junior doctors. However, if we are going to make life better for junior doctors, we need to make sure that they have more senior cover and do not feel clinically exposed, which is what independent studies have said they feel.

Governments of any party must have the right to set the terms and conditions of an employment contract. That is a right that no part of the public sector has moved away from, and it is a vital right for all employers. I have simply said that I will not move towards any new contract while negotiations are happening during this time-limited period. That was what my statement clearly said, and the BMA for its part has said that if this agreement is honoured, it will remove the threat to strike during that period.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I congratulate the Secretary of State on coming here today on this very important matter. All parts of the House support him in trying to find a negotiated solution to this knotty problem. However, if the strike goes ahead—although we very much hope that the BMA will see sense and agree to the terms so far put on the table—I understand that the BMA has not been willing to provide assurances that it will ask its members to provide urgent and emergency cover in areas where patients may be at risk. What more can the Secretary of State do to encourage the BMA to make that statement? That is what will be worrying patients out there.

Mr Hunt: On the overall picture, we must be clear that this is not about asking junior doctors to work a lot of extra hours for free. We expect that as we have increased take-up of seven-day services and more people working antisocial hours, particularly on Sundays, that might lead to a higher pay bill, but we need to make sure that the proposals for the workforce that we have at present protect average pay and mean that as we move to seven-day services, they are affordable by hospitals. To answer my right hon. Friend’s question, we respect the right of doctors to strike, even though it is very disappointing when they choose to do so, but they have said on this occasion, in a way that is quite unprecedented, that they will withdraw urgent and emergency care on 8 and 16 December. All we have said to them is that if there are areas where we are not able to make alternative arrangements for urgent and emergency care by, for example, using other front-line clinicians, we would like their support in those specific areas, not across the whole country, in asking junior doctors to step in on those cases in the interests of patient safety. We have not yet had those assurances, but we very much hope we will get them.

Several hon. Members rose—

Mr Speaker: Order. The Secretary of State is seeking to provide comprehensive and informative replies and that is appreciated. However, progress so far—and it is not entirely down to the Secretary of State, but to the length of questions—has been a bit slow. I am keen to get through everybody if possible, but I remind the House that the next debate is very heavily subscribed, so brief questions and brief answers are the order of the day. We will be led, as usual, in this matter by Gisela Stuart.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): When the Secretary of State chaired his three contingency meetings, did he take account of the fact that last year we had about 43,900 excess winter deaths, which were avoidable and largely caused by almost toxic overcrowding of emergency departments? What provisions has he made to avoid the excess deaths that we had last year and to make sure that that is not made even worse by the present situation?

Mr Hunt: The hon. Lady is right to be concerned by the much higher than normal excess winter deaths that we had, but I would not characterise the reason for those excess deaths as she did. We think they were largely caused by the ineffectiveness of the flu vaccine that was recommended by the World Health Organisation last year but proved not to be as effective as it normally is. The early signs are that this year’s flu vaccine will be more effective. Those excess deaths are deaths at home and throughout the system, not just in hospitals, but of course we are doing everything this winter, as we did last winter, to make sure that we minimise the possibility of excess deaths.

Several hon. Members rose—

Mr Speaker: I call Helen Whately.—[Interruption.]
Order. May I gently remind Members that it is a good idea to continue to stand? One should not stand once and assume thereafter that the Chair is psychic. I had a lunch that the hon. Lady wished to contribute, but keep standing—it helps the Chair and it is also helpful exercise.

Helen Whately (Faversham and Mid Kent) (Con): Thank you, Mr Speaker.

I welcome the fact that the BMA is returning to talks and that there is a potential agreement on the table. The dispute has focused on pay and hours, but I think that its roots might go deeper. For instance, juniors often do not feel valued or part of the team. Does my right hon.
Mr Hunt: I am afraid that I do not agree with the hon. Lady's characterisation of the situation as a “fiasco”. We are making really important changes that will save patients’ lives by eliminating the weekend effect that we have seen in the NHS for some time, which I think any responsible Government need to deal with. The way to improve morale in the NHS is by making it easier for doctors to give their patients the care they want to give, and at the moment that is very difficult in many places at the weekend. We want to put that right.

Craig Whittaker (Calder Valley) (Con): We have heard about the 20,000 cancelled operations and the inconvenience caused to patients by the planned strikes, but I wonder whether my right hon. Friend could report to the House how serving the needs of patients features in the negotiations with junior doctors so that patients can get the same level of care seven days a week?

Mr Hunt: That is the reason we have had this whole dispute with the BMA, and it is disappointing that, rather than it negotiating with us on something that I think every doctor understands we need to address, it has come to the eleventh hour like this. In the end, my hon. Friend is absolutely right that doing the right thing for patients is also doing the right thing for doctors, because doctors go into medicine because they want to look after patients.

Jim Shannon (Strangford) (DUP): I thank the Secretary of State for his statement. None of us wants to see a new contract imposed on doctors; that would be the worst possible outcome. It is very important that we have the seven-day process in the NHS. The BMA represents many doctors in Northern Ireland, where health is a devolved matter, so what discussions has he had with the Health Minister in Northern Ireland to address the issue and find a solution?

Mr Hunt: We are keeping in regular contact with our counterparts in the devolved Assemblies and Parliaments. As this is a devolved matter, it is obviously up to them to decide what they do, but I hope they will be encouraged by the progress that I think we are beginning to make in the argument for seven-day services.

Nigel Adams (Selby and Ainsty) (Con): There are no winners on either side whenever there is a strike, so I wish the Secretary of State well with the negotiations. What answer does he have for the doctors I have met who believe that this contract change forces junior doctors to work even longer for less?

Mr Hunt: I would like to reassure categorically those doctors that that is not the intention of the changes we are making. We have made it clear that we will protect the pay of anyone working within the legal contracted hours, and in fact three quarters of junior doctors will see their pay rise as a result of these changes. We want to deliver safer care. If we are able to go ahead with the negotiations with the BMA that I hope we can in the coming weeks, I hope we will be able to put in place very strong safeguards that all sides agree will reassure my hon. Friend’s constituents.

Clive Efford (Eltham) (Lab): The Secretary of State has to accept his responsibility in bringing about the cancellation of operations, because if he had been prepared...
Mr Hunt: My attitude is very straightforward: I need to do the things that will make patients in the NHS safer, and I want to negotiate reasonably with anyone where there is a contractual issue that needs to be resolved. I think that the Government’s position has been reasonable. The vast majority of doctors will see their pay go up, and the pay for everyone else working legal contracted hours will be protected. This is a very reasonable offer that does a better job for patients, but it has been difficult to get through to the BMA. I urge the hon. Gentleman to talk to his friends at the BMA and to urge them to be reasonable and talk to the Government, whereby we could have avoided some of the problems.

Jeremy Lefroy (Stafford) (Con): I thank the Secretary of State and the BMA for their work over the past few days in bringing this matter—I hope—to a resolution, and encourage that spirit in moving forward. May I suggest that the main way in which morale can be restored is to see that both sides are acting in the interests of patients and, in particular, patient safety, which is so vital to doctors and to all of us?

Mr Hunt: No one knows more about campaigning for patients than my hon. Friend, as he has done in his constituency, and I congratulate him on that. He is right. There does not need to be an argument on a matter such as this, because it unites the Government in what we want to do to make the NHS the provider of the safest care in the world with what doctors themselves want to do. The best way forward is to put aside suspicion and for both sides to recognise that we are trying to do the right thing for patients, for doctors, and for the NHS.

Dawn Butler (Brent Central) (Lab): The Secretary of State has failed. He has failed patients, he has failed junior doctors, and he has failed his Government. He says that people should put aside suspicion. I suspect that the reason he did not agree to meet ACAS sooner was so that he could sneak in the announcement during the autumn statement.

Mr Hunt: Let me tell the hon. Lady what the failure was: it was setting up a contract for junior doctors in 2003 that has made it impossible for hospitals to roster proper care at weekends. The duty of a Secretary of State is to put right those historical wrongs so that patients are safe.

Paul Scully (Sutton and Cheam) (Con): Tomorrow I am due to go to St Helier hospital to meet some of the doctors on the picket line. I am sure that we all agree that it would be far better if tomorrow, instead, the doctors were there working and their representatives were talking to Government representatives. Does my right hon. Friend agree that in talking to the BMA, there is genuine room for negotiation and agreement on many of the details?

Mr Hunt: I have always believed that a negotiated agreement will be better for doctors, patients and the NHS, because I am sure that the BMA has value that it can add in the negotiating process to make sure that we implement the spirit and not just the letter of what the Government want to do. I agree with my hon. Friend, and I hope that we can enter into constructive, serious negotiations.

Alison McGovern (Wirral South) (Lab): I have watched my hon. Friend the Member for Lewisham East (Heidi Alexander) fight night and day, and for seven days a week, for services in her constituency, so I would counsel the Secretary of State against saying that she has not fought for seven-day-a-week services. May I help the Secretary of State? In order to restart the process with trust, will he confirm that he has heard from junior doctors—as I have heard from junior doctors who are constituents of mine—that their primary concern is for nothing but patient safety?

Mr Hunt: I do think that that is the primary concern of the vast majority of junior doctors, which is why I think it was wrong for the BMA to refuse even to sit down and discuss with the Government how we were going to implement a manifesto commitment. I now hope we can get past that, so I will not say any more other than that I think it is now possible to get a better agreement for the NHS, and I hope we will now be able to do that.

Huw Merriman (Bexhill and Battle) (Con): Having been fortunate enough to hear both from junior doctors in my constituency and from the Secretary of State, it is clear to me that both parties are talking the same language but that the communication has not quite filtered through via the BMA. Once this matter is, I hope, resolved, will the Secretary of State think of ways in which dialogue can be improved directly between the Department of Health and junior doctors?

Mr Hunt: My hon. Friend is absolutely right: we have had some very unfortunate megaphone diplomacy over recent months, but I hope we can now put that behind us and that lessons will be learned. As he rightly says, we have never wanted to do anything other than what I think is good for doctors, as well as what is good for patients, and that is what the proposals were about.

Greg Mulholland (Leeds North West) (LD): It should not have come to this and, of course, there will be a cost implication as a result. I welcome the involvement of ACAS to get to this stage and I hope the strike will be averted. Could the Secretary of State assure me that the specific concerns of anaesthetists are taken into consideration, given that they are on site all the time and are essential in making sure that hospitals are safe?

Mr Hunt: Anaesthetists have an absolutely vital role to play in providing proper seven-day services. In the highest-risk operations it is obviously very important for consultant anaesthetists also to be present, to give their very important judgments. I absolutely give the hon. Gentleman that assurance.

Mr Peter Bone (Wellingborough) (Con): If this disaster is avoided, we have an opportunity to move forward and the hon. Member for Lewisham East (Heidi Alexander), who represents the Opposition, has offered her support. One of the crucial failings in seven-day care is social
Mr Hunt: I hope we can do that. The Opposition have talked regularly about social care, and rightly so. The fact is that both Labour and Conservative-run councils are responsible for the social care system, and being able to discharge into the social care system is a very important part of seven-day services. We are now about to enter a period of important reform in NHS and social care integration, so I see no reason why that approach could not be bipartisan.

Andy Slaughter (Hammersmith) (Lab): Last Friday, 321 consultants at Imperial College Healthcare NHS Trust gave their full support to the junior doctors. That is just the latest indication that the Secretary of State has called this dispute wrong from the start. He now has an opportunity to rebuild trust. Does he accept that that is not helped by him coming to the House and denigrating junior doctors and their representatives again, as he has done today, and by continuing to conflate routine seven-day services with mortality rates? That just is not helpful.

Mr Hunt: I am afraid the hon. Gentleman is, as ever, completely wrong. First of all, I have not denigrated junior doctors. I have spent a lot of time praising their absolutely vital contribution as the backbone of the NHS. Secondly, I have not conflated routine services with mortality rates. In fact, I have done specifically the opposite. In answer to the hon. Member for Central Ayrshire (Dr Whitford), I confirmed that we are talking about urgent and emergency care and making sure that services are consistently delivered for urgent and emergency care across the week. That is our priority and that does link to mortality rates.

John Howell ( Henley) (Con): As the chairman of the alternative dispute resolution all-party group, may I confirm that it is always right to identify common ground before going into a negotiation at ACAS? I do not think that anyone should underestimate the amount of common ground that the Secretary of State has achieved in getting the ACAS talks going. What will it now take to get the BMA to call off the strike?

Mr Hunt: My hon. Friend is absolutely right. What is the common ground between the Government and junior doctors? We want to make sure they are working safe hours; we do not want to cut their pay; we want safer services for patients; and we want to make sure that the many junior doctors who do work weekends get proper consultant support and training opportunities at weekends as well as during the week. I think that that is enough on which to come to a deal.

Angela Smith (Penistone and Stocksbridge) (Lab): In his approach, the Health Secretary has implied that the current junior doctors contract arrangements compromise patient safety, so will he tell us which hospital chief executives have confirmed to him that is the case?

Mr Hunt: I can tell the hon. Lady that NHS Employers, which represents all NHS hospital trusts, has said: “Trusts are clear that the current contracts for both consultants and junior doctors must be reformed to provide modernised and safe 7 day services in our hospitals.”

Tom Pursglove (Corby) (Con): What assessment has the Secretary of State made of both the cost and the wasted NHS resources that will result from any strike action?

Mr Hunt: I cannot provide my hon. Friend with that information this afternoon, because we do not yet know whether the strike will go ahead tomorrow, and how many operations will end up being cancelled in advance of it because of the late notice, but I am happy to get that information for him when we have an estimate.

Marie Rimmer (St Helens South and Whiston) (Lab): This junior doctors dispute is not just about pay. We are very fortunate to have such marvellous junior doctors. My concern, and I know that it is their concern, is about the change to the training of junior doctors in the proposed imposed contract, which will have such a negative impact on the research and development that makes our national health service the greatest in the world. Will you comment on the impact that the change in the contract will have on training and research? Will that be altered, and if not, will you please look at it again, because that is absolutely essential?

Mr Speaker: I will do neither of those things, but we will soon discover whether the Secretary of State wishes to do either.

Mr Hunt: I hope that the hon. Lady will be reassured by the Government’s November offer, which has specific protection for junior doctors doing research that the NHS needs them to do to ensure that they are not disadvantaged by doing any such research. I am happy to write to her about the plans we have outlined.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Does the Secretary of State agree that, rather than treating this issue as a political football, which Labour Members appear to want to do, they should take the advice of my hon. Friend for Wellingborough (Mr Bone), which is that both sides should sit down and treat the statement with a cautious welcome? Does the Secretary of State agree that my constituents in Mid Dorset and North Poole are more concerned about patient safety and ensuring adequate 24/7 care than playing politics with our NHS?

Mr Hunt: I do agree. I think that improving seven-day services across the NHS should unite both sides of the House and, indeed, should unite the Government and the medical profession. It is extremely unfortunate that we have got into this position, but there is now an opportunity to put things right and I hope that that happens.

Chris Heaton-Harris (Daventry) (Con): I welcome the statement, and I very much welcome the conversations that are going on. Many vulnerable and sick people have had letters from their local hospitals today saying that their operation tomorrow has been cancelled. Should we get good news later this evening, is it too late to allow those operations to take place, bearing in mind that in many rural constituencies—and city constituencies—transport has to be arranged for those patients?
Mr Hunt: My hon. Friend is right to bring this back to patients, which we should always do in health debates. Sadly, I fear—even if the strike is called off, as I hope it is—that in the majority of cases it will be too late to rebook people for tomorrow. We in the NHS will do everything we can to rebook people as quickly as we can. He is right that this is one of the very sad things that happens if people do not sit around the table and talk.

Mr Speaker: Before I call the hon. Member for Bracknell (Dr Lee) to move the motion, I should point out that there is a large number of would-be contributors to this debate, a rather disturbing proportion of whom are not yet in the Chamber. I hope that will be remedied before long. We do not want standards to slip. [Interruption.] Well, every Member has a responsibility to keep an eye on the annunciator. The hon. Member for Tamworth (Christopher Pincher) says that the debate started too soon. It may have started too soon for other Members, but not for him. He, typically, was in his place at the appropriate time. We are grateful to him, as indeed are a great many others.

4.50 pm

Dr Phillip Lee (Bracknell) (Con): I beg to move, That this House has considered the UK’s role in the Middle East.

I thank the Backbench Business Committee for granting this debate and the dozens of parliamentary colleagues from many political parties who supported me in securing the opportunity to discuss this most important of subjects at this most critical of times. In particular, I thank my hon. Friend the Member for South Ribble (Seema Kennedy), the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) and my hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips) for their support. The importance of this subject to the House can be seen by the fact that the Backbench Business Committee has seen fit to allocate a full day to the debate and by the number of Members who are present and who have indicated that they would like to contribute.

In opening this debate, it is incumbent on me to acknowledge Great Britain’s historical ties with the middle east and state my belief that with that unique history comes a special responsibility to continue to engage with this difficult yet crucial area of the world. I am sure that the Minister will say more about Britain’s historical links to the region later.

In the short time since I made my initial application to the Backbench Business Committee, there have been numerous developments that are relevant to the topic of this debate: a Russian passenger plane blown out of the sky over the Sinai peninsula, a suicide terrorist attack in Beirut, more lives lost in the Israeli-Palestinian conflict, the first full parliamentary elections in Egypt since the second revolution, the deadly bomb attack in Tunisia, the tragic events in Paris, the downing of a Russian jet on the Syrian-Turkish border by the Turkish air force, the unanimous passing of United Nations resolution 2249, an increase in anti-Semitic attacks across Europe and violent clashes with UK Muslim communities, including two attempts to torch Finsbury Park mosque this weekend alone. That is not an exhaustive list. Those events serve as a reminder of the challenges we and the international community face in understanding the issues and how to deal with them.

Before and during my time serving in this Chamber, I have travelled extensively in the region and worked as a doctor among Muslim communities in the UK, seeking to deepen my understanding. I lay no claim to the answers,
but one thing has always struck me as essential: the need to take a coherent and comprehensive approach across the middle east as a whole, and to recognise the shoots and roots of the threats emanating from that region which are growing in our own society.

There are many such risks and threats to confront. They are linked across the whole region and are complex. Tribal and ethnic loyalties, cultural ties, religious differences and centuries-old conflicts, most of which transcend national borders, all bedevil the region. The consequent instability inevitably spills over into the mass displacement of people and the consequent humanitarian need. There is the Syrian civil war, the Yemeni civil war, the Libyan civil war, and the ongoing conflict between Israel and the Palestinians. Many global actors have been sucked in and continue to be sucked in. Proxy wars abound, such as Saudi Arabia versus Iran and the US against Russia. The huge range of actors involved in the Vienna process is evidence of that. There are also historical challenges. Changing borders have resulted in diverse communities within national borders. Colonial powers have been a malign influence via Sykes-Picot. The US and Russia have both been involved. Since 1979, there appears to have been a continuing battle between Shi’i and Sunni.

Within that complex situation the House is soon to be asked to decide whether UK air strikes should be extended into Syria. I do not find that a difficult question, but we must be clear about why we are proceeding in this way.

First, we must not declare war on ISIS; we must not legitimise those barbarians in that way because—unlike them—we are not medieval religious crusaders. Instead, we should help to eradicate groups of people anywhere who abuse authority in order to behead children, systematically rape women, kill people whose religious views or ways of life are not the same as their own, and whose extortion, terror and hatred make it impossible for people to live in the territory they control, and those who commit murder and spread terror in other parts of the world. Such people are not worthy of whichever god it is in whose name they claim to act.

That is why I support the Prime Minister’s proposal to extend air strikes into the ungoverned space of eastern Syria. For the record, I would have supported military action to create safe havens for people in 2011, and I would have included Syria when air strikes against ISIS/Daesh began in 2014, as I regard the current circumstances—in which the RAF can find a foe but not destroy it—as nonsense. The threat from ISIS is clear and present, the legal justification for action is strong, and it is right that Britain should play a leading role with its allies in eradicating ISIS/Daesh from the face of the earth.

The difficult question is how we use military force to constructive and not destructive ends, and on that critical point I do not believe that we have yet got a sufficient answer. Military action never has reliable outcomes, and it spreads fear and chaos. Protracted air strikes will do more harm than good as civilian casualties rise and infrastructure is destroyed. Strikes are not a decisive game changer, but I believe they are an important part of a bigger effort.

Air strikes may be our only hope of getting, and then keeping, parties in the Syrian civil war around the table, but we must be clear about who we are fighting for and how military action ends. Our focus must be on building the 10 or 20-year stabilisation force needed to generate the space required for lasting solutions to be found. I suspect that we will have to contribute ground forces at some point, and we must rapidly evolve a new sort of international action capability if we are to face up to the immense task of social and physical reconstruction. That needs people who are capable of building the foundations that underpin stability: political reform, economic development, legal systems, education and the creation of opportunity for young people, and all peoples must be engaged, not just the political elites. The Government stabilisation unit is a start, but it must be built into the sort of capability that the King of Jordan once described as an army of “blue overalls”, not “blue helmets”.

The scope of this debate is deliberately broad, and I hope it will convey three messages to our country. First, every individual and community in the UK has a stake in the direction that the Government choose to take in the middle east, and towards the threats and risks that emanate from there. This is not just about immediate questions of foreign policy or military action; it is about our future way of life, how we educate our children, how we welcome and integrate immigrants and refugees, and how we teach respect and loyalty for our country, values, traditions and laws. All those things affect whether or not our generation will deal with the issues relevant to this debate.

It is also true that we are, and will remain, at high risk of attack. Broadening our bombing campaign against ISIS will, I fear, increase that risk, but that is not a reason not to act. I believe that the majority of the British public understand that the frontline against Islamic extremism is not just in Raqqa but also here on the streets of Britain. Gone are the days of wars being fought in distant lands. The Gallipoli of the past could be a provincial shopping centre of tomorrow, and until we stop sheltering those who wish our society ill, and until we achieve a fully integrated society in which values are shared, laws are respected, and loyalty to Queen and country is separate from loyalty to a religion, we will not be secure. The risk of atrocity will remain.

Secondly, we must act in the middle east. We must do so now, and we must act more decisively and comprehensively than ever before, recognising where we need to do more to achieve the long-term effects we want. Often in the past, we have been too narrow and reactive. In the west, we have tended to suffer from chronic short-termism. Those who have travelled in the region can attest to the different sense of time in our respective worlds. We have been blinkered to the interconnected nature of the risks and threats. Disengagement is just not an option.

Our approach must change. Above all, we must recognise the threat of Islamist extremism and the conditions allowing it to flourish. We must eliminate them all, not just its latest iteration ISIS. We must remain credible, consistent and reliable partners to our regional and international allies in this struggle. This must come with an understanding that our allies are often imperfect. We must distinguish carefully between regional
Governments battling extremism and its regional supporters. We must be aware of the ever-changing balance of power across the region and that power is shifting away from elites to people on the street. Arabic social media is an extraordinary force. We also need to assess the relative power of religion, tribal loyalties and national identities that in some countries are still quite strong. For example, some analysts have detected a reduction in religious adherence, especially among the young. If accurate, this phenomenon would be hugely significant.

We must accept that reform takes time, influence and patient engagement, not imposition and insistence. We must be pragmatic and treat the world as it is, not as we wish it to be. We must better recognise trends. We did not see the Arab spring or ISIS coming. For too long we have played the equivalent of a child’s game of whack-a-mole, with threats and challenges emanating from the region. We deal, or half-deal, with one symptom, only for another to pop up elsewhere. We are not yet on a path to defeat the causes of today’s wars and instability, or to deal with challenges fast coming down the line. This can and must change. Our national and international machinery of government must be strengthened to bring about that change.

Our strategic focus must be a more stable region. The Vienna process is a welcome sign that necessary powers may wake up to the effort that a long-term solution in Syria will take. We must wake up in the same way to the whole region. Its neighbourhood, including the Gulf states Iran and Israel, has a vital role. It must become a bigger part of the solution and stop being part of the problem. That will not happen without a bigger part of the solution. We need to fund and expand further throughout the region. We must set ourselves up to succeed as a nation for another to pop up elsewhere. We are not yet on a path to defeat the causes of today’s wars and instability, or to deal with challenges fast coming down the line. This can and must change. Our national and international machinery of government must be strengthened to bring about that change.

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Thirdly, Parliament—this Chamber—has an important and constructive role not just in holding successive Governments to account when it is too late, but in ensuring that they shape policies in the first place that are in our nation’s and our constituents’ long-term best interests. Our current range of interventions in the middle east are not yet on track to end well. In some cases, we are already seeing the effects in Libya and with the recent refugee crisis. Others will play out over the coming decades. We must set ourselves up to succeed as a nation and not to fail. We must consider our 10-year, 20-year and 30-year priorities, as well as any immediate threats. The education of the next generation and the emancipation of women are crucial. The British Council is doing good work on those areas, particularly in the refugee camps around the Syrian border. Such work must be better funded and expanded further throughout the region. I have long believed we need a middle east strategy similar to that rightly commissioned by the Prime Minister towards the Gulf states. Here, Madam Deputy Speaker, I must declare an interest, as my wife wrote the recently adopted UK strategy towards the Gulf. Developing such a comprehensive strategy towards the middle east would, of course, be a larger undertaking requiring proper funding, but it would certainly be worth our while.

Britain, of course, already contributes a great deal in terms of humanitarian aid, as well as militarily and diplomatically. We support our allies. We are a strong and steadfast partner. The proposed military intervention will not be a game changer, but our brainpower and diplomatic clout, and the respect in which we are held throughout the region very well could be. Let me be clear: I believe that the most valuable role Britain can play in the middle east is to give the world a plan for peace and stability in the region.

In conclusion, I offer this word of caution from Winston Churchill: “Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong—these are the features which constitute the endless repetition of history.” At such a febrile moment in the region’s history, it is important that we step back. There is huge scope for miscalculation. It would be easy to sleepwalk into a new type of global conflict for which, I fear, we are not prepared. We cannot afford to restrict our horizons. Above all, though, we must challenge ourselves. It is time we paid more attention to a way out of this chaos. The apocalypse that Daesh et al seek must be prevented. To this generation of political leaders falls the responsibility of delivering a comprehensive long-term strategy towards the middle east so as to achieve that noble goal. It will require patience, courage and determination. By applying ourselves properly, we can secure our children’s futures and do the country and the wider world a great service.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. It will be obvious to the House that a great many colleagues wish to take part in the debate, so I am restricting Back-Bench speeches to seven minutes.

5.6 pm

Mrs Madeleine Moon (Bridgend) (Lab): It is a great pleasure to follow that wide-ranging and comprehensive speech from the hon. Member for Bracknell (Dr Lee). It set out well the problems that we face and people’s outrage at the horrific actions of the death cult of Daesh.

The cry is, “Something must be done”, and we are always being asked, “How can Britain intervene? What can we do to put it right?” One of the best writers I have read on intervention says that intervention is unpredictable, chaotic, uncertain, often prevents local leaders from taking responsibility, does not put pressure on settlements between enemies and is often crippled by the frequently changing aims of intervening Governments. I think that sums up what happens when we intervene. It is from that reality base that we will have to decide, very soon, whether we as a country should extend our intervention from Iraq to Syria.

One thing that worries me about the proposed intervention is our capability—not whether our armed forces are determined or skilled enough, but whether we have the platforms. In the 1991 Gulf war, we had 36 fast jet squadrons; today, we have seven, only three of which are Tornado squadrons. We have eight Tornado GR4 aircraft in Cyprus that have flown 1,600 missions and carried out 360 airstrikes. No one has told us how often those aircraft have had to turn back at the Syrian border. I would like some facts on that. We are saying we have to intervene, yet we do not know the facts.

We have carried out one strike in four missions: a strikingly modest contribution. The Tornados are due to be decommissioned in 2018-19. Each plane has a pilot and a navigator, but we have a limited number of
In December 2015, our military presence in Iraq outside our limited intervention capability from Iraq to Syria. I do not want us to transfer 30% of the territory over the last year. What is the basis of the sectarian divide? Is it simply religion, or is it also the age-old strategy of divide and rule? Is it a question of getting groups to fight among themselves, and allowing the corruption and the repression of the autocratic ruling regime to continue, allowing the poverty to grow, and allowing young men to turn to jihadism when there is no work and no hope for the future?

I urge Members to read the Defence Committee report produced in January this year, which outlined the problems we faced in Iraq and the capability we had to intervene there. The report states that we saw no evidence of the UK Government seeking to analyse, question or change the coalition strategy to which they are committed. Ministers, officials and officers failed to set out a clear military strategy for Iraq, or a clear definition of the UK’s role in operations. We saw no evidence of an energised policy debate, reviewing or arguing options for deeper engagement.

Mrs Moon: That is exactly the information that we need. We know that 360 attacks have been made by our planes, but what we do not know is how valid they were. Were they successful? Are they making a difference? Here we are, talking about intervening somewhere else, when we do not even know how successful our intervention has been in Iraq.

The expensive trained and equipped Iraqi army fell apart when confronted by Daesh. The army has serious structural issues, poor-quality leadership, and a sectarian divide that must be addressed before any real progress in combating Daesh is possible. The brutality of the Shia militias often forces Sunni tribes into seeing Daesh as the safer alternative; let us never move away from that recognition. Sunni reconciliation and the taming of the Shia militia are impossibly difficult. If we cannot make that happen in Iraq, what chance have we in Syria? What is the basis of the sectarian divide? Is it simply religion, or is it also the age-old strategy of divide and rule? Is it a question of getting groups to fight among themselves, and allowing the corruption and the repression of the autocratic ruling regime to continue, allowing the poverty to grow, and allowing young men to turn to jihadism when there is no work and no hope for the future?

In Syria there is no compelling image for the future, and there are no leaders to rally behind. Syria is a state in the midst of civil war. In Syria there is nothing that will pull people together, but in Iraq we have potential. There is a Shia president, a Sunni defence Minister, and a wonderful Kurdish president.

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5.16 pm

Mr Peter Lilley (Hitchin and Harpenden) (Con): I congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing the debate, and on his very thoughtful introduction to it.

I share the outrage that has been aroused by the atrocities in Paris, Tunisia, Beirut, Sinai and elsewhere. Any action that is necessary to protect Britain from similar horrors will have my full support, especially if we can simultaneously deliver fellow Christians and other minorities from the barbarity of the ISIL regime. However, I still need to be persuaded that the Government’s
policy is likely to be effective and realistic, although I want to be persuaded. Let me spell out my concerns and doubts.

Above all, we must learn the lessons of experience from Afghanistan, Iraq and Libya, all of which continue to haunt us. Albert Einstein said that the definition of insanity was to keep on doing the same thing and expect a different outcome. My colleagues are eminently sane, so I hope that they have learnt what I believe to be the three key lessons of recent history. First, it is comparatively easy to destroy a regime. Secondly, it is next to impossible to install a new regime or defeat an insurgency by air power alone, without boots on the ground: troops who are prepared to stay for the long term, preferably because they are in their own country. Thirdly, the only thing worse than a tyrannical regime is the chaos and anarchy that may replace it.

I need persuading first that if we join the bombing campaign, it will be in support of forces that are capable of retaining ground that air power may help to clear. In Iraq, we are supporting the Iraqi and Kurdish forces, and if it is militarily necessary to take action across border in their defence, that is fine by me. However, I must say this about Syria. The Prime Minister referred to “70,000 Syrian opposition fighters, principally of the Free Syrian Army, who do not belong to extremist groups.” – [Official Report, 26 November 2013; Vol. 602, c. 1491]

Mrs Moon: Is the right hon. Gentleman aware that when the Select Committee was in Iraq, we were told that 1 million Shia fighters alone were willing to combat Daesh. Do we not have a greater chance in Iraq than in Syria?

Mr Lilley: The hon. Lady has made a very good point, and she made an extremely good speech.

I would like to believe that the Free Syrian Army is more than a label attached to a ragbag of tribal troops, factional militias and personal armies with no coherent command structure. I would like to believe that they are moderates. However, when I was carrying out a study of the conflict in Ulster many years ago, I examined similar situations, and concluded that “it is nearly a law of human nature that where people fear the disintegration of the state they rally to the most forceful and extreme advocate of their group.”

In those circumstances there are no moderates, so at best we will have to rely on some pretty violent and unpleasant forces.

I would like to believe that there will be an effective fighting force. However, in October, the commander of the US central command, General Lloyd Austin, reported to the Senate that the programme to train some 5,400 moderate Syrians each year at a cost of $500 million had so far produced only four or five fighters. The number could be counted on the fingers of one hand. I would also like to be convinced that, if those moderate fighting forces existed, they could be persuaded to fight the Islamists rather than Assad, whom they have mostly considered to be their main enemy up to now.

Mr Lilley: My right hon. Friend is absolutely right. We have signally failed to train any forces, and it is far from clear that we could achieve our aim without any.

My second area of concern is whether this aerial bombardment in Syria will actually help to prevent terrorism on our streets in Britain. I should make it clear that I am not one of those who believe that we should hold back from bombing ISIL for fear of provoking more terrorism. Even if there were such a risk, to allow a handful of terrorists to determine British policy would be cowardly in the extreme. But in any case, the truth is that these extreme Islamists attack us not because of what we do but because of what we are.

The preamble to the Prime Minister’s memorandum to the Select Committee states that “it is from Raqqa that some of the main threats against this country are planned and orchestrated.”

I would like to believe that this was a simple matter of taking out the command and control system to prevent the main threats of terrorism in this country, yet even in that document, when detailing the seven plots foiled by our security forces in the past 12 months, that claim is watered down to say the plots were merely “linked to ISIL” or “inspired by ISIL’s propaganda.”

The truth is that the atrocities we have seen in Britain and France were almost invariably carried out by homegrown terrorists. Many of them were probably inspired by ISIL propaganda or emulating previous suicide bombers and terrorists, but I have seen no evidence that any of them were controlled by, let alone dispatched from, Raqqa. Those plots were hatched in Brussels, not in Syria, and if the French and Belgian security forces on the ground could not identify and stop them, it is pretty unlikely that any plans being hatched in Syria could be prevented by precision bombing from 30,000 feet. In any case, the fact that one horrifying atrocity follows another does not mean that they are directed and controlled by a single organisation. We have seen horrifying school bombings in America, with one following another and one example leading to another, but that does not mean that there was a single controlling mind behind them.

My third concern is that we are led to believe that degrading and disrupting ISIL will reduce the flow of refugees. As I understand it—I am open to correction on this—scarce any of the refugees coming to us or going over the border into Turkey are coming from the ISIL-controlled areas. My fear is that if we disrupt and reduce that area through bombing, we will add to the flow of migrants into Europe.

The real reason that the Government wish to join the operations in Syria is that we want to join our US allies. It is Britain’s default position that we should support America unless there is good reason not to, and that is a position that I hold to, but when there are doubts and reasons not to go ahead, we should reason and argue and try to persuade our colleagues to change their strategy before we join in.

We are celebrating this year the centenary of the birth of Harold Wilson, whose great achievement was to remain the closest ally of the United States while not being drawn into the Vietnam war. I believe we should learn from that example and, if my doubts cannot be cleared up, hold back rather than join in with our friends and allies in their endeavours, which possibly are doomed to failure unless they have boots on the ground to support the bombs from the air.
5.25 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): I, too, begin by thanking the hon. Member for Bracknell (Dr Lee) for securing this debate. One of the first things I was able to do in this House was secure a debate on the case of Raif Badawi, and I know the Minister understands my interest in it. Since then, I have developed something of an insight into how the United Kingdom sees its relations with countries such as Saudi Arabia, which is cultivating a “second Syria” in Yemen. We are continually given assurances that Britain is working hard behind the scenes, in ways that may not be immediately apparent, to secure concrete and durable change—I do not doubt for a moment that that is the case. I stand here in what is possibly the most self-satisfied legislature in the world, the mother of all Parliaments. I have no doubt that the people on these Benches wish to see concepts of democracy, civil society and the rule of law—things they consider to be their own—exported to other countries in the middle east. The problem is a reality in which that idea has yet to arrive. There are too many in this House whose idea of intervention goes back to a previous time. When I asked the Prime Minister last week about the protection of minorities in this seemingly inevitable conflict, I prefaced the question by comparing the middle east to the Mitteleuropa of a century ago. I did so expressly, but the fact is that there has been a slow bleed of peoples from the wider region over that period: and I cannot help but see this country’s hand behind it.

David Lloyd George set the template for UK foreign Policy in the modern era, arming, financing, and encouraging a disastrous Greek invasion of Asia Minor, an action that ended in flames in Smyrna and with a Pontic Greek population that had predated Homer destroyed. Even the greatest leaders cannot seem to help but overstretch themselves; Churchill thought he had no choice but to install Nuri al-Said as regent in Iraq—a regent who was still in power when possibly the greatest Jewish city on earth, Baghdad, was cleansed of that Jewish population. More recently, less illustrious Prime Ministers have led us back to Mesopotamia; an often overlooked corollary of Blair’s war in Iraq was the setting to flight of one of the oldest Christian populations in the world.

I do not offer those examples as a reason why we should not intervene in Syria—if anything, they do not demonstrate the inefficacy of UK intervention, only that it more often than not has unintended consequences. I do not doubt that there is a robust military plan and that our military forces, which are surely the best in the world, will have the better of Daesh, be it from the air or on the ground. It is worth reiterating that the Scottish National party is not a pacifist party, and the Prime Minister would do well to remember that. Of course it goes without saying that something must be done, specifically to those who struck at the heart of Paris a fortnight ago, but the lesson we take from history is that it is simply not enough to say, “Something must be done.”

I beseech the Prime Minister to show that he understands our unease and that he is able to put the immediate problem at hand into the wider context in which it exists. For let us be in no doubt: there is a wider problem facing us that resembles the Europe of 1914. From west Africa to the Sahel, through the Maghreb and the Levant, and to the end of the Arabian peninsula, and from the Caucasus to Kashmir, are a series of insurgencies, failed states and civil wars that we are often unable or unwilling to confront. My principal fear is that in chasing Daesh from Syria and Iraq, it will simply reappear elsewhere. The Government’s willingness to act in Syria must be used not as an end in itself, but as a means to seek solutions in the broadest context.

What we need now is a modern Marshall plan for the region, the participation of as many nations as possible and the determination to see it through. The most pernicious lie that too many have fallen for is that this is the clash of civilisations. What, under any other circumstance, would have been a series of local conflicts has been given greater resonance by the injection of jihadist and sectarian rhetoric; a black and white distinction drawn between the faithful and the Crusaders and the ability of many to bring the “near war” and the “far war” together. Let us not forget that that was Bin Laden’s strategic dream. Too often, the actions of our Governments have exacerbated these problems not from malign intentions, but from their inability to think adequately about what follows an initial military invasion.

Let there be no doubt about this: had the Prime Minister come to this place with a plan not just to bomb Syria, but to ensure that there were both funds and a willingness to rebuild afterwards, and to put in place the appropriate forces to occupy and pacify the country; and had he come here with a plan that placed our intentions in Syria into the context of plans for the wider region, and shown that he had the willingness to join, or build, a coalition of states that were willing to spend the time untangling the myriad regional disputes that have set this part of the world aflame—

Crispin Blunt (Reigate) (Con): The hon. Gentleman is getting to the heart of the issue. The Prime Minister was able to come pretty close to answering the seven points that the Foreign Affairs Committee raised. There is a limitation on what he can actually say, because creating this entire international coalition is active work in progress, which it was not back in September and October. That is the change. We need our Government to be fully committed to that process. Air strikes are a smokescreen for the more substantial question, which is this: how can our Government most effectively contribute to the international coalition that he is talking about, either as a full member of the coalition or as a non-belligerent in Syria?

Stewart Malcolm McDonald: I always listen to the hon. Gentleman with great respect, and he makes an important point. The Vienna talks provide the platform for the United Kingdom to show the leadership that we all want to see.

I would have been willing to support military action had the Government met the criteria that I have just outlined, but the reality is that they have not done so. Instead what we have is a political version of “virtue signalling”—a token effort that, while it may be appreciated by our allies, does nothing to address the deep misgivings in this House and among the wider public. The point is not to attack ISIS, but to defeat it, and to defeat it not just in Syria, but across the whole are of insurgency.

While our military forces have learned from decades of involvement in the region, it seems that their political masters have not. I make this final plea: apply the lessons from history; show us what has been learned; and please give us a proper plan for reconstruction.
5.32 pm

Mr Andrew Turner (Isle of Wight) (Con): Four out of four of our speakers have been brilliant. My contribution will be a little more modest.

I have two problems with the proposed intervention in Syria, but that is not to say that the Government do not care, and that nothing has been done to engage the support of Members on both sides of the House. This is the result of careful thought over a number of years, not a conclusion that we have come to over the past two or three weeks. We recognise the appalling nature of the attacks in France, just as we recognise the attacks in the Lebanon the previous day, the earlier attacks on a Russian aeroplane, and, before that, the attack on the beach in Tunisia.

The question is not how we deal with these attacks today or tomorrow, but how we solve the problems of ISIL on a long-term basis. First, we must not find ourselves using boots on the ground. This matter is not something that can be solved by Britain, the United States, Russia or France. The Prime Minister has made it clear that our boots are not to be used in Syria, nor are those of any westerners, which, for the moment, include those of Russia.

Bob Stewart (Beckenham) (Con): I am always extremely worried when someone makes a definitive statement that says that we will not use our armed forces to defend our interests.

Mr Turner: I can well understand my hon. Friend fearing that, but the Prime Minister himself said that we shall not have boots on the ground.

Where are those supporters coming from? We are not speaking about one army under one general but several different factions, some of which are competing against each other. We cannot repeat what happened in Libya. It is not clear whether these factions, which the 70,000 Syrian fighters comprise, are organised and prepared to act, and whether they can move into ISIL ground quickly, because otherwise new criminals will arrive and appear as soon as the old ones are destroyed. The support needs to be reliable and sustainable. How can we be sure that these are forces to count on?

There is not one clear enemy to fight. The Russians appear to support Assad while we support rebel fighters declared as “moderate”. Russia’s support of Assad has resulted in strikes hitting the moderates. If there was an agreement with Russia, it would be much nearer what we are aiming for. If there was agreement from Syria—from the moderates and the Assadists—it would form a united front. I believe that a successful fight against ISIL is possible only when everyone on the allies’ side works together to defeat them.

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak on these issues, and this is an important and highly topical debate. We are all aware of the terrible events in Paris in the past couple of weeks, as the problems that developed in the middle east spilled over on to the streets of Paris. We are also aware of our key role in developments in the middle east, as well as the global problems that often arise.

The key debate on the middle east at this time is about how we tackle Daesh and how we can respond in a positive fashion. I want to note the strategic interests of four countries at the fringes of Europe, on the borders of the eastern Mediterranean: Greece, Turkey, Cyprus and Israel. They all face a similar strategic predicament. Although they are located near the west and are western in many ways, they are adjacent to a region of great turmoil. Regimes in several nearby countries are supporting terror, acquiring long-range missiles and developing weapons of mass destruction, which means that these four countries cannot fully enjoy the advantages of regional stability, as their fellow western states can, as they are susceptible to threats and other forms of aggressive behaviour. Other Members have mentioned the dispersal of Christians throughout the middle east, and we are all aware of the hundreds of thousands who have been dispersed from Syria, Egypt, Lebanon, Iran, Iraq, Saudi Arabia and elsewhere.

The quartet of countries that I have mentioned can best address their common problem by enhancing strategic co-operation among themselves and perhaps even forging an eastern Mediterranean alliance. Such a step would have implications for western interests as well as for the middle east, and I believe that the UK Government should promote it. The main block to such co-operation or alliance is the tense relationship between Greece and Turkey that arises primarily from the division of Cyprus, which is the issue that most needs addressing.

We need to strike the right balance, of course, as we cannot be seen to be interfering in another nation’s sovereignty, but we must work more closely alongside those eastern European nations, particularly Cyprus. We are fortunate to have the RAF, Navy and Army bases in Cyprus, which former Foreign and Commonwealth Office Ministers and Governments had the foresight and vision to ensure that we had, and they have a key part to play in any NATO or UK operations against Daesh in the future.

Our role in the middle east should not be confined to the already destabilised regions. We should be working more closely with all our allies in the region so that our influence there is complemented by having such strong relationships. Since the crumbling of the Berlin wall in November 1989 and the collapse of the Soviet bloc two years later, the west has enlarged and moved its influence eastward in several ways. The European Union opened its doors to several countries that were once in the Soviet orbit. NATO accepted the Czech Republic, Poland and Hungary as members, and the Bosnian and Kosovar crises have encouraged it to expand its security space to the south and intervene militarily in that region. Thus have the boundaries of the west moved eastwards and south-eastwards, with the expansion to the eastern Mediterranean running parallel to expansion in eastern Europe. That could further western security, including our own security in the United Kingdom. Let us look at the bigger picture: Cyprus, Greece and Israel all have a strategic part to play.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Is there not a problem in the eastern Mediterranean, as the Greek Prime Minister has attacked his Turkish counterpart on Twitter after the downing of a Russian plane, and therefore are we in danger of another country into the other? There have even been descriptions of dog fights between the two. That is no way for anyone to behave when we are facing the likes of ISIS.
Jim Shannon: The hon. Gentleman is absolutely right: that is not the way to behave. None the less, we have to work with westernised countries and see whether we can agree a strategy to move forward. The eastern Mediterranean is already the west’s new outer limit. It is where the European attitude towards the use of force meets a very non-European attitude. It is where two strategic cultures meet, each entertaining different notions of behaviour during conflict. The eastern Mediterranean harbours various political entities, and is perhaps the only area in the world where western democracies live side by side, if I can use this terminology, with rogue states, with rich, authoritarian oil producers, and with some of the poorest countries in the world. Such gaps in wealth increase international tensions and nourish revisionist aspirations, as the Iraqi invasion of Kuwait and the Syrian military occupation of Lebanon dramatically showed.

In 2015, that wealthy region of the world is still in turmoil. We can no longer stand back, or isolate ourselves from a region that has produced truly global problems. Whether it is in a supportive or consultative role, or ultimately as the primary actor in the region, it is time for us in the United Kingdom to stand up and make sure that we take our obligations to the rest of mankind seriously, helping nations less fortunate than us to overcome the difficulties in the middle east so that they might enjoy the prosperity that we in the west too often take for granted.

The west’s long-term strategic interest lies in strengthening western-oriented states in the eastern Mediterranean whose policies have potential to pacify countries in this zone of turmoil and helping to bring their people into the west’s fold. Looking at other countries in the middle east, Jordan is an Arab country that could in effect join the west; certainly the sympathies are there. Other candidates include states of the former Soviet Union such as Georgia, Azerbaijan and Kazakhstan, all of which have developed rudimentary democratic institutions and naturally look towards the west. Most countries, however, would have difficulty extricating themselves from the whims of autocratic rulers.

Those are things we need to think about to create a real, long-term, sustainable and lasting solution to the plague of instability that seems to persist in the middle east. For now, we look to our allies in the region—the Mediterranean quartet of Greece, Turkey, Israel and Cyprus—as the key to unlocking influence once again. We need a positive and influential role in the region, and we need to maintain NATO’s ability to operate effectively in the region if needed. It is imperative that we learn from all too recent mistakes when it comes to how we act in the region, to influence its direction in a way that is positive for it and for the world.

In the next few days, the House will make a truly monumental and historic decision on going to battle in the middle east, whether with air strikes or soldiers on the ground. That is a big decision for the House, and we look forward to that as well.

5.44 pm

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I, too, congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this important debate. I agree that the United Kingdom has a peculiar responsibility for the region. Indeed, it is unique, given the high standing that our country has throughout the middle east.

I pay tribute, too, to the Chairman of the Foreign Affairs Committee for his leadership on our recent visit to the region and for the way in which he has put the Committee front and centre of the debate in the run-up to the important vote that we will shortly hold.

The impression that I took away from our visit to Tehran and Riyadh was one of the mutual hostility, suspicion and antagonism that exists between the two regional powers, Saudi Arabia and Iran. That tension is starting to spill over, not just in Yemen, but in Bahrain and now so tragically in Syria. Many other countries, including Kuwait, are caught up in the appalling tension between those two powers. I am pleased that in the Vienna talks Iran and Saudi Arabia are around the same table for the first time in a long time. As I said to the Prime Minister last week, it is vital that the United Kingdom uses its good offices in the United Nations to encourage and facilitate dialogue between Saudi Arabia and Iran.

Bob Stewart: On that point, we must fully understand that the United Kingdom still has an exceptionally good reputation in the middle east, despite the fact that we have lost so much of our military power. We are still regarded as friends.

Daniel Kawczynski: Very much so. When one travels throughout the middle east, time and again people highlight the fact that they see us as an impartial and honourable interlocutor and as people who can facilitate dialogue to try to dissipate some of the tension in the region.

We recently saw the extraordinary strength of British diplomacy, particularly over the nuclear agreement with Iran. If we cast our minds back to the extraordinary tensions with that country—by the way, during our visit we spent time at the British embassy, which had previously been trashed by students—we can see the great accomplishment of that painstaking British diplomacy. I pay tribute to our Foreign Secretary for playing a substantial role in the agreement. It shows what British diplomacy can achieve. I therefore do not believe that it is naive or unrealistic to expect that the United Kingdom could and ought to be trying to secure better dialogue between Saudi Arabia and Iran.

It is, however, essential that the Government are probed on strategy and planning in the run-up to a potential bombing of Syria. I spent quite a lot of time on that delegation to the middle east with my hon. Friend the Member for Basildon and Billericay (Mr Baron). He wrote an article in The Mail on Sunday yesterday outlining the case against bombing in Syria, and he is the only one among the entire Conservative parliamentary party who voted against the bombing campaign in Libya. That was an extremely courageous thing to do—to ignore the rest of the Conservative parliamentary party and go into the opposite Lobby. I pay tribute to him—he is a former soldier—for the tremendous courage that he displayed at that time.

I recall from those deliberations how the Opposition, the Liberal Democrats and the Government all rushed to support the bombing of Gaddafi. It was a highly emotional time for us. He promised to instigate a bloodbath in Benghazi and, as has been said, we wanted to do
something so we sanctioned the bombing of his military capability. Getting rid of a dictator is easy. What is more challenging is the planning that has to take place in order to ensure that the country is then administered properly, and that those important seeds of a democratic society are allowed to germinate before we pass on responsibility to local politicians.

Adam Afriyie (Windsor) (Con): I thank my hon. Friend for giving way and for making an exceedingly insightful point. Does he share my concern that when it comes to Syria and the bombing of ISIS within Syria, our relationship with Russia must be very carefully managed to ensure that we do not end up with a conflict that we are not looking for, particularly in the reconstruction?

Daniel Kawczynski: I very much agree, and I am grateful to my hon. Friend. Friend for raising that point. I will refer to Syria later in my speech, if I have time.

The lack of planning for boots on the ground in Libya has led so tragically to the continued instability in that country and the civil war that is raging there. The Minister will know about those difficulties, particularly the fact that ISIS has managed to take root in certain parts of the country. Indeed, some reports have identified ISIS in Libya as being the most radical and cruel in the region. One question that I want to pose is this: why at this moment do we want to bomb ISIS in Syria, but not in Libya?

The bar has to be raised that much higher, given the difficulties in Libya, to ensure that, for those of us who support the Government on the issue, adequate time is spent on the Floor of the House and some of the difficult questions that Ministers might not want to hear are asked, so that the Government are better prepared in Syria than they were in Libya.

Of all the interventions I heard at that time, the one made by my right hon. Friend the Member for New Forest East (Dr Lewis), who now chairs the Defence Committee, was the most prescient. He challenged the figure of 70,000 moderates with whom we could work. It is extremely important that the Government listen to society are allowed to germinate before we pass on responsibility to local politicians.

Daniel Kawczynski: That is a point well made, and I hope that my hon. Friend will be able to build upon it in his contribution.

During our visit to the middle east, certain states in the region were unable to explain to us what resources they will be committing in Syria, either in the air or on the ground. There is the added complication of Saudi Arabia wanting the almost immediate removal of Assad and how that will play out. Of course, the regional allies, including Kuwait, the Emirates, Saudi Arabia and others, are involved in a complicated and difficult war in Yemen, which is stretching their resources. I very much hope that, in advance of this vote, the Government will be able to explain to us what our regional allies will be contributing. It is very positive to hear that the Germans will be contributing 1,500 troops, on which I pressed their ambassador during our discussions in Iran.

My time is running out, so I would like to say that I agree with my hon. Friend the Member for Windsor (Adam Afriyie) that it is extremely important that the Government work with Russia on the issue. I regularly attend events at the Russian embassy and speak on RT. I am afraid that at the moment it is fashionable to be anti-Russian and to see Russia through a cold war lens. I believe that we must come together at this time, despite all our differences, set aside some of the difficulties we have had with President Putin and work constructively with him and others to bring about stability for Syria. I echo the point made by my hon. Friend the Member for Bracknell that unless there is a competent strategy, we will end up with a “bat the rat” situation: if we defeat them somewhere, they will pop up again elsewhere only too quickly.

Several hon. Members rose—

Mr MacNeil: On a point of order, Madam Deputy Speaker. It has come to my attention, through BuzzFeed and Twitter, that the Prime Minister will make a statement on Syria after 7 pm. It seems that the statement will be on television, rather than in the House of Commons. Surely we are living in a parliamentary democracy, not a presidential system.

Madam Deputy Speaker (Mrs Eleanor Laing): I thank the hon. Gentleman for his point of order. Of course, I have no way of knowing whether anything that has gone out on social media is correct, so I have no idea whether what he says is true—although, I am quite sure that he would not have raised the point of order had he not seen something to that effect. All that I can say to him, and to the House, is that if the Prime Minister has something of importance to say to the nation about Syria, or indeed about any other vitally important issue, I have every confidence that he will come first to this House to say it. I am quite sure that he will do so in due course.

5.55 pm

Peter Grant (Glenrothes) (SNP): Latha naomh Anndra sona dhuibh—I wish everyone a happy St Andrew’s day. That includes the 90% who claim direct Scottish descent and the 10% who actually have it. I thank my hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) for coming to the Chamber just in time to give me the correct translation.

For a number of people, tomorrow marks the first day of Advent, which is seen as a time to guzzle chocolates out of an Advent calendar. For a billion or more people around the globe, however, Advent started yesterday. That includes the 90% who claim direct Scottish descent and the 10% who actually have it. I thank my hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) for coming to the Chamber just in time to give me the correct translation.

For a number of people, tomorrow marks the first day of Advent, which is seen as a time to guzzle chocolates out of an Advent calendar. For a billion or more people around the globe, however, Advent started yesterday. It is a time of reflection and preparation, to celebrate the birth of a convicted and executed criminal, a Palestinian Jewish refugee whose message of peace and good will to all is as desperately needed today as it ever has been at any time in the 2,000 years since he walked the very lands we are speaking about this evening.

I do not pretend to be an expert in any, or indeed all, of the complexities of the middle east, and perhaps it would be better if none of us did, because I suspect that
many of the problems in that troubled region have their root cause in the fact that so many experts from other countries thought that they knew what was best for someone else’s country. I approach this with the simple belief that there is right and wrong, morally defensible and morally indefensible, in foreign policy just as there is in everything else. I want to see the United Kingdom adopt a foreign policy that is morally right, rather than simply what is right in terms of political, economic or diplomatic expediency.

Against those measures, it has to be said that the United Kingdom’s record has not been particularly impressive. We have heard talk about our ally Saudi Arabia. Saudi Arabia is a ruthless and merciless abuser of the death penalty. We supply that country with weapons and then pretend not to know that those same weapons are being used to kill innocent civilians in Yemen. We honour the Israeli Prime Minister with a full state visit despite the fact that the UK Government’s position is that the Israeli Government are acting against international law by occupying Palestinian territories. We allow weapons and military hardware to be sent to Israel and then pretend not to know that they could be contributing to the deaths of hundreds of innocent women and children in Palestine. We set a cap on the number of desperate refugees we are willing to accept from Syria, but we will set no cap whatsoever on the number of missiles and bombs we are prepared to send there, and we will set no cap on how long that military bombardment will last.

Daniel Kawczynski: I note the hon. Gentleman’s comments about Saudi Arabia. As I am sure he is aware, his hon. Friend the Member for North East Fife (Stephen Gethins), who sits on the Foreign Affairs Committee, was with us in Saudi Arabia last week and heard extensive briefings on the campaign in Yemen. I very much hope that the hon. Member for Glenrothes (Peter Grant) will spend time with his hon. Friend to find out about the Saudi perspective on this.

Peter Grant: I have no doubt that there is a Saudi story, but that story is not the only one that deserves to be told.

My point is that if we continue to operate a policy in the middle east that is based on the interests of UK citizens, businesses and investors, to the exclusion of all else, we will continue to get it wrong.

Stephen Gethins (North East Fife) (SNP): Today is St Andrew’s day, and I note that he was another welcome middle eastern immigrant to Scotland. On the point made by the hon. Member for Shrewsbury and Atcham (Daniel Kawczynski), I think that there are two sides to any story. Of course, if there have been any proven breaches of international humanitarian law, I am sure that all of us in this House would welcome an investigation. I think that would be best for everybody so that we have clarity.

Peter Grant: I would certainly welcome such an investigation, although perhaps it should have taken place before we started to supply the weapons in the first place. It is a bit late to discover afterwards that they have been used for the wrong purpose.

I fear that the international arms trade may have become so entrenched as part of the UK economy that an awful lot of people in the UK, whether they know it or not, or like it or not, have, in effect, a vested financial interest in not finding peaceful resolutions to conflicts the world over. That is not a good position to be in. I accept that we have to be prepared to defend ourselves. I have a problem not with the fact that a business in my constituency is involved in the military industry, but with what that technology is being used for. The willingness sometimes to provide technology without asking too many questions and without getting assurances about what it will and will not be used for has certainly not helped to bring peace to the middle east or to a number of other troubled spots around the world. This debate is clearly primarily about Syria, although it is badged as being about the whole of the middle east.

It is quite likely that within the next few days this Parliament will be asked to take the gravest and most serious decision that any body of people can be asked to take. I am greatly troubled by the idea that a key consideration for some Members might be the impact that that may or may not have on maintaining or undermining individual politicians in this Chamber. The very fact that the media believe that it will be a factor should give us all cause to stop and think. If we genuinely believe that this Parliament is seen as a beacon of integrity and democracy around the world, what kind of message does it send out if we allow for even the possibility that a decision to go to war could be influenced by domestic political considerations back home? I desperately hope that that will not be a consideration for any one of the 650 people who will be charged with making this decision, but I have a horrible feeling that my hopes may not entirely be realised.

Mr James Gray rose—

Peter Grant: I will give way once more.

Mr Gray: The hon. Gentleman makes an interesting point about whether the twists and turns of political fortune in this Chamber should affect what we decide to do about going to war. Does he agree that with the sole exception of the occasion in 2003 when Mr Blair took us illegally to war in Iraq, there has never before been a vote on the matter in the Chamber, and that he is describing a very good reason for returning to the old system, which worked extremely well with regard to Libya, for example, whereby there was no vote at all until after the action had taken place?

Peter Grant: My comments are not about whether individual groups of MPs apply a whip or respect a whip that may be applied to them. It is up to the conscience of each and every one of us whether we follow a party whip. I take the view, although it has never been tested in 25 years in party politics, that if the whip contravened a direct instruction of my conscience I would follow my conscience. That is a decision for every Member to take. My concern is that there is a feeling throughout the United Kingdom and elsewhere that for some people—and the vote could be close enough that they are a decisive element—considerations about the impact on positions taken in this Chamber will be a factor. A decision to go to war should never, ever be affected by such factors.
In looking at the justification that has been given so far for involvement in an aerial bombardment in Syria, I continue to have very serious concerns. In order for a war to be just, for those who believe that there is such a thing as a just war, one of the absolute requirements is that it must have a reasonable prospect of success. Aerial bombardment cannot achieve its aims without troops on the ground. The hon. Member for Bracknell (Dr Lee) suggested that those troops will eventually have to come from the United Kingdom, despite the fact that the UK Government have said, “Not under any circumstances.” Yet if they do not come from the UK, they have no idea of where they are going to come from. This will not work without a complete ceasefire between all the different warring factions in and around Syria, and there is no indication whatsoever of any ceasefire between any combination of those factions just now.

My fundamental concern about the idea of airborne military action in Syria is simply that it will not achieve its stated objective. To me, military action that has little chance of achieving its stated objective cannot be justified.

Rehman Chishti: Will the hon. Gentleman give way?

Peter Grant: I said that I would give way only once more, but since it is the hon. Gentleman, I will.

Rehman Chishti: I fully agree with the hon. Gentleman’s remarks. Military action can degrade, control and contain Daesh, but it cannot defeat the evil ideology that this evil organisation pushes and panders to at every level, so our strategy has to look at dealing with that ideology as well as at taking military action.

Peter Grant: I am grateful to the hon. Gentleman for that comment. The question I asked of the Prime Minister last week was based on that very point. It is one thing to remove Daesh—

Madam Deputy Speaker (Mrs Eleanor Laing): I was going to let the hon. Gentleman finish his sentence, since it is St Andrew’s day.

Peter Grant: Thank you, Madam Deputy Speaker. I finished at that point as I was expecting to be told that my time was up, but that did not seem to materialise.

It is one thing to remove Daesh; it is quite another to remove the circumstances where organisations such as Daesh, the Taliban and al-Qaeda can continue to flourish.

6.5 pm

Dame Angela Watkinson (Hornchurch and Upminster) (Con): I intend to take a slightly different tack in not speaking, like most colleagues, about ISIL or Daesh. I want to focus my remarks on the value of our constructive relationship with Israel and the contribution that it makes to peace and stability.

The selective discrimination against Israel in UK university campuses contrasts with the huge benefits of BIRAX—the Britain Israel Research and Academic Exchange Partnership—which is an initiative of the British embassy in Israel and the British Council. Israel is a multiracial, multi-ethnic democracy where Arab, Druze and other minorities are guaranteed equal rights under law. Israel’s declaration of independence grants “all Israel’s inhabitants equality of social and political rights irrespective of religion, race or gender”, and it is currently the only functioning democracy in the middle east. In stark contrast to other middle eastern countries, there are no legal restrictions on movement, employment, or sexual or marital relations for any of Israel’s citizens. All Israeli citizens from every minority vote in elections on an equal basis.

In the past two months, there have been over 90 terror attacks that have seen the deaths of 21 Israelis and many more injuries from stabbings, shootings and car ramblings. Yet Israeli hospitals have treated both victims and terrorists regardless of their nationality.

Andy Slaughter (Hammersmith) (Lab): If the hon. Lady is going to quote statistics, she should perhaps do so completely. Since the beginning of October, the violence on the west bank has resulted in 85 Palestinian deaths and 11 Israeli deaths, and 9,171 Palestinian injuries and 133 Israeli injuries. That is a ratio of 69:1.

Dame Angela Watkinson: The hon. Gentleman is quoting from his speech, and I will come to those matters as I continue with mine.

In addition, Israel has participated in disaster relief efforts worldwide, most recently providing assistance to Syrian refugees arriving in Greece and elsewhere. Violence has been fomented by repeated inflammatory and false allegations from the Palestinian Authority, Fatah and Hamas accusing Israel of planning to destroy the al-Aqsa mosque and other Muslim holy sites in Jerusalem. Yet Hadassah medical centre, home to Jerusalem’s largest emergency ward, treats the city’s wounded regardless of whether they are victims or attackers, and co-operation between Palestinian and Israeli doctors has helped to save 607 Palestinian children since 2005. The hospital has mixed Jewish and Arab medical staff and routinely treats both attackers and victims, often in adjacent wards.

John Howell (Henley) (Con): I wonder whether my hon. Friend, like me, has been to Save a Child’s Heart in Tel Aviv and acknowledges that the work that the doctors there do in the Palestinian territories, particularly in Gaza, is second to none in saving children’s lives.

Dame Angela Watkinson: My hon. Friend is absolutely right. When I continue my remarks, he will find that I cover that.

Israel’s Teva Pharmaceutical Industries provides the NHS with one in six of its prescription medicines, making it the NHS’s largest supplier of generic drugs. It is leading the world in the development of drugs to combat Alzheimer’s disease, cancer, Parkinson’s disease, and multiple sclerosis. Scientists have developed methods for producing human growth hormone and interferon, a group of proteins effective against viral infections. Copaxone, a medicine effective in the treatment of multiple sclerosis, was developed in Israel by Teva Pharmaceuticals from basic research to industrial production. It has also developed early diagnosis for mad cow disease and Creutzfeldt-Jakob genetic disease in humans, with a urine test instead of a brain biopsy, and identified the gene that causes muscular dystrophy and the gene linked to post-traumatic stress disorder.

In July 2015 the British embassy announced three new water research programmes between UK and Israeli scientists. The work of Israeli research institutions,
such as Tel Aviv University and the Weizmann Institute of Science, improves the lives of people in water-poor countries by sharing Israel's expertise in waste water treatment, purification and water reuse. The programmes will enable scientists from Britain, Israel and the region to work together to tackle water shortages.

Israel is one of the founding members of Digital 5, a group of leading digital Governments who met for the first time in London in December 2014. In March 2015 it was announced that three UK-Israel academic collaboration projects will receive £1.2 million of cyber-research funding from the UK Government.

The total value of trade and services between the UK and Israel is now more than £4.5 billion a year, and the UK is Israel's second biggest export market. British businesses such as HSBC, GlaxoSmithKline, Barclays and Rolls-Royce have invested more than £1 billion in Israel. The UK and Israel work closely together in technological and scientific research, including cyber-security.

In short, Israel is a tolerant, fair society. Creative and innovative, it produces and develops, and it advances knowledge. Britain's close relationship with Israel is a force for good in the middle east, and it is essential that we build and maintain that strong relationship.

6.11 pm

Andy Slaughter (Hammersmith) (Lab): After much reflection and research, and after listening to the views of many people, including constituents, fellow Members on both sides of the House and the Government, I have decided that I cannot support British military action in Syria at present and I will vote against any motion in this House that sanctions it this week. It is my view that the eradication of Daesh from Syria, Iraq and around the world is a necessary process and one in which the UK should be engaged, including through effective military action. I am not currently persuaded that it would be lawful for the Royal Air Force to bomb Syria, but I agree that that is arguable and it is not the principal reason for my opposing the proposed military action. I wish I had more time to talk about the legality of it, but I highly recommend the excellent House of Commons Library briefing, which was published last Thursday.

There are three tests that I do not believe the Government have passed and that the Prime Minister failed to satisfy in his statement to the Commons last week. First, there is no functioning international alliance that can turn short-term military games into a programme for the peaceful governance of Syria. The Vienna talks are a start to such a process, but, as present the aims of Turkey, Russia, Iran and the NATO countries are so disparate as to be chaotic.

Secondly, there is no functioning international alliance in order to take action against ISIL/Daesh in many ways other than air strikes? That includes stopping the flow of weapons into Syria and, above all, blocking the revenue, particularly the oil revenue, that is flowing in at a rate of $1.5 million a day. We need to demonstrate that there is international co-operation on those things, alongside any measures that the Government may propose.

Andy Slaughter: I agree, and I will come in a moment to what I think we should be doing.

In addition to the lack of tactical and strategic bases, my third test is that the permanent defeat of Daesh in Syria requires the end of conflict, which is what allows it to thrive. Any short-term retrenchment will likely benefit the Assad regime, which is itself responsible for seven times as many civilian deaths as Daesh this year. That may mean a shift in the balance of forces, but it will bring us no nearer to resolution.

Seema Kennedy (South Ribble) (Con): Will the hon. Gentleman give way?

Andy Slaughter: I will not.

I want Britain to engage in a concerted diplomatic effort to wean Russia and Iran away from their support for Assad, and Turkey and Saudi Arabia away from giving comfort, if not actual support, to Islamist extremism. I want a peace process that allows non-extremist opposition to talk to the acceptable parts of the Syrian Arab Army and Kurdish forces, and a concerted attempt, as my hon. Friend the Member for Westminster North (Ms Buck) has just said, to cut off the funds to, and other international support for, Daesh. That is a very difficult, perhaps impossible, agenda, but to engage in bombing missions on the basis of, “Something must be done”, or even on the basis of solidarity, and without clear objectives, does not show sound judgment.

There are other arguments for and against intervention, including that our contribution would be small, especially given the lack of military targets without the risk of civilian casualties; that we should support allies, whether they be the Iraqi or French Governments; and that we remain at risk from Daesh attacks on the UK, whether we take further military action against them or not. However, the three points I have mentioned are my red lines. They are also, I am pleased to say, reflected by a ratio of 100:1 in the letters and emails I have received from my constituents in the past few days and weeks. I will, of course, review my decision in the light of changing events, but given the UK’s poor record of intervention in the middle east over the past decade, I think that further military incursion should be approved only if a high burden of proof can be established.

Having dealt with that matter, may I turn, albeit necessarily briefly, to two other issues in the middle east? The first is the current situation in Israel-Palestine. I am sorry that a few moments ago we listened to a
speech that gave a very one-sided view of that situation, which is at its most serious for many years. The issues are not new—we are familiar with them, including the growth of Israeli settlements, which now account for almost 600,000 people in the occupied territories; settler violence; a shoot-to-kill policy and increased use of live fire; increased use of home demolitions; child detention and administrative detention; pass laws, checkpoints and barriers; and restrictions of access to the Noble Sanctuary and other holy places. None of those things is new, but the intensification of their use by the occupying power is much more significant, and that is going on partly because of the extremism of the Israeli Government and partly because tragic events elsewhere in the middle east, including in Syria, give cover for it.

Tom Tugendhat (Tonbridge and Malling) (Con): Will the hon. Gentleman give way?

Andy Slaughter: I am sorry, but I will not, because of the time.

There are often distractions. Because the European Union has suddenly decided belatedly to impose labelling restrictions, Netanyahu said this morning that he was not going to talk to the EU. It is important that we do not import settlement goods, but, in the great scheme of the occupations, those are details. I can only quote from a recent article in The Guardian by Marwan Barghouti, who is a prisoner in Israel who wrote that “the last day of occupation will be the first day of peace.” That is what we should keep our eyes on—the fact that this is a country that has been occupied for many decades, and justice will never be achieved in Palestine until Israeli forces withdraw.

Finally, the Gulf is another issue that needs a whole debate in itself. The Government’s policy on it is just wrong. We support Saudi Arabia, where many barbaric things occur within the regime, and, indeed, Bahrain, where we are building a naval base, and the United Arab Emirates, all of which have appalling human rights records. Such matters cannot be airbrushed and they ought to be reviewed. Nowhere is that clearer than in what is currently happening in Yemen.

I believe that the Foreign Secretary is on the record as saying that the UK will support the Saudi-led coalition “in every practical way short of engaging in combat.”

As Amnesty International has reported, that has meant a British-made Cruise missile being used in the coalition’s destruction of a ceramics factory, a civilian object, on 23 September in an apparent violation of international humanitarian law. The head of the International Committee of the Red Cross, Peter Maurer, has said:

“Yemen after five months looks like Syria after five years.”

Yemen’s is a forgotten war. It is a war in which the Saudi-led forces are creating havoc and committing humanitarian outrages daily. That is not to defend the Houthis and other forces, who are equally guilty of atrocities, but it is wrong that—for strategic, tactical or other reasons—the British Government are giving their unqualified support to what the coalition is doing. It is wrong that they are supporting a regime, such as the Bahraini regime in the Gulf, which oppresses the majority of its population and carries out torture and human rights abuses. While the Government are prepared to condemn such abuses in other countries, it appears they are not prepared to do so in the case of Gulf countries for historical or, indeed, diplomatic reasons, but I believe they should do so.

6.21 pm

Heather Wheeler (South Derbyshire) (Con): I congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this important and timely debate. I draw the House’s attention to my entry in the Register of Members’ Financial Interests.

I want to take this debate in a slightly different direction. Our role in the middle east must be to support countries that provide full rights to Christians and protect the rights of all minorities. We must challenge those who seek to persecute minorities for their religious beliefs and practices.

A century ago, Christians made up 20% of the population of the middle east, but this figure has dramatically fallen to 4%. Christians face prison sentences and executions for practising their religion in many countries across the middle east, where hatred of Christians is ignored or encouraged. Daesh is carrying out a campaign of persecution against minorities in the middle east. At least 5,000 Yazidis have been murdered in Iraq since August 2014, with the advance of Daesh forces who have declared Yazidis to be devil worshippers.

The rise of Daesh has intensified the persecution of Christians in the middle east. Countless Syrian and Iraqi Christians have been murdered with methods including crucifixions and beheadings. Daesh has evicted thousands of Chaldean and Assyrian Christians from their homes in Mosul, and in other areas they have demanded that Christians either convert or pay a tax for non-Muslims. They have destroyed countless churches and Christian shrines, and have carried out ethno-religious cleansing of Christian minorities.

Any Muslim who converts to Christianity is considered to have performed apostasy—the conscious abandonment of Islam. In certain parts of the middle east, this is a crime punishable by death. Christians live in a threatening atmosphere in many countries in the middle east, including Iran, where there were hopes that the treatment of minorities would improve under President Rouhani. Christians in Iran continue to be arbitrarily arrested and they face abuse in police custody.

Elsewhere in the middle east, Coptic churches have been burnt in Egypt in recent years. Hundreds of Christian Coptic girls have been kidnapped and forcibly converted to Islam, as well as being victims of rape and forced marriage to Muslim men. There are no churches left in Afghanistan. In 2012, the Grand Mufti of Saudi Arabia proclaimed that “it is necessary to destroy all the churches of the region”.

Tom Tugendhat: I very much welcome my hon. Friend’s comments on the state of Christianity in the region. It is, after all, the crucible of Christianity, and where Jesus Christ himself emerged from the Aramaic communities of Syria, which have tragically been destroyed. There is, however, one glimmer of light—the United Arab Emirates, whose sheikhs have recently been building Christian churches. Is she planning to come on to that point?

Heather Wheeler: My hon. Friend has made the point superbly well already.
Mrs Moon: During its visit to Iraq, the Defence Committee also went to Jordan. One of the things we were extremely pleased to hear from the King is that he has opened the Jordanian borders to all Christians. A large number of Christian refugees have been accepted there. That has caused him problems, but he is determined to accept them.

Heather Wheeler: I thank the hon. Lady very much for her intervention. Perhaps I should not call it a highlight of my first term in Parliament, but I had the great honour of meeting the King during my first five years in the House. He is the most amazing gentleman I have ever met, and I wish him God speed.

In stark contrast to such countries, the state of Israel remains committed to its declaration of independence pledge to “ensure the complete equality of all its citizens irrespective of religion.”

Since Israel’s founding in 1948, its Christian population has increased a thousand-fold. Today, Christianity is practised by more than 160,000 Israeli citizens, and it is the largest religious community in Israel after those of the Jews and the Muslims. Israel is home to the holiest sites in Christianity, including the Church of the Holy Sepulchre in Jerusalem, where Jesus was crucified and resurrected; the Room of the Last Supper and the Via Dolorosa in Jerusalem; and the Sea of Galilee in northern Israel, where Jesus practised his ministry. Though Christians are exempt from military service, thousands have volunteered and have been sworn in on special New Testaments printed in Hebrew.

The level of freedom in Israel is remarkable when one considers the oppression and persecution faced by citizens in neighbouring countries, including those under the Palestinian Authority in the west bank and under the oppressive rule of Hamas in Gaza. In 1950, 15% of the population in the west bank was Christian; now, it is less than 2%. A generation ago, as many as 80% of Bethlehem’s population were Christian. This figure has now decreased to 10% owing, it is said, to land theft, intimidation and beatings.

We must continue to work with Israel, a country that upholds the rights of minorities in this turbulent region and the only country in the middle east that shares our democratic values. I call on the Government to draw attention to the devastating decline in the Christian population in the middle east and to dissociate themselves from any countries that sanction minorities for their religious beliefs or ethnic origin.

6.27 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I wish you an excellent St Andrew’s day, Madam Deputy Speaker. I am aware of your very strong Gaelic connection.

I thank the Backbench Business Committee for supporting this important debate, and the hon. Member for Bracknell (Dr Lee) for his very comprehensive speech and for encouraging us to hold the debate. I declare an interest in that my husband previously served as a member of the UK armed forces.

Due to recent events, there has been much debate about the issues in the middle east and about what the UK’s role and approach should be, particularly in relation to extending air strikes to Syria. That was discussed at length on Thursday, when the Prime Minister delivered his statement. Although he is not pushing for a vote at this stage, he has indicated that he will do so and such a vote appears to be imminent. There is therefore an imperative need for continued debate, and this debate is extremely timeous. This is a serious and sensitive issue with significant and wide-ranging implications for our armed forces and their families, and for our response to the middle east. I do not want, during this serious debate or following its conclusion, to create more families, such as the Gentle family, who have gone through trauma.

There are concerns that extending air strikes to Syria may be ineffective, cost further human suffering and help to increase Daesh’s recruiting appeal. There appears to be consensus among many military experts of the area that there is likely to be little benefit from such action. It is recognised that a significant number of nations have already launched bombing campaigns in Syria, with the US’s campaign having gone on for approximately one year, so the suggestion that additional air strikes by the UK will make any significant difference appears unlikely.

Hannah Bardell (Livingston) (SNP): Will my hon. Friend join me in congratulating our First Minister, Nicola Sturgeon, on her invitation to host an international women’s summit for peace in Syria? Does she agree that it is such peace negotiations that world leaders should be engaged in, rather than further bombing, which only stokes the fires of war?

Dr Cameron: I do congratulate the First Minister and emphasise that diplomacy is important.

Nick Witney, a senior fellow at the European Council on Foreign Relations, has highlighted the fact that:

“The year-long US air campaign against Islamic State...in Syria is now widely acknowledged to have had remarkably little impact—beyond strengthening that organisation’s narrative of oppression by ‘crusaders’, and therefore its recruiting appeal.”

That view is endorsed by Scottish Muslim groups, which highlight the fact that:

“As more innocent people die from the air strikes, the appeal of Daesh will strengthen.”

It is important to remember that many of the recent terrorist attacks that have triggered the consideration of air strikes have been carried out by individuals who were already living in the countries affected. Therefore, the domestic threat is unlikely to be addressed by air strikes.

The Foreign Affairs Committee report emphasised a number of key issues that required further explanation before the House was asked to approve a motion authorising military action. It highlighted important matters such as legality, ground troops and long-term strategies and consequences as being crucial to the success of any military action. The answers that have been provided by the Government to date have not been adequate in addressing those concerns.

Mr James Gray: The hon. Lady is making a very interesting point, but was she not here when the Chairman of the Foreign Affairs Committee said that the seven points he had raised had been answered adequately by the Prime Minister in his statement and that he intended to support the Government’s call for strikes against Syria?
Dr Cameron: I was here for the statement and I heard the Chairman of the Select Committee state those views. However, I do not believe that his views are held commensurately by all members of the Committee.

Ordinary citizens do not live apart from ISIS terrorists. Youthful of over 14 years of age are reportedly conscripted. Those who are unable to flee are, in effect, human shields. They are not able to hide in the tunnels that are dug by ISIS to shelter its commanders.

BOMBING is generally a prelude to the use of ground forces. We do not intend to send ground forces, but are relying on about 70,000 local fighters from the Free Syrian Army. Where do the Russian forces stand? Is this an effective ground forces strategy?

Will we be hitting Syria for political reasons, such as to show our strength as part of a coalition? It may be a fallacy that bombing will hasten a political settlement and prevent terrorist attacks here.

There are few Members in this House, if any, who do not want to see action that would swiftly degrade Daesh, but widespread concern remains on a number of fronts. The danger to civilian casualties may inflame anti-western feelings. What is the overall strategic aim of such action? How much bombing will be enough? What is our position on the longer-term outcome in Syria? Will engaging in air strikes reduce the risks here in the short or long term?

Although much of the focus has been on Syria, I briefly want to highlight other areas in the middle east, such as Yemen, where civilians are suffering the effects of civil war. It is important that the people there receive appropriate attention and assistance. Oxfam highlights the fact that, prior to the conflict in Yemen, millions of people were already experiencing poverty and hunger. Since the escalation of the war in March 2015, those issues have intensified. There have been more than 32,000 casualties and 5,700 fatalities. It is reported that approximately 82% of the population is in need of humanitarian aid. Although some of the support that the UK has provided appears to have had a positive impact, much more aid is needed for the civilians who have been affected and more diplomatic pressure needs to be exerted by our Government.

In conclusion, the UK needs to take a coherent approach across the middle east that links humanitarian, economic and diplomatic means. That appears to be lacking, as does a strategic long-term approach to the difficulties faced by the middle east to encourage stability at this time. We hope to work constructively across the House to ensure that the UK takes a progressive role in Syria and beyond. Questions remain to be answered and the solutions will be complex. A clear, long-term military strategy must be developed and presented fully to this House.

6.35 pm

Nadhim Zahawi (Stratford-on-Avon) (Con): I commend my hon. Friend the Member for Bournemouth East (Mr Ellwood). I have just returned from a trip to Iraq and Turkey as part of my work on the Foreign Affairs Committee and the teams in both places told me how engaged he was. I believe that he will be making his fourth visit to Iraq very soon. I want to put it on the record that our ambassadors in those places are doing a tremendous job. I hope to describe in detail some of the solutions in Iraq and Syria. I, too, highlight to the House my declarations in the Register of Members’ Financial Interests.

Britain has been deeply involved in the middle east for centuries. The region has occupied our diplomatic and cultural attention for decades. Those close links are the reason I stand here today. Britain was the haven of choice for my family when we fled Saddam in the 1970s.

Today, ISIL captures the news headlines, our nightmares and our imaginations, but it is just a symptom—a potentially fatal symptom—of a deep rift at the heart of the Muslim world. The rift has several parts at different layers and they all matter. For decades, a stricter, puritanical interpretation of Sunni Islam has proliferated across the region. Traditional and more enlightened forms have been rejected, leading to more aggression and intolerance. It has led to the spread of extremism when that interpretation has mixed with other social problems, such as unemployment, corruption and poverty, which are all too common in these countries.

The regional powers of Saudi Arabia and Iran are at a stand-off and undermine each other at every turn, their relationship poisoned by suspicion and fear. They risk tearing apart their neighbours by proxy. Syria and Iraq are vulnerable to that because of their origins as Ottoman provinces fitted together into new kingdoms by the victorious empires of the first world war.

Tom Tugendhat: Does my hon. Friend recognise that this is not the first time in the history of the middle east that countries have fought the genuine curse of Muhammad ibn Abd al-Wahhab’s interpretation of Islam, and that when the Ismaili dynasty of Egypt launched one of its great attacks on the Nejd province of Saudi Arabia in the 1800s, it was very much part of that evolution?

Nadhim Zahawi: My hon. Friend is absolutely right. He is a great Scholar and I look forward to his contribution to this debate and, I hope, to the debate on Wednesday.

In Iraq, a Sunni king who was installed to allow the British to dominate was replaced by a Sunni dictator. In Syria, a Shi’a ruling class was created to enable the French to rule. In both instances, it resulted in bitter divisions, as political oppression added to sectarian divide. That settlement, which was maintained only by fear and force, has completely collapsed in the wars.

As we have watched Syria torn apart by the civil war and Iraq stuck in political deadlock and threatened by ISIL’s invasion, it has become clear to us that a new settlement is needed. The one that the US began in 2003 is completely gone. The Iraqi Government that the coalition set up and the army it trained are hollowed out and militias provide much of the manpower against ISIL. Iran dominates politics in Iraq today. I commend the Foreign Secretary for the work that he has done to bring Iran in from the cold.

As we fight to end the war and restore peace, we must recognise that real peace—a peace that lasts and allows people to feel safe and get on with their lives—can only come from self-government, federalism and political reform. That is the aim and it is a noble one, but challenges
stand in the way. Syrians and Iraqis may want strong representative Governments, but that may not be what Iran or Saudi Arabia want. That is not what all Shi’a, or indeed all Sunni, in Iraq want, and it is not what Assad and the Shi’a minority in Syria may want. Why? Because all they have ever known is rule by the strongest. Those who are not on top are under the thumb of whoever is on top. People see a protracted fight as preferable to letting down their guard in a compromise that they might not survive. That lesson has been scarred into the region by systematic killing right from the death throes of the Ottoman empire to the murderous regimes of Saddam Hussein and Hafiz and Bashar al-Assad. However, we are not passive on this matter, and it was made clear to me in Iraq last week that we can influence Baghdad—indeed, those who agree with us are crying out for more influence in Baghdad.

Rehman Chishti: My hon. Friend talks about influence in Baghdad, but does he agree that one of our failures was in supporting the Maliki Government who persecuted Sunnis and massacred Members of Parliament in Anbar province? That led to the creation of this monster—Daesh—which is now out of control.

Nadhim Zahawi: I thank my hon. Friend. Friend, and I am coming on to that point. He is right to point out the shortcomings of the Maliki Government. As I said, we are not passive, and right now the only game in town is Iran, whose Government may not want a strong Sunni region in Iraq, or a Sunni-dominated Syria. Prime Minister Abadi is an ally, and we must make it clear to him that if he can push back and convince Iran that there is a different way, and begin the project of rebuilding Iraq after the disastrous Maliki Government, we will be with him all the way. We can make it clear that we want devolution to Sunni regions of Iraq, and inclusion so that the Iraqi political project can become the vehicle for Sunni hope that it ought to be. If we give people that, ISIl is finished and none shall follow in its place; if we fail them, we have not seen the last of extremism and violence.

Syria is not different in needing that kind of settlement. Assad inherited a doomed regime from his father. He could have chosen dialogue in 2011, but instead he chose the cudgel. Rather than admit that he was finished, he lashed out at the protests, and bludgeoned his country into civil war. Assad’s barrel bombs, torture chambers and nerve gas mean that he and his family cannot continue to rule in Syria, and they cannot be given a part in any future Government. To do so would guarantee that this is a war without end.

However, there is a difference between Assad and the regime, and a distinction between Assad and the Alawites. It is not a binary choice between Assad’s regime and the terror of ISIl. The moderate rebels are vital to the future of the country, and any future Government with whom we can work. Russia will see that too, because President Putin does not want ISIl to control vast swathes of the country any more than we do. Russia’s Caucasus has a large Muslim population that is vulnerable to radicalisation and terrorism. Putin wishes to keep his bases and a presence in Syria, and he worries about the transition between Assad and the next Government. On that, his views are legitimate, and we have no wish to dismantle Syrian Government apparatus. We desperately want a secular Government in Damascus, and for minorities to be protected, and we do not wish to threaten Russia’s interests, presence or bases in western Syria. There is very real room for agreement. The political settlement that we eventually reach can include all things, and Russia can become our partner in influencing such a deal.

The rift between Sunni and Shi’a Muslims has existed for almost as long as the religion of Islam and it is not going away. However, we do not need it to go away to achieve peace: we are not trying to achieve agreement on everything, and we do not need to. People will always disagree about what is important in their life and how society should be governed—that is pluralism. What is important is resolving and compromising on matters within democratic and legal apparatus. That is the real aim and it can achieve a new political system in time. There are also partners for us to work with in those countries, and I met the American, German and Dutch teams. Our Prime Minister is right to say that we must extend our campaign to Syria to fight Daesh, and I will be supporting him on that.

6.44 pm

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): It is some years since I worked in the middle east, so what I am about to say is fashioned mainly from recent research that I have done, and that from the Commons Library. My short speech is not the one that I thought I would give. I had intended my speech to cover the broad sweep of the middle east, but given our debate thus far, perhaps it is better to leave that to another time and concentrate on the matter in hand, which is Syria.

For a long time I have had an interest—both professionally and in other ways—in the issue of capacity building in countries that have suffered from conflict, or that in some way need to rebuild their societies. I was particularly concerned the other day when I read this rather depressing comment from Manish Rai, who is editor of the geopolitical news agency, Viewsaround:

“Only time will tell who will win or lose this war. However, one thing is certain: Syria as a country has already lost the struggle for its survival. Perhaps in the future, coming generations will know through stories that a country once called Syria existed on the planet.”

Let us hope that his concerns and fears do not come to pass and that something can be done. The challenge facing any reconstruction is huge, and at times speakers in this debate have been rather glib in their expectations about what can readily and easily be done.

Let me recite a few of the facts that we know from United Nations agencies and others. The UN estimates that 8 million Syrians have been displaced from their homes, in addition to the 4 million who have fled their country—that is more than half of Syria’s entire pre-war population. According to the UN, 250,000 people have been killed, and half of those were civilians.

Stephen Gethins: Given those numbers, does my hon. Friend agree that we should pay tribute to the people of Jordan, Turkey and elsewhere in the region who are taking in so many refugees, and that the UK needs to help those countries by taking in more refugees?

Roger Mullin: I agree entirely, and in a Westminster Hall debate some weeks ago I argued that we must do more for the thousands upon thousands of orphaned
children. It is estimated that 300 to 400 children have been captured by Daesh and put in camps to be trained as suicide bombers. Surely compassion compels us to do more for the most vulnerable in Syria at this time.

Chris Green (Bolton West) (Con): If ISIL is to remain in the middle east, and more and more people are purged from that putative state, surely by removing those people from the middle east whom ISIL does not want we will be serving its purposes.

Roger Mullin: My concern is about the most innocent and vulnerable people. Of course we want an end to terrorism in the middle east, and this House will have to address—perhaps in a couple of days—the best means of accomplishing that. I suspect that I will disagree with the hon. Gentleman, but in my short speech I hope to set out the scale of the challenge of rebuilding Syria, whenever that can start.

Rehman Chishti: In defeating this evil organisation, we must defeat its ideology, appeal and self-proclaimed legitimacy. We must join our ally France in using the correct terminology, and I pay tribute to the hon. Gentleman and his party for doing that and for not linking this evil organisation to Islam, which has nothing to do with it. This organisation are evil scum and we must describe them as that.

Roger Mullin: They are indeed evil scum. I pay tribute to the many Members who call this scum by their proper name of Daesh. A few weeks ago, Members who did so were few in number, but now there are many more. All those who use the correct terminology in this debate deserve credit. The hon. Gentleman is correct: there are huge ideological and cultural challenges to overcome. I would like to say a few words, however, on the practical challenge relating to infrastructure.

It was estimated recently that the productive capacity of Syria has been so degraded that it is 80% less than it was before the war broke out four years ago. Some 37% of all hospitals in Syria have been completely destroyed and a further 20% are so degraded they are unable to provide anything like the kind of service they provided in the past. There has been a significant destruction of health, education, transport, water, sanitation and energy infrastructure. Indeed, it has reached the stage where some commentators estimate that if the war were to end today and Syria embarked immediately on 5% economic growth—that is highly unlikely—it would take 30 years to return to the economic situation it was in in 2010.

In addition to the destruction of infrastructure, there is the difficulty we will have in entering the area to start to rebuild it. I am the chairman of the all-party group on explosive weapons and I have carried out some investigations into that situation in Syria. As well as the degradation of infrastructure, the Syrian Government have been using both anti-personnel mines, manufactured in Russia, and cluster munitions. Both are deemed illegal under the Ottawa convention. Daesh uses both cluster munitions and improvised explosive devices as landmines. This build-up of the huge detritus of war will have to be cleared before any real development can take place. There is currently no mine action programme in Syria to remove any of it. This is understandable, given that the conflict is still under way. In fact, the situation is so unusual that non-state parties—terrorist groups—have been known to dig up landmines from Israeli minefields along the Golan Heights and attempt to reuse them for their own purposes. The number of victims of explosive weapons, predominantly civilians, is already huge. The conflict in the Falklands 33 years ago was relatively small, yet the UK has still not fully cleared all the landmines from the Falkland Islands. I say that not to condemn the United Kingdom, but to think about the challenge facing Syria given the state of destruction that has already taken place.

Mrs Moon: I am sorry to interrupt the hon. Gentleman, but I have visited the Falkland Islands many times. The problem the Falkland islanders have is that the mines have sunk into peat. It would be more difficult and destructive to remove the mines than to leave them there.

Roger Mullin: I accept that that is true in some regards. However, a UK Government programme is still under way and money is still being spent to encourage further clearance, so it seems the UK Government do not accept that that is the situation in every case. In any case, I make the point to highlight the fact that we will face a huge challenge in Syria. It is one that this House would do well to address.

6.54 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): I am grateful to the hon. Gentleman for the excellent points he has made. Al-Khwarizmi wrote his book on algebra, explaining the correlation of numbers, before the Bayeux tapestry even existed. Indeed, he wrote it before there was a King of England: Ethelbert was the King of Kent, and there was no Duncan and no kingdom of Scotland.

Tom Tugendhat: The Minister is making some excellent points. We talk very often about cyber-terrorism. Al-Khwarizmi wrote his book on algebra, explaining the correlation of numbers, before the Bayeux tapestry even existed. Indeed, he wrote it before there was a King of England: Ethelbert was the King of Kent, and there was no Duncan and no kingdom of Scotland.
Mr Ellwood: My hon. Friend underlines my point about the history.

This is a proud and fragmented part of the world. Through the eventual expansion of our own empire, we have come to know it so well. It was through our treaties, alliances and, yes, our wars that we were able to trade and to develop an intricate knowledge of, and relationship with, much of the middle east, which is still evident today. From the 1820 Trucial States treaty with the Gulf kingdoms, the so-called veiled protectorate rule of Egypt, the San Remo conference and the Balfour declaration, Britain’s history, for better or worse, is deeply intertwined and inextricably linked with the security, economy, governance and, in some cases, the very creation of states across the region.

Forgive the history lesson, but it is only through this backdrop that we can fully appreciate the complexity of the region and the expectation that, as one of the five permanent members of the UN Security Council, the world’s leading soft power and with such strong ties to the region, we should be at the forefront of efforts to increase security and safeguard prosperity.

Mrs Moon: I know how diligent the Minister has been in getting to understand the region, and in visiting and talking to the people there. Does he not recognise, however, that one of the major problems our country faces is the hollowing out of the Foreign and Commonwealth Office? Increasingly, there is a lack of understanding of the history, culture, politics, alliances, aspirations and personalities in the region.

Mr Ellwood: One week ago, the hon. Lady could have made a powerful case for that, but I am pleased to say that the spending review confirmed Britain’s and the Government’s commitment to making sure that we have the money to continue our diplomatic contacts.

Our desire to be at the forefront in the middle east was reflected in last week’s strategic defence and security review, where the commitment to building a more secure, stable and prosperous middle east and north Africa region was underlined. In an increasingly globalised world, and as a country open to international business, we understand that our economic security goes hand in hand with our national security. We therefore invest in protecting and projecting our influence and values.

Today, UK trade with the middle east and north Africa is worth £35 billion a year. For example, 4,000 UK companies are based in the Emirates; Britain is the largest direct foreign investor in Egypt; Qatar invests £30 billion of its sovereign wealth funds in the UK; in Oman, BP is building the largest onshore gas project in the world; our exports to Kuwait are up 12% on last year; and in Israel, the Prime Minister has launched a thriving bilateral active technology community hub. Such strong relationships create the trust that allows us to raise issues such as human rights, the rule of law and other aspects of justice, and to have these frank conversations.

Oliver Dowden (Hertsmere) (Con): I know that my hon. Friend is familiar with the case of my constituent’s father, Mr Kamal Foroughi, who is imprisoned in Iran. Does he think that our improving relationship with Iran will allow us better to make the humanitarian case for his release?

Mr Ellwood: I think we are having a meeting about this next week. The fact that we now have a dialogue with Iran makes it easier for us to deal with these consular matters, and I look forward to doing my best to assist my hon. Friend and his constituent.

Sadly, although there are reasons to be positive, many countries in the region remain afflicted by violence and instability. Yemen was labelled as the forgotten war by the hon. Member for Hammersmith (Andy Slaughter). In that country, the Houthis advance against President Hadi’s legitimate Government has had catastrophic humanitarian consequences. Some 80% of the population are in urgent need of humanitarian assistance, and so far the UK has pledged £75 million of support. We welcome the crucial role that the Saudi Arabian-led coalition is playing, but these military gains must be translated into progress on a political track and a ceasefire agreement.

Keith Vaz (Leicester East) (Lab): I am grateful to the Minister for mentioning Yemen, which should not be forgotten when discussing the middle east. What success has he had in persuading the Saudis to ease the bombing campaign, which is causing so many problems for local Yemenis?

Mr Ellwood: First, may I acknowledge the right hon. Gentleman’s commitment to the country as chair of the all-party parliamentary group on Yemen? We are aware of reports of breaches of international humanitarian law. We have raised them with the Saudi Government and received repeated assurances of compliance, but we will continue to engage on this issue.

In Libya, delays on both sides in confirming a government of national accord are allowing extremist groups to take advantage of the vacuum and to gain traction, as has been mentioned by hon. Members, but progress has been made. I recently met Prime Minister-designate Sarraj in Tunis, and we very much support UN envoy Martin Kobler as he calls on Libyan delegations to confirm their commitment to the implementation of the political agreement.

Daniel Kawczynski: My hon. Friend will share my tremendous frustration that a government of national unity in Libya has proved so allusive. In the interim, until we have secured that government, do we recognise the Tobruk government as the official government of that country?

Mr Ellwood: I was involved in speaking to members of delegations on both sides at the UN General Assembly, and we remain focused on securing that government of national accord. We are working hard with the UN envoy, and Jonathan Powell is also involved.

On the middle east peace process, we all know that there is an urgent need to create the conditions for a resumption of talks leading to a long-term peace agreement and a two-state solution. I condemn the appalling murders of innocent people in recent weeks, and the Foreign Secretary and I have called on all sides to respect a ceasefire and improve the situation on the ground.

The signing of the nuclear deal with Iran is welcome, but I share others’ concerns about Iran’s destabilising activity in the middle east. Many of our partners in the region share this view. There remain numerous issues on which we disagree with Iran, such as its support for the
As the Prime Minister said on Thursday, military action and the extension of UK air strikes to Syria should be seen not in isolation but as part of a coherent strategy that includes our counter-extremism strategy, the diplomatic and political process under way, and a comprehensive humanitarian and stabilisation package for post-conflict reconstruction. I am delighted to tell the House that in February the UK will be hosting a senior-level summit to discuss how the international community can best assist the people of Syria in humanitarian support and stabilisation.

Extending UK air strikes will have a qualitative and quantitative impact on ISIL/Daesh. On a tactical level, they will allow full targeting of an adversary across a border that they themselves do not honour or recognise. Operationally, we will bring exceptional capability to the table in the form of the Brimstone missile system, which can accurately take out targets travelling at speed with low collateral damage. Strategically, it will make a material contribution to Daesh’s defeat in Iraq by impeding supply lines and thereby hastening the fall of Mosul and Ramadi. It will also apply greater kinetic pressure to the headquarters from which Daesh co-ordinates its activities. It will give hope to the majority of people living in Raqqa who live under duress and constant fear, who want to be liberated but not by Assad. As the Prime Minister said, while air strikes will impede the ability of Daesh to operate freely in the short term, it will be destroyed only through the political process and the ability of all Syrians to have a say in their future.

The recent meetings of the international Syria support group in Vienna brought together for the first time the key international stakeholders, including Iran, Saudi Arabia, Russia, the United States, France and Turkey. There is now a common vision of what is needed to end the war, stabilise the region and help the Syrian people. Military chiefs, politicians and the public rightly ask what success looks like in order to avoid lengthy and costly campaigns. That is why the Prime Minister has articulated a wider strategy in which military action is just one element.

Let me make it clear that I am just as concerned by the mission creep of Daesh itself. No longer is it focused on its so-called caliphate, as it is extending its poisonous ideology in other ungoverned and fragile spaces such as Libya, the Sinai and north-eastern Nigeria. Its mission creep inspires extremists further afield, including those in Tunisia, who killed 30 innocent British holidaymakers on the beach.

Carol Monaghan (Glasgow North West) (SNP): Will the hon. Gentleman give way?

Mr Ellwood: I will not, I am afraid.

That mission creep is the changing of tactics directly to attack western targets, as we saw in the recent tragedy in Paris and beyond with the bombing of the Russian holidaymakers flying home from Egypt. This cannot go unchecked. That is why Britain must act.

In conclusion, all MPs have a duty fully to scrutinise the merits of the Prime Minister’s proposal. We must learn from the previous decisions taken by this House and place them in context, but I ask that we not be paralysed by them. We are dealing with an implacable enemy, with whom we cannot negotiate. We have already taken the decision to fight Daesh in Iraq, and it has
extended the fight well beyond the so-called caliphate. The dangers this poses, not just in Iraq and Syria, but in Paris, Sharm el-Sheikh, Tunis, Kuwait City and Ankara, is understood by all members of the United Nations Security Council, who have called on all member states who are able to do so to tackle the scourge and eradicate its safe haven.

Let us be clear that the liberation of Raqqa is not just around the corner. It will take time, and progress on all strands of our strategy will be required, but degrading and placing pressure on Daesh alongside progress on the political track is the key. This strategy includes the 70,000 non-extremist opposition, who are already fighting both Daesh and Assad. Hon. Members have said a number of times, “Who are these people?”, so let me clarify. These are the hundreds of factions that, since the Arab spring, have defended their local communities against the tyranny of Assad, but want no truck with terrorism or indeed extremism. They have successfully kept supply routes to Aleppo open and defeated Jabhat al-Nusra in the south. As such, they are the ones that we need to support, and they are the ones who will play an important role in Syria’s future. They will be part of the political transition in the country, and they will shortly come together in the region to form a common position.

I ask colleagues to ensure that we continue to do all we can, as a leading P5 nation, to support our allies, with our soft and hard-power capabilities, to help advance an end to the Syrian civil war and to defeat Daesh for good.

7.14 pm

Tommy Sheppard (Edinburgh East) (SNP): On behalf of my party, I applaud the Back Benchers who have secured today’s debate. We now know from one of the Conservative contributions earlier that we will be asked on Wednesday to vote on whether or not to go to war in Syria. It is timely and appropriate that in a week in which such a proposition is being put, we should consider the wider historical and political perspectives in the region.

It was less than 100 years ago when the then colonial powers carved up the lands that were once controlled by the Ottoman empire and created the map of the middle east and the territories that we see today. I have to say, on reflection, that some of those decisions were arbitrary and that some did not take into account the territorial and ethnic identifications of the people who lived there. Most importantly, those powers certainly did not consult the people who were to be governed by these arrangements and nor did they have at their heart the democratic and secular principles to which I think we all aspire.

Those arrangements have not served us well in the last century. They have been the source, I believe, of much of the insecurity in that region. If we are to have a wider debate and a wider strategy, this country needs to be concerned not to repeat the mistakes of the past and to ensure that it sees a future in which people will be consulted on their own government. There is probably widespread agreement in this Chamber on the type of political arrangements we would like to see in that part of the world. We believe that they should be democratic and that people should be allowed to elect those who govern them. We would also agree that we want them to be secular or, if not entirely secular, at least to be states that will tolerate religious freedom and allow religious expression.

In pursuing those objectives, I believe that we have to be both consistent and coherent in our foreign policy. It is fair to say that that consistency and coherence have been absent from the foreign policies of this country under successive Governments. I want to pick up on three examples in respect of which more work is required.

The first is the situation with the Kurds. Many have applauded the peshmerga, and we and other western countries are coming to their assistance and providing them with the resources they need in the current war that they are waging. We will need to consider and support demands for Kurdish autonomy in the north of Syria, and we will also need to consider, I think, whether the time has come to recognise that there should be a national state of Kurdistan, which would not just bring confidence to the Kurdish people but might end up providing more security in the region in the longer term.

Tom Tugendhat: The hon. Gentleman makes an excellent point about the very policies that Her Majesty’s Government and our allies have pursued in the region. On the possibility of a Kurdistan, the hon. Gentleman has elucidated some interesting arguments. The only narrow point I would make is that the creation of a Kurdish state, if that were to happen, would cause such unrest in the region that it might be something best considered in due course rather than at a time when the region is already inflamed.

Tommy Sheppard: My point is that it must be on the agenda, and that we cannot have a situation whereby we appear to be allying with the Kurdish forces in Syria and Iraq, using them in many ways as a proxy, yet at the same time denying their aspirations.

That brings us, I am afraid, to the situation with Turkey. I regard the recent Turkish elections, in which President Erdogan strengthened his position in the country, to be a retrograde step. This country needs, I think, to have a serious dialogue with the Turkish Government and to bring our other allies into that dialogue as well—and we need to say that the way in which they regard the Kurds is not acceptable and will not lead to the longer-term peace we want to see in the region.

The second aspect of Saudi Arabia has been mentioned already. It is a state that, frankly, is barely beyond the medieval in how it treats many of its people. I, for one, am dumbfounded at the continuing closeness of the Foreign Office with the Government of Saudi Arabia and our continuing desire to arm them, even in a situation where there is now credible evidence that the Saudi royal air force is using British-supplied weapons against the civilian population in neighbouring Yemen—contrary to this country’s rules relating to arms supply. I think we have seriously to question what our attitude should be to the Saudi Government and what their role would be in preparing a lasting settlement in the area.

My third and final point, relating to the need for consistency and coherence, is the Israel-Palestine question, which has in many ways been overlooked in the last few years. The situation there is getting worse than it has ever been before. The violence is reaching very intense levels, and, as was pointed out earlier by, I think, the hon. Member for Hammersmith (Andy Slaughter), the disparity in that violence is really quite marked. The number of
casualties on the two sides is entirely unequal, and many aspects of the reaction of the Israeli defence forces are disproportionate and, indeed, could be considered unlawful. We cannot continue to ignore the situation in Palestine, in the occupied territories and the green zone.

**Tom Tugendhat:** Will the hon. Gentleman give way?

**Tommy Sheppard:** I am not sure whether I will be given extra time, but I will take the intervention anyway.

**Tom Tugendhat:** Will the hon. Gentleman forgive me if I make a very short comment on the Israel-Palestine question? He has raised some excellent points, and is advancing an extremely fluent argument encompassing most of the middle east. What has struck me over the past four or five years—and I wonder whether it has struck him as well—is that since the so-called Arab spring, the question of Israel has not been mentioned on the Arab streets. The question is not whether or not Israel is legitimate or illegitimate; it relates to the governance of the Arab countries themselves. Is it not incumbent on us to focus on that question of governance—of which the hon. Gentleman himself has just spoken so fluently—rather than sending ourselves down a rabbit hole and talking about the Israel-Palestine question, which is, let’s face it, distinct from the question of governance in the region?

**Tommy Sheppard:** It is distinct, but it is not possible to consider a lasting peace in the middle east without addressing the situation there, which I think is being brushed under the carpet at the moment.

In the occupied territories, the Israeli Government are sponsoring and supporting both the development of new settlements and the demolition of Palestinian homes and properties, which is creating a situation that is close to the annexation of those occupied territories by the state of Israel. That may be Israel’s intention, but if it pursues the same path, the viability of a separate Palestinian state will not be there, and hence the two-state solution will not be there. If the Israeli Government intend to continue their present policies, the Israeli Government should be challenged to say what they consider to be the longer-term conditions for a settlement of the conflict between Palestinians and Israelis in that part of the world. Meanwhile, millions of Palestinian refugees are still being held in the refugee camps in neighbouring countries, in a sort of holding pattern, and are being denied any hope or any prospect of a place that they can call home.

I must say in all seriousness that one of the things that this country could do—acting in concert with other western countries—is try to take a fresh initiative on the question of Israel-Palestine, and be seen to try to advocate the human rights of Palestinians and the requirement for a lasting and balanced peace in the area. I think that that would, single-handedly, do a great deal to undermine and counter much of the mythology that is being put about on the issue of Daesh, and the suggestion that this is a conflict between the west and Islam. We should be seen to take new action on Palestine, but at present no one is talking, and no talks are planned for the future. I know from correspondence with the Minister that he is sympathetic to much of what I have just said, but this seems to be the policy that dare not speak its name. The United Kingdom cannot continue to be silent on what is happening in that part of the world.

Let me now say something about Syria, which is the main event that we are discussing. I must make it clear that the Scottish National party understands the threat that Daesh poses to our way of life, and that we sympathise absolutely with the requirement for international action to undermine and eradicate that organisation. We are, however, anxious not to do something in the short term that would make things worse in the medium and the long term. That is why we remain unconvincing about the need for air strikes, which, it is proposed, should take place not with a ground strategy to follow, but in isolation.

Aerial bombardment in isolation means rearranging the piles of rubble, and it invariably results in some innocent casualties as collateral damage. It creates more refugees, and, above all, it plays into the narrative of Daesh that the crusaders are coming to deny the Muslim people their way of life. Unless there are forces on the ground, all that air strikes do is destroy territory rather than controlling it. Unless the air strikes are linked with a proper ground campaign, we think it irrelevant to make the Royal Air Force the 13th air force in the skies over Syria. For 15 months the Americans have been bombing these positions almost daily, yet the situation on the ground in Syria has not changed by one inch, and, if anything, Daesh is stronger than it was 15 months ago.

**Rehman Chishti:** Will the hon. Gentleman give way?

**Tommy Sheppard:** Again, I am not sure whether I have time, but I will take the intervention.

**Rehman Chishti:** The hon. Gentleman will know, in relation to numbers on the ground, that at the Vienna conference Jordan was tasked with identifying moderate groups that could work with the international community. I have not seen a list of moderate groups from Jordan. Has the hon. Gentleman seen such a list, and are those groups part of the 70,000 that we are told will come from the Free Syrian Army?

**Tommy Sheppard:** I share the hon. Gentleman’s scepticism in this regard. Last Thursday I asked the Prime Minister whether he envisaged circumstances in which the Free Syrian Army and the Kurds would launch a successful ground offensive against Daesh, ignoring the presence of the Syrian army or pretending that it was not actually there. I did not receive a satisfactory answer.

It seems to me that a four-way civil war is taking place in Syria, and that some of those four sides are themselves quite complicated coalitions. If we are to develop a Daesh-first strategy, we shall need to persuade the other three sides to agree to co-ordinated action against Daesh. That is where the focus of diplomatic and political effort should be directed. I realise how difficult it will be. I realise that many of the groups that are associated with the Free Syrian Army, for example, would see Assad as more of an enemy than Daesh, and it will take a great deal of negotiation to bring all that together. It does not mean that all those groups must share a command structure, and it does not mean that they must share zones of operation—those can be separate—but any action must be co-ordinated. We cannot allow a situation in which some of them are simply trying to do what would be our bidding in a completely irrelevant and ineffective manner. That strikes me as a recipe for disaster.
[Tommy Sheppard]

The one hope in all this is the Vienna process, and the fact that a dialogue is under way. We believe that the time now should be spent in boosting that process, and in trying to secure the political and diplomatic agreements that we need for co-ordinated action that will be successful not just in bombing places into the stone age, but in taking control of land, starting with a military administration and then passing it over to civilian administrations month by month, year by year. Unless that framework is in place—and, unlike the Chairman of the Foreign Affairs Committee, for whom I have a great deal of respect, I remain to be convinced that it is—when the opportunity comes on Wednesday, the Scottish National party will not vote to go to war with Syria.

Diana Johnson (Kingston upon Hull North) (Lab): On a point of order, Madam Deputy Speaker. Further to the point of order that was raised earlier in the debate about the Prime Minister making a statement to the media, it appears from social media that the media have already been informed that we will be having a debate and vote on the issue of Syria in the House on Wednesday, immediately after Prime Minister’s Question Time. I wonder whether any Minister has had the courtesy to approach you, Madam Deputy Speaker, and explain that he or she would like to make an announcement to the House before briefing the press about when votes would take place.

Madam Deputy Speaker (Natascha Engel): I have not received any confirmation or otherwise from a Minister, but I have been in the Chair for the whole of this time. I think that the usual procedure would be for a Minister, or the Leader of the House, to make a supplementary business statement. We must wait to see whether that happens, but so far nothing has been confirmed or otherwise.

Mr David Jones (Clwyd West) (Con): I, too, congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this important and timely debate. I must begin by declaring an interest, as a former member of the Council for the Advancement of Arab-British Understanding.

I greatly enjoyed and appreciated the contribution of the hon. Member for Edinburgh East (Tommy Sheppard), which was thoughtful and with a great deal of which I agreed. The middle east has, of course, been a source of enormous tension for many years, as has been mentioned by many Members today, and Britain has an important role to play. Next year will mark the centenary of the Sykes-Picot agreement, which shaped much of the middle east as we know it now, and modern Syria dates back to that accord.

British middle east policy combines a number of approaches and positions. Some are influenced by direct national interest, some by the position of the European Union, and some by the United States and other regional powers. Given all the crises in the region, including Syria, Iraq, Yemen, Libya and Palestine, these policy positions might at times appear contradictory. I therefore believe that it is important for us to have this debate today.

Many hon. Members have focused on Syria today, for what are very clear reasons, and there will no doubt be further contributions on that subject in the next 48 hours. I, however, would like to focus on what is for many the kernel of the middle eastern problem—namely, the issue of Israel and Palestine. As the hon. Member for Edinburgh East pointed out, that issue seems to have been overlooked in recent years, but it is now bursting on to the international consciousness as a result of the increasingly violent tension in that country.

Since the beginning of October, the violence in Israel and the west bank has resulted in the deaths of 85 Palestinians and 11 Israelis, and more than 9,000 Palestinians and 133 Israelis have been injured. There is talk of this being the third intifada. The latest surge in violence began after a Palestinian stabbed two Israelis to death in the old city of Jerusalem, which all hon. Members would of course condemn. We have to wonder, however, whether the Israelis acted proportionately in their response. They have erected more walls to surround the west bank, and added to the 750 km of security fences that are rapidly caging in the west bank. They have fired at protesters on the Gaza border, and early in October, nine Palestinians were killed in what Israel claimed was an attempt to bridge the fence.

The causes of the conflict are many and various. They go back to the 1967 six-day war and beyond. However, it seems that the recent escalation was sparked, at least in part, by the Israelis placing restrictions on access to the al-Aqsa compound in Jerusalem’s old city. The French Government have called for an international observer force to be deployed at the holy sites, and I strongly urge the Government to give consideration to that proposal. The al-Aqsa compound has been a source of tension for many, and if Britain could play a part in defusing that tension, it would be doing a wonderful thing.

Many people in this country—and, indeed, in this House—fully understand that Israel’s history renders it unique and that it is concerned about its borders, but it has to remember that it is a democracy. Many of its actions in the region do it a huge disservice, particularly the increase in the number of settlements on the west bank. In fact, the settlement programme continues unabated.

On 8 October, Israel’s Defence Minister said that settlement building “was not frozen for even a minute”, and pledged that Israel would continue to “build in the future”. If Israel continues to deny the Palestinians any prospect of constituting themselves as a state and of living with the kind of dignity that they are entitled to, it will continue to experience the sort of violence that it is facing at the moment.

As my hon. Friend the Member for Hornchurch and Upminster (Dame Angela Watkinson) said, Israel has a great deal to commend it. Like her, I have visited the Hadassah hospital in East Jerusalem, which treats patients of Israeli and Palestinian extraction equally. However, continuing to deny the Palestinians a homeland of their own will result only in the continued escalation of the violence. It will, as the hon. Member for Edinburgh East put it, render the prospect of a two-state solution almost impossible.

In the climate talks in Paris today, the Israeli Prime Minister, Binyamin Netanyahu, and the President of the Palestinian Authority, Mahmoud Abbas, shared a
handshake. That could possibly be the start of a dialogue between the two sides, and it is dialogue that is needed, rather than what the Secretary-General of the United Nations has referred to as the continued enclosure of the Palestinians behind walls. We have to find our way towards a solution, and I believe that this country, with its long history in the middle east, could play its part in that. With goodwill on both sides, we may yet see a resolution of that most persistent of conflicts.

Keith Vaz: (Leicester East) (Lab): I know that the focus of the House has mainly been on Syria today, but now that we know we will be debating that subject on Wednesday, I hope that Members will forgive me for talking about another country in the middle east—namely, Yemen. It has already been mentioned by the Minister and one or two others.

The situation in Yemen has reached crisis point. Aid organisations believe that more than 21 million Yemenis—that is 80% of the population—are in urgent need of food, water and medical aid. This is the largest humanitarian crisis in the world. The Danish Refugee Council estimates that more than 4,628 people have died and that 28,598 people have been injured as a result of the fighting and bombing campaigns, and that 573 of those killed were children. On average, 30 people have been killed and 185 injured every day in Yemen since the end of March.

The damage to the country’s already limited infrastructure makes aid delivery very challenging. This will also make post-conflict reconstruction extremely difficult. As a direct result of this damage, at least 160 healthcare facilities have been closed down completely across the country. To add to the problems, a lack of fuel has restricted the use of water pumps, which has left 13 million Yemenis—50% of the population—struggling to find an adequate amount of clean water to drink or to use to grow crops.

A report on the crisis published by the all-party parliamentary group on Yemen, which I have the privilege of chairing, has not yet received a response from the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Bournemouth East (Mr Ellwood), but I know that, as Minister with responsibility for the middle east, he has many pieces of paper to read and many visits to make. I hope, however, that he will respond to that report as soon as he can. I want to commend the efforts of the Prime Minister’s envoy to Yemen, the right hon. Member for Bournemouth East (Mr Ellwood), but I know that, as Minister with responsibility for the middle east, he has many pieces of paper to read and many visits to make. I hope, however, that he will respond to that report as soon as he can. I want to commend the efforts of the Prime Minister’s envoy to Yemen, the right hon. Member for Bournemouth East (Mr Ellwood), but I know that, as Minister with responsibility for the middle east, he has many pieces of paper to read and many visits to make. I hope, however, that he will respond to that report as soon as he can. I want to commend the efforts of the Prime Minister’s envoy to Yemen, the right hon. Member for Bournemouth East (Mr Ellwood), but I know that, as Minister with responsibility for the middle east, he has many pieces of paper to read and many visits to make.

The crisis is affecting people not only in or near Yemen but in Greece. There is evidence that a number of Yemenis seeking to come to the EU are making their way to Greece, because there are no visa restrictions between Yemen and Turkey. Over 1.4 million people in Yemen have also been internally displaced, raising the possibility of people being susceptible to the appeals of those who wish to destabilise the Tunisian Government. When I went to Sousse recently, I do not know whether the Minister went there on his visit—I found that 90% of the hotels had closed down since the travel ban was brought into effect. That has meant thousands of Tunisians are now unemployed, as we Brits made up the largest number of tourists to Tunisia. With that unemployment goes poverty and the possibility of people being susceptible to the appeals of those who wish to destabilise the Tunisian Government, who are democratically elected. We have given huge support to Tunisia, doubling the number of people working at the Tunis embassy, but we need to do more.

Mr Ellwood: I understand that a number of people have dropped out of this debate because there is apparently to be a debate on Wednesday, which gives more time for me to intervene, which I will do cautiously. I can confirm that during my visit to Tunisia we went through a detailed plan of what is required to get Britons back there. Britons want to go back to holidaying in that country, but the first responsibility of any Prime Minister of any Government is the safety of those citizens. We are working very closely, progress is being made and I hope that we will be able to lift that travel ban very soon.
Keith Vaz: That is very good news. Every time the Minister gets to that Dispatch Box, he gives the House some good news—I hope he will jump up constantly to make sure we intervene and none of the Yemen Government will help the Yemen Government enormously. Of course the safety of British people is the paramount consideration, but when I went there the security had increased. We have a role to play; British policing is regarded abroad as the best in the world. Sometimes we do not say that here, because they are our police and we do not tend to praise them as much as we should. When we go abroad, people talk about the skills of the police and the security services, and we need to provide the Yemeni with that help. If that is the news he brings to the House about Yemen, I am very pleased to hear it. The Yemeni Government should work with us to provide the greater security that is necessary.

In conclusion, I know that the Minister is focused on Yemen and that if he could get there, he would be there—I know he cannot go there because it is so dangerous. I ask him please to make sure that Yemen is in his thoughts and those of the British Government, because this is a crucial country and we should not let it fail.

7.44 pm

Paul Maynard (Blackpool North and Cleveleys) (Con): I have been sitting here racking my brains trying to remember which of Philip Larkin’s poems contained the following lines:

“We are not suited to the long perspectives
Open at each instant of our lives.”

That applies so very well to what occurs in this Chamber so often: we are so blinded by day-to-day events—by the proximity of Iraq, Afghanistan and Libya—that we find it far harder to take a step back and look at the long duration of our involvement in the region. That is why I congratulate the Backbench Business Committee on granting this debate and my hon. Friend the Member for Bracknell (Dr Lee), who is no longer in his place, on framing such a wide motion, which allows us to engage in a wider sense on the longer-term issues.

If we were to look back over the past century of our engagement with the middle east, we would see that every time there has been a major issue there have probably been those arguing for greater intervention, those arguing for less intervention and those arguing for no intervention at all, but the common point of all those debates has been one of diminishing engagement on the part of the United Kingdom. It is right to take a step back and ask why that might be and whether it is the right thing for the future. We should not blind ourselves by the decisions we will certainly have to take in the next day or two, but instead look at why we are there in the long term and how it has an impact on our national interest.

The hon. Members for Glasgow South (Stewart Malcolm McDonald) and for Edinburgh East (Tommy Sheppard) were urging us to learn the lessons of history, look at individual events and draw a conclusion from them. I always find that the most frustrating aspect of debate in this Chamber, because history can be a fickle lover. Whatever our argument, we can find that event that will buttress our argument and somehow disprove our opponent’s, and it is very dangerous indeed because history can mislead. It is far better not to focus on individual events but to try to look at some of the more thematic issues that underpin our engagement with this region. Of course foreign policy will be affected on a day-to-day basis by what occurs in the news. When Turkey shoots down a Russian jet it will, of course, have geopolitical consequences to which Ministers must respond, but what really affects the region is not the day-to-day power struggles of those in authority, but what is occurring to ordinary people on the ground.

Across the middle east, we see a number of themes. We see great demographic change. We see a growing population of young people, without the economic growth to give them the jobs they need. That means they become discontented, and that social grievance can lead to changes in Government. Probably, with the benefit of hindsight, we would say that it is what underpinned the Arab spring, which, as my hon. Friend the Member for Bracknell said, nobody really predicted. In addition, we are seeing changes to the economic structure of these countries: agriculture is changing, food security is diminishing, food prices are rising in the cities and desertification is taking place, possibly as a result of climate change—who is to say? I am not expert enough to call it. That is certainly leading to greater urbanisation, which is accelerating some of those changes to the employment of young people and the social structures that lie within it.

All those things together are a common element in many of the countries we are focusing on, yet we often sit in this Chamber thinking that we in the UK have the sole answer to all these international problems and that only the UK can solve them. That of course is not the case, as the Minister will well know. These problems will be solved only by international coalitions, and the importance of our role will be diminished within these coalitions. What we tend to fall back on in any debate on foreign affairs are some of the more simple clichés, and they can be very dangerous. It is as though there is a binary alternative between intervention and no intervention, and there is no middle ground where we can start to say, “What sort of intervention is most helpful? What do we need to do to build a wider coalition of support in the UK?” The Prime Minister has been admirable in how he has tried to engage courteously with all Members from all parts of the House, whatever their views, to explain why this is not just a simple intervention where the whole situation will be transformed if we bomb ISIS in Raqqa. It is far from that, and he has been candid in setting that out.

The other dangerous cliché beginning to circulate is a slightly isolationist one. It is that in some ways this is a religious war that we have no real part of, that we cannot decide between Shi’a or Sunni, and that it is not for Britain or any other western nation to get involved. It is an interesting and seductive argument, but it is also a dangerous one. Let me draw on a lesson from history with which others may disagree. If we go back to the Reformation in the late 16th and early 17th century, the destruction of Christendom and the wars of religion, we may think that that was all about religious differences and divisions, yet, it was not. It was the use of religion as a cloak to reinforce existing divisions of power structures, existing contests between states and between those who were governed and those who did not want to be governed in the way that they were being governed, all of which came to be sheltered under the identity of the person to whom the people owed their allegiance—whether it was a Calvinist, a Lutheran or a Pope.
When we look at the middle east, we need to be very careful that we do not repeat the same mistake of thinking that the various tensions that are there on the ground are all about religion. Often it is the control of religious observance that is the best way of exerting political control in a society where religious observance is one of the few communal activities that occur on a day-to-day basis, so I would very cautious about saying that this is a religious conflict in which we have no part.

The other point I wish to make in the 26 seconds that I have left is that, I hope in his protection of the Foreign Office Library, the Minister can find some scholarly works on the French mandate of Syria between 1922 and 1945, because it has an awful lot to teach us about the potential solution in Syria, particularly in the establishment of a cantonal system that included a homeland for the Alawites, which the French set up after 1922.

7.51 pm

Mark Durkan (Foyle) (SDLP): I have not been able to sit through all of this debate, but it has been a pleasure none the less to hear so many Members speak up so strongly on both sides of the Chamber. It is a pleasure to also address us, Member for Blackpool North and Cleveleys (Paul Maynard). We all take his warnings about the dangers of being glib in our historical references, and about how we must go easier on some of the clichés. He also warned us against allowing a false dichotomy into this debate, by saying that there is only either a military intervention or no intervention at all. Some of us on the Opposition Benches feel that the argument increasingly coming from the Government is that, unless we are prepared to endorse the course that they seem to be on, we are somehow insensitive to the need to fight Daesh and all the evil that it represents and does, and that we are unsympathetic to the suffering of the people in Paris, Beirut, Ankara and elsewhere. But we are not; we know that terrorism must be confronted in all its evils, all its arguments and all its rationales, and that we have to do that in a way that is sustainable and credible.

Before I touch more deeply on the issue of Syria, I wish to welcome the fact that this wide-ranging debate, which was initiated by the Backbench Business Committee, has also allowed us, rightly, to touch on other situations as well, including that in Yemen. Last week, I, along with other hon. Members, heard from CAFOD about how it is treating that as one of the most serious humanitarian situations in the world. The right hon. Member for Leicester East (Keith Vaz) touched on some of the graphic statistics, but we need to understand what all that means.

We cannot go on talking about humanitarian crises—there is a queue of humanitarian crises not just in the greater middle east, but more widely as well—just as though they were some new statistical phenomenon. We need to remember the real pressures that they are causing and the real demands. When we respond to a situation, people will want to know why we are not responding meaningfully at all levels in other situations as well. If we send the level of aid that needs to go to Syria and surrounding countries to help in that humanitarian crisis, people suffering other humanitarian pressures will want to know why there is not the same urgency there. They will wonder whether there is more urgency when there is military intervention. If no military intervention is contemplated, does that crisis go down the league table for consideration and humanitarian concern?

It has also been important to hear about what many would regard as the most enduring middle east conflict—the situation in Israel and Palestine. The hon. Member for Blackpool North and Cleveleys (Paul Maynard) and the right hon. Member for Clwyd West (Mr Jones) spoke compellingly about why that situation should not be losing attention as it appears to be relative to what is going on in Syria and elsewhere. Let us remember that that situation is one of the factors that is used in the wider radicalisation agenda that too many people seek to promote. If we are to confront the evil logic and the cynical rationale that are used by Daesh and others who come up with a perverted extremist Islamist view of the world, we need to remember that they cite the west’s ineffectual position on Palestine as one of their main bits of evidence for our unsuited interest in the region. Let us remember that that conflict, which is being pursued with yet more demolitions and more settlements, has had a pretty ineffectual diplomatic response from the west—the same west that is talking about marshalling our best diplomatic efforts, military action and humanitarian aid into a comprehensive strategy in Syria.

Then people will ask, “What quality will this huge diplomatic effort have? Where do we see this huge diplomatic effort elsewhere? Do we see it in the middle east and Palestine?” Frankly, people do not see it there. People see the EU and its member states adopting essentially a screensaver approach to what is happening to the Palestinians. Shapes are thrown, images are projected and impressions are created, but nothing real is going on. When was the last time that the Israeli Government took seriously any strong diplomatic message from EU Governments or the UK Government about any of those ongoing violations?

On Syria itself, I listened to the Prime Minister’s statement last week and to all of the other arguments since, and I know that he thinks that he has covered the basis of a comprehensive strategy, and has touched on a number of issues. Some of us do not believe that the elements are complete, or that they add up to the coherent, comprehensive strategy that will succeed in the way the Prime Minister claims they will. We do not pretend that the situation and the choice are exactly the same as those faced by this Parliament over Iraq, but that does not mean that there are no similarities and no questions that we have to ask of ourselves again. The Prime Minister has said that we should not outsource our defence to others, but nor should we outsource our judgment. Just because other people are engaging in military intervention does not mean that we should sign up to support it as well. We should not be doing something just because others are doing it.

The hon. Member for Blackpool North and Cleveleys talked about history being fickle. We should remember that we have a fairly fickle proposed alliance arrangement for this intervention. We have a somewhat shifting alliance, which includes some fairly shifty allies, and that is just when it comes to the other states. When we then look at forces, such as the Free Syrian Army, which are meant to be the ground forces, we have to recognise that the question of how many of them are truly reliably and sustainably moderate into the future could come to haunt some Members given the glib way in which they have talked about 70,000 forces being available.

Several hon. Members rose—
Madam Deputy Speaker (Natascha Engel): Order. Before I call the next speaker, let me say that quite a large number of Members who have withdrawn their names from the Speaker’s list, so I will raise the time limit to 10 minutes per Back-Bench contribution and we will see how we get on. I may have to drop the time limit at 10 minutes, but at the moment, I will leave it at 10 minutes.

7.58 pm

John Howell (Henley) (Con): Thank you, Madam Deputy Speaker. I will try to fill the 10 minutes that you have now made available to me, although I have prepared a speech to last for seven minutes. We will see how it goes.

I congratulate my hon. Friend the Member for Bracknell (Dr Lee), who is no longer in his place, on securing this debate. I draw Members’ attention to my entry in the Register of Members’ Financial Interests.

In recent years, we have witnessed the ascent of a brutal and destructive form of Islamic fundamentalism across the region. Mosul’s nearly 2,000-year-old Christian population has been purged, the Yazidis have endured what is arguably a genocide, ancient cultural heritage has been destroyed and once stable countries have descended into chaos.

It is without question that the terrorist attacks in Paris were a direct assault on our way of life, just like, in their own way, the attacks on British citizens in Tunisia. Political leaders and the public alike are now coming to the realisation that this is not a problem in some far-flung region of the world that we can simply will away. Sadly, it has taken the tragedy of Paris to open our eyes to the fact that this is a problem that we cannot afford to ignore any longer. If ISIL is allowed to fester, we will see a continuation of the ethnic cleansing, the indoctrination of future generations in ISIL-held territory and thousands more displaced Syrians and Iraqis. I therefore welcome the fact that the Government will, I hope, put the question of British intervention in Syria to the vote in the House this week.

Let us note also that ISIL is but one manifestation of the evil of radical Islam. It would be unwise now to cast similarly reprehensible groups such as Jabhat al-Nusra, Hezbollah, Hamas and others in a different or, indeed, a better light. They have all actively participated in Islamist-driven violence, destroying lives across many communities in the middle east and beyond. It is important to recognise that there are democratic forces in many countries in the region and Britain should take the lead in supporting them wherever possible. The majority of citizens in Syria, Iraq, Lebanon and elsewhere want to live their lives in normality without the daily interruption of car bombs and gun attacks. The Arab spring surely demonstrated a desire for change and for democracy.

In this conflict, we have the advantage of military superiority, but this alone is not enough to win and it is not what is being proposed. When ISIL is eventually defeated, unless we are careful and can also target the cause, which is the ideology, and not only the effect, which can be seen in the actions of ISIL, another group will re-emerge under a different name. Some, such as the Foreign Minister of Sweden, have relayed the misguided notion that the prolonged Israeli-Palestinian conflict is the root of the current turmoil in the middle east and that once it is resolved the blight of Islamist radicalism will end. That is simply not the case. In fact, part of the reason we are in this current state is that too much focus rather than too little has been placed on the Israeli-Palestinian conflict at the expense of other conflicts in the region.

I was at a dinner last week at which a somewhat left-wing Canadian journalist made a speech with which I happened completely to agree. He said that when he first went to Israel, he pointed out that in his news office there were a huge number of journalists concentrating on the Israeli-Palestinian conflict at the expense of the whole of the region. The Israeli-Palestinian conflict is at best a minor sideshow. The wars in Libya, Syria, Iraq, Yemen and elsewhere have raged on, yet just last week the UN decided to pass six resolutions against Israel, the only stable democracy in the region.

To suggest that the existence of Israel is at the root of the entire middle east’s turbulence today is to overlook the sectarian divisions in the region that have existed for centuries. It also ignores the large part played by certain countries, most notably Saudi Arabia, that have spent billions to fund the toxic and destructive spread of Wahhabist ideology across Muslim communities worldwide. It is imperative that Britain and the whole civilised world does whatever is necessary to combat that ideology and stop its spread.

Mr MacNeil: I understand from the Chair of the Foreign Affairs Committee that the UK has eight planes in Iraq, of which two are active. If the UK is going to intervene in Syria, is it going to lessen its efforts against ISIS in Iraq or is it not? Or is it not bombing ISIS in Iraq intensely enough? We are only talking about one or two planes that will go in to Syria.

John Howell: That is a debate we can have on Wednesday, I am not going to answer that question now.

We need to put pressure on Saudi Arabia to stop exporting its radical ideology worldwide, despite our geopolitical alliances. I ask the Minister perhaps to write to me in reply to the question of what steps the Government will take to ensure that the Wahhabist ideology does not spread further across the middle east.

Before I finish, I want to highlight another important country in the region that has been consumed by a less violent but equally destructive Islamist threat. The AKP Government in Turkey have increasingly eroded democracy by arresting dozens of prominent journalists, turning to authoritarianism and reigniting the conflict with the Kurdish PKK to seal their power. The same Government are a vocal supporter of the terrorist group Hamas, which has masterminded deadly attacks against Israelis from its Istanbul headquarters. In our approach to Turkey, as is too often the case, realpolitik has taken precedence over human values, ignoring the fact that democracy is not only about having an election.

In addition, despite their latent arrests of ISIL suspects, the AKP Government in Turkey have turned a blind eye to ISIL terrorists, instead prioritising fighting Kurdish forces in Syria, the very people making the largest territorial gains from ISIL. The erratic actions of Turkey, especially taking into consideration last week’s developments with Russia, give us increasing cause for concern. I ask the Secretary of State to join me in condemning the Turkish Government’s undermining of the freedom of
press in the country and to explain how we can expect ISIL and other jihadists to be dislodged from their territory in Syria when Turkey is bombing the Kurdish YPG.

Bob Blackman (Harrow East) (Con): Turkey is still talking to the European Union about accession, so when the Government take such actions, as my hon. Friend rightly points out, what signals does that send out about potential entry to the EU?

John Howell: My hon. Friend raises an important point. At best, it sends a very confused signal and, at worst, it sends a signal that we do not care what Turkey does in the middle east. That is a signal that we do not wish to send to Turkey and we should not send it. We should say that we do not agree with what Turkey is doing and that it is supporting a form of Islamic fundamentalism in its actions.

I am not sure that I have fully used my extra allotted minutes, but let me conclude by going back to what I said at the beginning of my speech. The situation in the middle east is very confused, but it is not surprising, in my view, that the western press ignored totally the rise of ISIL, because they were not looking. All their action was focused on what was happening in the Israeli-Palestinian conflict, not in the wider middle east.

Edward Argar: Does my hon. Friend agree that sadly the same is true of the press’s attention to the conflict in Yemen in recent months and years? Again, they just were not looking.

John Howell: To a certain extent, the press are still not looking at Yemen. We have heard excellent contributions from Opposition Members about the situation in Yemen and I am very concerned about it. I know that my hon. Friend is, too. We all need to concentrate on that and to ensure that the press do not just focus on the one thing that it is easy for them to get a grip on, which is made easy by the openness of Israel in allowing the press in and allowing access to everything that there is to talk about in the Israeli-Palestinian conflict.

David Rutley (Macclesfield) (Con): Does my hon. Friend agree that it is not just the media? Too often, many of us looking on events in the middle east have done too much wishful thinking. Now is the time to take pragmatic action grounded in a much wider strategy to solve the challenges that we face.

John Howell: My hon. Friend makes a good point. It is time to look at the bigger picture, and I am sure that the Foreign Office is doing so. We need to encourage the press and the general population, as well as Members of Parliament, to take into account the fact that there are many conflicts in the region. Some of them are more serious than others. I would put the Yemen conflict in that category. In my book, it is probably the No. 1 conflict. My hon. Friend makes a good point about encouraging people to take a larger view of what is happening in the region. With that, I have almost taken my 10 minutes. It is kind of you to make that available, Madam Deputy Speaker.

Mr Ellwood: I am delighted to use up the last minute of my hon. Friend’s time by responding to the two points that he made. He is right to be concerned about the growth of Islamic extremism in Syria. We are focused on working with the 100 or so factions that have proved themselves by saying that they do not want to be part of Assad’s regime. They want to look after their own communities, but they do not want to be part of terrorism.

Turkey is now part of the international coalition. It was struck by ISIL in a terrorist attack in Ankara not long ago, and it is participating in the Vienna talks, which is welcome news.

John Howell: I thank the Minister for that. We will probably have further discussions about Turkey.

8.11 pm

Peter Dowd (Bootle) (Lab): I, too, will not take up my allotted time. Nevertheless, thank you for your generosity, Madam Deputy Speaker.

The hon. Member for Bracknell (Dr Lee), who began the debate, set an excellent tone, which has continued, and I hope will continue further when we come to deal with the substantive issue of Syria in the coming days. The hon. Member for Edinburgh East (Tommy Sheppard) gave an excellent analysis, which went to the heart of the issue and was pertinent and incisive.

There are 12 million displaced people, and 250,000 people have died in the nation of Syria—possibly more. That is the context of our debate. We must take the issue deeply seriously, and we must respect everyone’s views. I have had a good deal of contact with people in my constituency and beyond who have expressed their views about the situation in Syria in general and the question of military intervention in particular. I therefore want to set out my position, having written to people in my constituency on the matter. It is the responsibility of every Member of Parliament to have their say and express their view in this important debate.

First, I acknowledge—and no doubt many will—that this matter is remarkably complex. In that regard, any decision made, whether to intervene militarily or not, must be made on the basis of as much relevant and pertinent information and evidence as possible. Moreover, it must stand up to scrutiny in the forum that will ultimately make the decision to authorise the bombing of ISIS—or ISIL, or Daesh; whatever it is called—which is here in the House. No one person or group reaching any decision on this sensitive issue has the right to claim the moral high ground or unassailable certainty. I definitely do not, especially in the context of the suffering inflicted on the innocent in Syria.

Secondly, in his recent statement to Parliament, the Prime Minister very reasonably and articulately set out his “four pillars” strategy in relation to the Syrian crisis: the counter-extremism strategy; the diplomatic and political process; military action to degrade and destroy ISIS; and immediate humanitarian aid and longer-term stabilisation.

Thirdly, I acknowledge that that is a reasonable framework for the debate and for making a decision. However, that must be done on the basis of four pillars with a comprehensive strategy, not by putting into effect just one or two pillars in isolation with the intention of the other pillars being constructed at some unspecified date. In effect, the current position and proposed action do not, in my view, constitute the required comprehensive approach. It is a partial approach, which is a real concern.
Fourthly, in my estimation the key pillar set out by the Prime Minister is the political and diplomatic process. However, it is not so much the aim itself that concerns me—who could disagree with that aim—as its practical implementation and outcomes. What would that entail? What is the timetable for implementation of any agreements arising from the process? What is the likely success of the process, given the multitude of interested and competing—and in certain cases, diametrically opposed—parties in what is widely recognised as a volatile mix? For example, at present there is no clear plan at all as to who will end up governing Syria, nor how we are going to involve neighbouring Arab states and countries.

Seema Kennedy: The hon. Gentleman said that there is no plan on who will govern Syria after any intervention. Surely, with a political settlement, that is in the hands of the Syrian people.

Peter Dowd: That is a fair point. At the end of the day, that is where we are. We have absolutely no idea: there is no road map whatsoever. Yes, it seems like jam tomorrow—eventually, we will get there—but now we have to set out the path in earnest. I accept the point that the hon. Lady is making, but we have to try to focus on the issue a bit more.

My concern is not about practical implementation. As I said, it is about what that would entail, the timetable, and the success issues.

Fifthly, I fear that other pillars of the strategy, while genuinely laudable—for example, the humanitarian aid and stabilisation plan—are unclear in their aims, extent and, crucially, the mechanisms for their delivery. In addition, it goes without saying that a systematic counter-extremism approach is crucial in any strategy, but that prompts the question of whether or not such a strategy depends on military intervention per se. The two things are not, so to speak, symbiotically linked or mutually dependent.

Sixthly, taking all those factors into account, to activate just one pillar—military action, evidently in the form of bombing—is inappropriate at this point, notwithstanding the interventions being undertaken by other nations.

Mr Ellwood: Perhaps I can clarify for the House the fact that bombing is already under way in Syria. Britain is participating by providing intelligence and reconnaissance for that bombing. We are already in that arena.

As for what is happening on the political front, the Vienna talks have made progress. For the first time, they have brought these groups together, including Iran and Russia, and people have spoken of a transitional period, and of a ceasefire and eventual elections. Those words are part of a lexicon that I have not heard in the past four years. These are incremental, small steps, but they are very, very important steps.

Finally, the opposition groups that I spoke about—the factions—will be brought together. Those are groups that have defended their communities. They do not want to work under Assad, but they do not want to be part of the terrorist organisation of ISIL either.

Peter Dowd: I welcome the Minister’s clarification, but it does not go far enough. The process is incremental and we need to move further. One, two or three increments are not sufficient; we need more. I do not want to misinterpret the Prime Minister’s arguments for intervention, but they seem to be significantly, if not primarily, based on a flawed notion—that other nations are fighting our battles for us and protecting our national security by bombing ISIS, and that we should fight our own battles, albeit in alliance with others, otherwise it reflects on our national integrity. This argument appeals predominantly to pride rather than to reason, and we know that pride comes before a fall.

Seventhly, let me make it clear that I am in no position to criticise the decisions of others in this matter, nor would I. I can only speak for myself. Making challenges and assertions and asking questions is not criticism. Rather, it is the bread and butter of the parliamentary and democratic process, and that is why I was sent here.

I hope that I have set out my position as clearly and succinctly as possible, given the complexity of the issues facing us all and in the context of the long-term suffering of the people of Syria.

Richard Drax (South Dorset) (Con): It is a pleasure to take part in the debate. I congratulate my hon. Friend the Member for Bracknell (Dr Lee) on calling for it and the Backbench Business Committee on letting it happen.

The title of the debate on the Order Paper is the “UK’s role in the middle east”, which is a wide-ranging subject. My position is simple, which on a complicated subject may give the impression that I am being boring and arrogant. Let me explain. On the UK’s role in the middle east, my answer is that we keep out militarily unless our way of life or the existence of our nation, or that of an ally, is directly threatened. If we had pursued that line, we would not have invaded Iraq or got involved in Libya, for example.

Hindsight is an invaluable ally when judging past actions, but it is history that we should use to guide us in deciding future actions. We react, sometimes violently, when others try to impose their will on us, so why do we keep trying to impose ours on them? If we learn nothing else, we must recognise that many countries in the middle east will always be run by unsavoury regimes. Iraq was a prime example. Under Saddam Hussein Iraq was stable and fairly secular. He pushed his luck in Kuwait and was rightly sent packing. Sensibly, in 1991 we did not pursue Saddam into Iraq, knowing that to do so would destabilise the region. Unfortunately, Mr Bush junior did not quite understand that simple philosophy and was determined to outperform his father. The consequent chaos is there for all to see.

ISIL, or Daesh—call it what you will—is a different matter altogether. How wonderful it would be if a political solution were possible. All options must be explored, but I doubt that jaw-jaw will win through on this occasion. ISIL is a repugnant organisation which now runs significant territory in both Iraq and Syria, imposing its twisted and hateful fundamentalism on innocent people, who have in effect been enslaved. The threat to us here in the UK is very real and, although the terrorist might be home-grown, he or she is likely to have been encouraged and radicalised by the evil spouted by so-called Islamic State, or to have fought there and returned to the UK.
As the saying goes—I love this saying, which I will paraphrase—if good men do nothing, evil thrives. That is so powerful. It is such a powerful moral guide for me personally, and I have no doubt that it will thrive if we turn a blind eye to this most recent challenge to our security and way of life.

To take our country to war is always the most serious decision that any of us here have to make, but we are already at war. We are bombing ISIL in Iraq. I pay tribute to our brave pilots, crew and all those who service our aircraft for the fantastic and brave job that they are doing, as they always do. The moment those terrorist thugs cross an invisible line in the sand, they are safe from our aircraft. They are safe to kill, maim and torture for another day—unless our allies do the dirty work for us. Can that be right, when we all face a common enemy? Can that be right when citizens of one of our closest allies are butchered in their capital city? Can that be right when those same allies call for our help? Can that be right when an organisation as hateful as ISIL is allowed to operate unimpeded, enslaving, raping and killing perfectly innocent people in their own country for the sake of some twisted form of Islam? I do not think so.

There is no doubt in my view—and I am a former soldier—that bombing alone will not solve the problem, nor will it end fundamentalist Islam, but it will degrade ISIL’s capabilities, kill and dispirit its operatives, and bring hope and relief to those fighting these terrorists on the ground. I am not as well briefed as the Prime Minister, unfortunately, but from what I have read and heard about the 70,000 members of the Free Syrian Army, they are not in a position to prosecute a meticulously planned ground campaign against Assad or ISIL; neither are they as moderate as we are led to believe. All sides in this horrific war behave as badly as one another, but that is not a reason for sitting on our hands.

Left to its own devices, ISIL will flourish and its apocalyptic vision of a new caliphate will only grow in the twisted minds of those who seek it. Following the Prime Minister’s excellent statement last Thursday, I asked him how many further atrocities on the scale of that bombing alone will not solve the problem, nor will it end fundamentalist Islam, but it will degrade ISIL’s capabilities, kill and dispirit its operatives, and bring hope and relief to those fighting these terrorists on the ground. I am not as well briefed as the Prime Minister, unfortunately, but from what I have read and heard about the 70,000 members of the Free Syrian Army, they are not in a position to prosecute a meticulously planned ground campaign against Assad or ISIL; neither are they as moderate as we are led to believe. All sides in this horrific war behave as badly as one another, but that is not a reason for sitting on our hands.

From a military perspective, one destroys an enemy by taking and holding ground; one cannot do it just from the air. Understandably, there is no stomach for a ground war at the moment. We are told that that will be right when an organisation as hateful as ISIL is allowed to operate unimpeded, enslaving, raping and killing perfectly innocent people in their own country for the sake of some twisted form of Islam? I do not think so.

Edward Argar (Charnwood) (Con): I am grateful for the opportunity to speak in this timely and important debate and pay tribute to my hon. Friend the Member for Bracknell (Dr Lee) for securing it. The middle east is the crucible in which were forged three of the world’s great religions—Christianity, Islam and Judaism—and it can credibly claim to be the cradle of ancient civilisations and empires, such as those of Babylon or Sasanian Persia, which rose and fell while our own country was still in its infancy. I say that because, as the Minister has already suggested, although it is a region whose past and present have been scarred by war and strife, we should never forget that proud and complex history when we reflect on today’s middle east.

After the collapse of the Ottoman empire, crystallised in the treaty of Sèvres, the UK and other powers played a role in the creation of the modern middle east, but they did so in a way that sought to create nation states on the Westphalian model, which paid too little heed to tribal, religious and historical realities on the ground. Similarly, during the cold war, as geopolitical power play was played out in the region, the overriding desire was for stable nation states, which often took the form of government by nationalist, military strongmen, who governed and maintained their hold on power by seeing all diversity or civil society as dissent and by seeking to crush it. That has all meant the non-development, or at least the very slow development, in many countries of the institutions required for the functioning of a pluralistic and democratic state.

The middle east is a region I know well, having spent time in Yemen, Oman, Syria, Lebanon and Israel and Palestine, and for which I have a great deal of affection, both for the land and for its people. Although I hope to cover the UK’s relationship with Yemen and Oman, I think that I must touch on Syria, albeit briefly, as so many hon. Members have spoken about it so eloquently and at length, mostly recently my hon. Friend the Member for South Dorset (Richard Drax).

I fully appreciate and understand the concerns expressed by hon. Members and by our constituents, and I respect what are clearly sincerely held views. The evident care evinced by many of them for the people of Syria resonates...
with me. My knowledge of and affection for that country and its people makes it all the more saddening to see what has become of it through a brutal civil war and the evil that is ISIL—or Daesh, as it is perhaps more properly termed. The case for using that term has been compellingly made in this House by my hon. Friend the Member for Gillingham and Rainham (Rehman Chishti).

What is clear to me is that to do nothing in the face of the threat to ordinary Syrians, to the wider region and to our own country posed by Daesh is the wrong approach. We must of course ensure that any action taken is proportionate and focused, as the Prime Minister has intimated it would be. I support extending the bombing of Daesh from Iraq to Syria and will vote in favour of that when the vote comes forward. The Iraq-Syria border in the desert is not respected by these terrorists, who move freely across it, so it makes no practical sense for us to be able to act to degrade their capability on one side of the border but not when they cross over to the other.

Such action should not stand alone. It requires a parallel, comprehensive strategy to tackle Daesh, and the setting out of a broader, long-term vision and plan to stabilise and bring peace to Syria and the wider region. I welcome the Prime Minister’s commitment on this. Of course, alongside that there must be care and consideration for the humanitarian needs of the country, and moves to choke off Daesh’s resources and funding.

A key part of that wider context is the Israeli-Palestinian dispute, which has long been a running sore, with its origins in the days of more direct British involvement in the region. While I have huge respect for my hon. Friend the Member for Henley (John Howell), with whom I agree on many things, I cannot agree with him that this is but a sideshow. For too long, the leaders of both sides have let down their people by not making greater progress in delivering peace, and it is the ordinary people on both sides who have suffered. It is more important than ever that we join with others who desire peace to work to achieve a long-term solution to the conflict, however distant that may appear at times.

Seema Kennedy: Does my hon. Friend agree that the main external actor in the Israel-Palestine situation is the United States, and that Britain can play a very important role in assisting the United States in understanding the regional dispute in Israel-Palestine and, we hope, bringing it to the two-state solution that we all desire?

Edward Argar: I agree entirely with my hon. Friend. The United Kingdom, with its historical links and understanding of the region, has the potential to play a positive role in helping to move us towards peace not only between Israel and Palestine but in the wider region more generally.

The basic ingredient of a long-term settlement must include an Israel secure within her borders, recognised fully by her neighbours, freed from all acts of aggression and threats of terrorism, and living peacefully alongside a viable, independent Palestine. Alongside these key elements, sharing Jerusalem must be part of any agreement, as would be compromise from the Palestinians on their claim to a right of return and the recognition by Israel that settlements on Palestinian land are illegal and wrong and must be given up. Too often in this debate, people say that they are pro-Israel or pro-Palestinian. I believe that in order to be really peace, one must be pro-both. While the urgency of finding a solution can at times appear to be lesser, the importance of doing so has never been greater, and we must play our role in restarting stalled peace talks.

Reassuringly, I do not often agree with the hon. Member for Hammersmith (Andy Slaughter), but on this occasion I did when he referred to Yemen’s as the unseen or hidden war: the “forgotten war”, in his words. He is absolutely right. The right hon. Member for Leicester East (Keith Vaz) has spoken similarly eloquently about it.

Chris Green: Does my hon. Friend think that the media have a responsibility to highlight what is going on in Yemen far more than they are doing, and that in so doing they will show the British people more clearly the wider problems in the middle east?

Edward Argar: I agree entirely with my hon. Friend. Not only do the media have a responsibility to cover conflicts such as that in Yemen, but all of us in this House must take the opportunity to highlight the issue. I know that in the Minister we have an hon. Member of this House who cares passionately about that country.

I have visited Yemen on a number of occasions, though sadly not recently, and have grown to understand, just a little, this proud and people’s country, of which I am also proud to declare myself a friend. The former President of Yemen, Ali Abdullah Saleh, described governing the country as being like “dancing on the heads of snakes”, so complex is its recent history and mix of tribal, religious, sectional, economic and political differences. It is currently in the throes of a war bringing untold humanitarian suffering to millions of people, and it faces many daunting challenges. It has a population of about 30 million with incredibly low incomes and a burgeoning young male population with limited economic prospects. It is a dangerous cocktail. This is coupled with genuine security threats from al-Qaeda in the Arabian Peninsula, and across the country a fractured polity and religious and tribal differences. Underpinning that are basic infrastructure challenges such as the dwindling supplies of water. And, of course, for many decades—possibly centuries—Yemen has often been used as the geopolitical playground of other powers playing out their own internal politics.

In the immediate term, we must do what we can to alleviate humanitarian suffering. I pay tribute to the UK Government and my right hon. Friend the Secretary of State for International Development for their focus, and, of course, to non-governmental organisations such as UNICEF, Save the Children and Médecins Sans Frontières, which do so much in extremely challenging circumstances.

We must urgently find ways to reopen the shuttered Hodeidah port to deliveries of aid and, crucially, fuel, upon which so much of the country’s economic prospects and life depend, and ensure that the security situation is such that the means are found to distribute it beyond those entry points. Central to that, of course, is a meaningful and real ceasefire. I welcome the peace talks in prospect, which offer the best chance for a lasting
settlement between President Hardi and the Houthi rebels. The UK has the potential to play a very important role in facilitating such peace talks, and I pay tribute to my hon. Friend the Minister in that regard, and to my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan) for his work both as a DFID Minister and, to this day, as an envoy. We have done much, but there is much more to do.

Whatever emerges from those peace talks must emerge from the Yemenis themselves and not be imposed from outside. There is an old Arabian saying that goes, “Me and my brother against my cousin, but me and my cousin against a stranger.” We must be very conscious of the fact that, if it is going to stick, anything potentially successful that emerges must reflect not only the needs of the Yemeni people, but the diversity of opinion and interests across the whole of Yemeni society.

In the long term, we must invest in rebuilding Yemen, including modernising its creaking water infrastructure and, in particular, helping to give economic hope to millions. Yemen’s water infrastructure has been struggling for many years, with 60% of water that goes through its pipes lost to leaks. A large proportion of its water is used to grow khat, rather than other crops, and wells are being dug for industrial purposes, even though the law says they should be used only for domestic water purposes. All those issues need to be addressed. In the rebuilding of the country, I hope the Government will support desalination plants, which would genuinely give Yemen the long-term prospect of a secure water future.

Finally, in the context of regional players—Iran and Saudi Arabia included—everyone in the region needs to play their part in bringing peace. I want briefly to highlight one great success story in the region, in a country that has been a true and close friend of the UK, namely Oman. Our relationship with the Sultanate of Oman goes back decades, even centuries, and is based on mutual trust, respect and understanding. Under His Majesty Sultan Qaboos, Oman has trodden a measured and steady path to modernisation and change, while retaining all that makes Oman and its culture what it is. Regionally, Oman continues to play a vital role in advancing peace and acting as a bridge, particularly in the context of Yemen, between Iran and Saudi Arabia and the broader region. Oman has developed, grown and diversified its economy and brought representative democracy in a measured way, allowing each step forward to settle.

We must always remember that change that sticks must emerge from within and go with the grain of a country, not simply be imposed from outside. The democracy and civil society we enjoy took centuries to establish and we must beware of any quick fixes. I will conclude by highlighting that, with our unparalleled links and understanding in the region, the UK has a great role to play.

Chris Bryant (Rhondda) (Lab): On a point of order. Mr Deputy Speaker. Last Thursday I warmly commended the Prime Minister for the way in which he had treated the House in relation to the matter of Syria. He was forthright in coming to this House and giving a lengthy statement and then answering questions for two hours. I also said last Thursday that it would be a big mistake for the Prime Minister to attempt to bounce this House into a decision early and without proper debate.

I understand that the Prime Minister has just announced on television—not to this House—that the debate and vote on Syria are to take place this Wednesday. First, can you confirm, Mr Deputy Speaker, that there could perfectly easily be a business statement at 10 o’clock tonight—that would be perfectly in order—so that that could be made clear for the convenience of the whole House? Secondly, will you confirm that if the Government do not table their motion until tomorrow, which I understand will be the case, the only amendments that can be considered on Wednesday—if the debate is still on Wednesday—are manuscript amendments? In 2013, we could only consider manuscript amendments, but that was because the House had been summoned back from recess. In these circumstances, there is no excuse for us to be proceeding in this way when making such important decisions.

Will you also confirm, Mr Deputy Speaker, that there is no reason why the debate should not be a two-day debate, as we have been requesting for the past two weeks, so that we do not have two-minute, three-minute or four-minute limits to speeches, but can properly consider the very serious issues that many Members on both sides of the House want to raise with the Government?

Finally, I hope you can confirm that if the debate is to end at 10 pm on Wednesday, rather than at the moment of interruption at 7 pm, another motion also needs to be tabled. It would surely be for the convenience of the House if it was tabled today, again so that Members can table amendments to it that do not have to be manuscript amendments.

I just say to the Government that there are many Members on both sides of the House who want to listen to proper debate on a matter that is not straightforward and simple, and any shenanigans or attempts to bounce the House into a decision would be wholly regrettably.

Mr Deputy Speaker (Mr Lindsay Hoyle): I thank the hon. Gentleman for his point of order. To run through his questions, he is absolutely right that the motion could be tabled tonight. He is correct that if it is tabled later any amendments would have to be manuscript amendments. It would also take a business of the House motion in order to change the hours of the sitting on Wednesday to take us through to 10 pm. As ever, the shadow Leader of the House is absolutely correct on everything he asked—because he knew the answers before he asked—but I confirm that he is correct. Of course, that is now on the record. Obviously, it is not for the Chair, but for the Government to decide the business of the House. I am sure the usual channels will be in discussions to try to come to an early agreement that will benefit all Members of the House.

8.46 pm

Chris Green (Bolton West) (Con): I thank the Backbench Business Committee. I congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this debate on Britain’s role in the middle east.

Many questions have been asked and many concerns raised in this debate. I very much appreciate the concerns about Yemen and the views on Oman expressed by my hon. Friend the Member for Charnwood (Edward Argar). He gave a really interesting insight into what was not covered in much detail earlier in this debate. Tonight, the focus has been on Syria, particularly whether the
UK should participate further in the coalition to defeat ISIL. We have to consider the risk of inaction, and whether that outweighs the risks of action. Ultimately, however, any action—any intervention in Syria—must be decided on the basis of the British national interest.

Last year, ISIL declared itself an Islamic caliphate, which acts as a continuing draw to many radical Muslims. ISIL has dissolved the border between Iraq and Syria to create its so-called state. Although that is not a direct threat, the fact that it happens at all is an indication that ISIL has become a permanent presence in the middle east. Determining the national boundaries in the middle east is a clear indication of ISIL’s strength and enduring ability to draw radical Muslims to its cause. That creates a permanent threat to many countries when nationals return home, no matter how well funded the security services are.

In 2014, there was a clear legal basis to join the international coalition of countries in air strikes in Iraq, acting in response to a direct appeal from the sovereign Government of Iraq to help them to deal with the terrorist threat and to join a coalition of countries against ISIL. But Syria is not Iraq. Syria has been engaged in a civil war since 2011, with tens of competing armed groups engaged in conflict, including Islamist groups such as ISIL and al-Nusra. Syria does not have the ground troops of Iraq. The Iraqi security forces, as inadequate as they have often demonstrated themselves to be, are better than nothing. Syria does not have an organisation as strong as the Kurdish peshmergas. When we consider any action in Syria, we must be aware that we do not know the strength of the forces that are available.

Mr Ellwood: My hon. Friend is making a powerful case. He is right to speak about the Iraqi forces. We have permission to be in that country. It is taking time to build that capability and they must be indigenous forces. Syria is a different case. The liberation of Raqqa will not happen overnight, as I made clear. It will take months, if not longer. We are still waiting for Mosul and Ramadi to be liberated, even though they are in Iraq and we have forces available. I hope he will concur that there is a political direction of travel that needs to be concluded. That will facilitate a number of opportunities for indigenous ground forces to liberate a city that the majority of people want to be liberated.

Chris Green: I agree with the Minister. He makes a strong point. The more united our front is, the more that ground troops will be able to gather behind reasonable leadership. That will bode increasingly well for the future of Syria.

Raqqa is being used as the headquarters of ISIL, which regards it as the capital of its state. That is where many of its military and terror schemes are made or inspired. We must ask ourselves whether the decision on action or inaction in Syria should be influenced by the now meaningless Syria-Iraq border. Although a difficult military decision needs to be made on Syria, we must remember that military strategy is only a fraction of the comprehensive solution.

A long-term solution in the middle east will be achieved only through political and democratic means when the Syrian Government represent all the Syrian people. The Minister spoke about a unifying force in the international community—from Russia to the United States and including all players in between—that can create a space on which just government and democracy can be built. Our diplomatic efforts and humanitarian support must continue. Getting the politics right in both Iraq and Syria is the immediate and overriding priority.

Britain is committed to spending 0.7% of GDP on international development and has already given more than £1.1 billion in aid for those affected by the Syrian conflict—the highest amount of any European country and second only to the United States of America. I am pleased that the Prime Minister has committed to further support following any intervention. We must be clear that this is being done because it is in Britain’s national interest. It is in our national interest to have peace in the middle east and for refugees to have a home to return to with functioning infrastructure, employment and education.

A point was made earlier about the United Kingdom and other countries taking refugees from the region. I believe that the Government’s response is right. It is right to take 20,000 of the most needy and vulnerable from the region. We should not encourage the mass migration of people from the region to Europe, risking their lives as they come up against criminal gangs, the high seas and the terrible weather conditions in the deserts.

It is important to recognise ISIL’s objectives. ISIL wants to purge what it regards as its state of Yazidis, Christians and what it regards as the wrong sort of Muslims. It wants those people out of the way. It will be far easier for ISIL to establish its state if there is no internal opposition. Once it has a more stable situation, it will seek to expand from that position and to exploit regional problems and attack Saudi Arabia and further into Iraq. What if ISIL starts focusing more on Lebanon or Turkey? Israel has been mentioned a few times, but it has not yet become involved in this conflict. If ISIL becomes established in the middle east, at what point will it turn its eyes towards Israel? That is inevitable if we allow ISIL to continue.

Our thoughts remain with Paris and all those who are suffering after what happened at the hands of terrorists during that awful, recent attack. Some of the suicidal attackers in Paris had travelled to the region, and all had been inspired by ISIL. ISIL continues to use social media for its propaganda—my hon. Friend the Member for Henley (John Howell) raised concerns about the wider media implications of that, because we need the media to be responsible when reporting what is going on regarding ISIL’s activities.

We also need more coverage and a better understanding of what is going on in the wider middle east, by considering what is happening in Yemen. The media have a huge part to play in ensuring that tensions are not increased within Britain, and in fostering that better understanding with the British population. If people understand Britain as a nation, and all the circumstances in the region, perhaps fewer people will be inclined to join ISIL.

I pay tribute to our police and security services who have disrupted many terrorist plots to attack the United Kingdom. Like many, I was pleased that the Chancellor’s autumn statement restated this Government’s commitment to protect our national security at a time of increasing global instability, and to spend a minimum of 2% of
GDP on defence. The protection and defence of their people—both abroad and domestically—is the first priority of any Government.

That reminds us not only of the role played by our security services in protecting us, but also of the direct threat that ISIL poses to our lives in the UK and Europe, as well as in the middle east. The decision about whether or not to use military force is one of the most significant that Parliament will make this Session, and I hope that questions and concerns that are raised in this House will be taken into account before any decision is made.

8.58 pm

Stephen Phillips (Sleaford and North Hykeham) (Con): It is a huge pleasure to follow my hon. Friend the Member for Bolton West (Chris Green) after such a powerful speech. I congratulate my hon. Friend. I join him in thanking the Backbench Business Committee for granting it. It was a huge honour to be asked to support my hon. Friend in his efforts, and I was pleased to do so.

For perfectly understandable reasons, the majority of contributions across the House have focused on the current situation in Syria, and on whether this country should extend to Syria those operations that are currently being conducted over the skies of Iraq. However, the motion before the House is more general and focuses on the middle east as a whole. There was a time when general debates on the middle east were more frequent and occurred in Government time—indeed, I made my maiden speech in such a debate. Issues that concern all countries across the middle east should be ventilated frequently, given the threats that this country faces. I therefore voice a plea—I know the Minister will hear and support it, but it should go to others who command the business in this House—for us to return frequently to these issues in debates of this sort, if necessary in Government time. It should not be necessary for me, my hon. Friend the Member for Bracknell and others to go to the Backbench Business Committee to secure this time.

The reason for that is today, more than ever, the problems that the middle east faces and creates for us in this House are of such incredible complexity that a coherent strategy on the part of the United Kingdom and the west with regard to Iran's nuclear programme, has suffered a backlash that the Revolutionary Guard, which controls much of the economy, has sought to take full advantage. His country may well wish to sustain a moderate political leadership, but the Guardian Council may well block his allies from the forthcoming elections to the Majlis and the Assembly of Experts.

Mr Ellwood: My hon. and learned Friend is making a powerful speech. I thank him again for securing the debate and heed his words on having more opportunities to speak about the middle east and north Africa. He touches on the Iranian elections in February. Does he agree that that will be the first indication, after the signing of the nuclear deal, of Iran’s direction of travel and whether it will engage with the region and take more responsibility, particularly with its proxy influence on neighbouring countries?

Stephen Phillips: I agree with the Minister on that. The difficulty will be which candidates are permitted by the Guardian Council to stand and which are not. We will see the results in due course.

Turning to Saudi Arabia, the succession of Salman bin Abdulaziz Al Saud to the throne has been accompanied by a welcome questioning in some areas, given the rise of ISIL/Daesh, of the ultra-conservative Wahabi ideology. However, an increased recognition of the benefits of avoiding too literal an adherence to a fiery Salafist doctrine cannot detract from a proxy war being fought between the Saudi-led coalition and Iran in Yemen, where a humanitarian crisis of such enormity is now apparent that Yemenis are fleeing to Somalia, of all places, in an attempt to reach safety. This is an issue to which my hon. Friend the Member for Charnwood (Edward Argar) and the right hon. Member for Leicester East (Keith Vaz) both drew attention.

The other Gulf states are not immune. ISIL/Daesh bombarded the Imam al-Sadeq mosque in Kuwait in June, killing 27 Shi’a worshippers, something which failed to attract the attention of the world’s press. The aftermath, a series of new laws and a string of arrests, has failed to calm tensions and rendered one of the region’s most tolerant states one in which the social fabric shows evidence of fraying. In Oman, where Sultan Qaboos has held the reins for 45 years, there is, so far as we are aware, no heir. Quite what is to happen next to this most stable of allies when the reins of power are assumed by others, no one knows.

And so too, the Maghreb. Peace and stability has not emerged in Libya following the overthrow of Muammar Gaddafi; quite the contrary in fact, with conditions now prevailing in which we know ISIL/Daesh flourishes. That, in turn, threatens Tunisia, possibly the only thing close to a success story following the Arab spring, but where a nascent democracy is fighting Islamist militants awash with corruption, who have pushed out moderate Sunni Muslims and given a voice to the extremists, particularly in areas that the Government cannot and do not control. Jordan is under huge pressure from the refugees created by the instability in the region, but even the Hashemite dynasty’s claim to descend from the Prophet has not isolated King Abdullah from criticism in declaring war on Islamic extremism in a country where nine in 10 of the population are Sunni.

In Iran, President Rouhani, having reached an agreement with the west with regard to Iran's nuclear programme, has suffered a backlash that the Revolutionary Guard, which controls much of the economy, has sought to take full advantage. His country may well wish to sustain a moderate political leadership, but the Guardian Council may well block his allies from the forthcoming elections to the Majlis and the Assembly of Experts.

Stephen Phillips: I agree with the Minister on that. The difficulty will be which candidates are permitted by the Guardian Council to stand and which are not. We will see the results in due course.

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on the Algerian border, as well as those attacking its territory from Libya. Algeria remains a police state, but with more than 95% of its budget delivered by oil revenues, how long Abdelaziz Bouteflika can keep the lid on the local ISIL/Daesh franchise remains to be seen, particularly in the south, which remains a combustible mixture of violent Islamists and gangs of smugglers. Even in Morocco, the conditions are ripe for the enemies of peace: a lack of opportunity for the young, sluggish economic growth, persistent inequality between the cities and the countryside, and a muzzled press, something we find too frequently across the middle east.

**Edward Argar:** As ever, my hon. and learned Friend is as erudite as he is eloquent. Does he agree that, although lower oil prices are very welcome to many of us in this country, they pose a risk to the stability of countries such as Algeria, given their reliance on a particular oil price in their budgets?

**Stephen Phillips:** I do agree, and in fact it affects stability not just in the middle east but across other oil-producing regions of the world. We now have two Foreign Ministers on the Front Bench, although not the Minister with responsibility for South America, but he will know of the risk in Venezuela.

I have only touched the tip of the iceberg—I could go on and on, and would be quite willing to do so were the time limit a little longer—but the point is that the world is sitting on a powder keg, much of which borders Europe, and all the fuses across the region seem to have been lit. If ever there was a time for a coherent strategy and foreign policy designed to defuse tensions—from this country, the United States and all our other allies—frankly this is it.

Where though, I tentatively asked the Minister, is that foreign policy? Where is the 30-year strategy that both I and my hon. Friend the Member for Bracknell think is necessary? The crisis of confidence caused by an ill-advised and unjustifiable adventure in Iraq in the last decade has led to what the London School of Economics diplomacy commission—possibly the most distinguished body of former diplomats in existence—has termed a crisis of confidence on the part of the United Kingdom. Nowhere is that more apparent than in relation to the middle east, where we have, as my hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi) made clear, an historic role. Of course, there remains a great deal of respect and affection for this country, our values and our ability to help ensure stability in the region.

Three themes need to underpin British foreign policy. First, we and our allies need to speak with one voice. The United States is in a presidential election year, but the initial isolationism that characterised the early years of the Obama White House, even if not the State Department, has caused lasting damage to the security of the entire region. Today, we heard from the middle east Minister, but his colleagues in the Foreign Office have a broader remit, and the responsibility of the Government, bilaterally and within the United Nations, must be to ensure that we act in concert with our allies and that our message on all issues is clear. Without that clarity from the west—on Israel/Palestine, the rise of ISIL/Daesh and the issue of pervasive sectarianism—we risk creating divides that can be exploited by extremists.

Secondly, we need to make it clear to every regime in the middle east that minorities are to be respected and properly included as part of a political settlement. Excluding minorities from the political process serves only to create a breeding ground for extremist ideology of whatever nature, from the rise of ISIL/Daesh to the type of Shi’a militancy represented by Hezbollah or the various militias operating in the south of Iraq.

Thirdly, we need to be real and recognise realistic approaches and solutions, rather than merely mouthing platitudes about a perfection that cannot be achieved. In the immediate term, we might well have to recognise, if not embrace, the fact that the Vienna peace talks might recognise some of the more moderate Islamist parties as part of the immediate solution in Syria. We might not desire it, we might not like it, but we might have to live with it. The priority, at present, is dealing with ISIL/Daesh, and that cannot come without some compromise on what happens after its eventual defeat.

In the longer term, we might need to abjure our own misconceived notion that we can plant western-style democracies in a region with no history of secular democracy in the way we recognise it. What we want does not matter. The new imperialism of the past two decades has in part fuelled the situation we now face. It is time to recognise that and the fact that we do not know best what the peoples of the middle east want. That is a question for them, not for us.

No one would have foretold the chaos and threat posed by the situation in the middle east even three years ago, but that chaos is real, as is the threat it poses to us in this country. Strength in our beliefs and values is part of the answer, but the policy of this country and our allies must recognise that we are currently failing our own citizens as well as the peoples of the region. It is time for a change—a change that makes it clear that we are invested in a realistic future for the middle east. It is that message, which I know he recognises, that the Minister has to take away tonight and which needs to go out loud and clear from this House.

9.9 pm

**Dr Tania Mathias (Twickenham) (Con):** I, too, commend my hon. Friend the Member for Bracknell (Dr Lee) for securing this important debate, and I was pleased to hear what the Minister said, particularly concerning funding for diplomatic contacts.

My hon. Friend the Member for Stratford-on-Avon (Nadhim Zahawi) spoke about the UK’s role in the middle east over many centuries. I wish to focus particularly on the role that is nearly 100 years old—a role that started with a declaration from the UK Government that said:

“Her Majesty’s Government views with favour the establishment in Palestine of a national home for the Jewish people.”

The same declaration also said that it was “clearly understood that nothing shall be done which may prejudice the civil and religious rights of non-Jewish communities in Palestine”.

My point is that our role then decreased in 1948, and many people in that area—Arabs, Israelis and Palestinians—would say that the UK Government walked away and “left the key under the mat”.

Today, we have been involved in action in Libya and Iraq and we may have more action coming up in Syria. My plea is that our role and responsibility must be future-proofed—it must be long term. What this means...
is that our role involves what some people talk of as jaw-jaw and not war-war—and I say that it is jaw-jaw that is continuous. I believe that the UK’s role has been lacking in the Palestine-Israel area, and that the UK must continue to negotiate and have diplomacy. We must still be talking about the borders of Palestine-Israel. We must still be talking about the settlements. We must still be talking about security for Palestine and Israel.

We must talk about refugees’ rights to return, which I have raised with the Minister with responsibility for Syrian refugees. I particularly asked what was happening for the Palestinian refugees who are in the Syrian camps. Can they go home; will there be homes built for them in Palestine? We must, of course, also still talk about Jerusalem. The UK’s role and responsibility in the middle east must be long term and ongoing. Contrary to what was said by my hon. Friend the Member for Henley (John Howell), this is not a sideshow. There can be no long-term peace and stability in the region until there is peace and stability for Palestine and Israel.

9.12 pm

Seema Kennedy (South Ribble) (Con): I begin by paying tribute to my hon. Friend the Member for Bracknell (Dr Lee) for securing this important debate, and by thanking the Backbench Business Committee for allowing it to take place.

We meet a time when Britain’s role in the middle east is on the front pages for the reason of war, but the same could be said of almost any day in the last 100 years. If we want to have an effective role in the middle east, which I believe we can have, we need to learn from the past, consider the present and look to the future.

The majority of right hon. and hon. Members have understandably touched on Syria and our role in the coming days and months, but I would like to consider a broader theme. I want to speak directly to those in this place and outside it who say that we should insulate ourselves, turn away and “leave them to it.” To them, I would say quite simply that the links between Britain—or, as it then was, England and Scotland—did not begin with the invasion of Iraq, with Sykes-Picot or the crusades. The Judaeo-Christian underpinnings of our nation were born between the Tigris and the Euphrates, and the fact that Indo-European languages are spoken as far east as Afghanistan shows our common and shared history. That is something we cannot ignore.

The debate is often framed in terms of trade, and how we can benefit from it, and war, but the links are deeper and more complex, to do with culture, religion and family. I am not the only Member of this place, or indeed of the other House, to have family links with the region.

Britain has centuries of diplomatic and scholarly understanding of the middle east. It needs to use that understanding to support stability, with the aim of eventually building a region in which democracy will thrive, and to help our most important ally, the United States, to understand the whole area. I would caution, however, that this will not be the work of one Parliament or of two. It will be the work of centuries.

The immediate threat, which is on all our minds this week, comes from the sadistic cult known as ISIL/Daesh. The origins of ISIL, al-Qaeda and al-Shabaab are complex, but I believe that one reason for the fact that they have survived and thrived is the existence of dysfunctional economies in most of the middle east. Where there is corruption, where there are monopolies and raging youth unemployment, there is an ideal recruiting ground for jihadi fighters. I want to elaborate on that a little, particularly in relation to Iran, which is the country in the region that I know best.

After the war, the Ba’athist, socialist command economies of Syria and Iraq, much of the Levant, and north Africa were unable to compete with the far east, which had much nimble markets, and growth and per capita income declined in relative terms. The petroleum-rich nations of the region are only now reaching the conclusion that they must diversify their economies in order to become more resilient, and to build a wider base for employment.

People often forget that the 1979 revolution in Iran was as much socialist as it was Islamic. My hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips) referred to central control by the conservative leadership, and, indeed, many of the cronies of the conservative leaders of the Iranian Revolutionary Guard Corps now hold much of the country’s economic power. In 1979, there were 105 rials to the dollar. Now there are 30,000. In 1976, Iran’s growth rate was 16.9%, but, according to the International Monetary Fund, it is likely to fall to 0.6%. I am not suggesting that the picture was uniformly rosy under the Shah, because by the end he had definitely become too dependent on oil revenues, but at least there was a thriving private sector.

During the revolution, 80% of all industry was nationalised, including the spinning mill that my father built from scratch and ran between 1971 and 1980. During that period, 380 men worked at the mill, and every day they produced 14.5 tonnes of top-quality yarn. It was sequestered by the Islamic regime in 1980, after which it employed twice as many people and produced half as much yarn, which was of such low quality that it could not be sold on the domestic market, let alone exported. The mill closed in 1992, and every single job was lost.

As we know, unemployment in Iran and, indeed, all over the region is sky-high, particularly among young people. Ahmadinejad propped up the companies of his cronies with $26 billion of cheap debts, which will never be paid off because they were given to flabby, uncompetitive firms. It was the youth of Iran who took to the streets in 1999 and 2009. Rouhani was elected on a mandate of providing sound finances, but the IMF estimates that it will take $10 billion of investment to achieve the 10% growth that is needed to lower the country’s chronic unemployment.

I think that we may be betting a little bit too much on the success of the nuclear deal, and on its inevitably improving the economy. The picture is not so simple. Countries throughout the middle east need fundamental internal economic reform.

Chris Green: We often hear about modernisation in Iran. Does my hon. Friend believe that it is making good progress in that regard, or does she think that that is more of a front, and that the Supreme Leader is not quite the moderniser that people would hope?

Seema Kennedy: I do not think anyone would say that the Supreme Leader was a moderniser. The President is, but the problem is that, under the constitution of Iran, there are different pools of influence and they are pulling at each other all the time.
The role for Britain is to nurture these nations and to encourage them to build competitive economies in which pluralism can thrive and in which Islamism will naturally fade away. We need to look at our own history, in which the free market and, eventually, freedom and democracy prospered. The primary building block in this edifice is property rights. Nations prosper when private property rights are well defined and enforced. Britain has an important role to play through its international aid budget, and I am glad to see the renewed focus on supporting fragile states to build strong property institutions.

Touching briefly on our interaction with the US—I have made this point in interventions—we need to use our knowledge to influence the date and to push it forward. Our role is to support our ally and to foster in the middle east the evolution that has led to freedom and democracy in the UK. It is a job of work that will continue into the lives of our children and grandchildren, but it is a job of work that is worth doing.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I suggest that hon. Members now speak for six minutes, as I want to bring the shadow Minister in at quarter to 10.

9.21 pm

Bob Blackman (Harrow East) (Con): It is an honour to follow my hon. Friend the Member for South Ribble (Seema Kennedy). She made a good speech on Iran and the circumstances from which she originally came. She knows the subject extremely well. I also commend my hon. Friend for Bracknell (Dr Lee) for securing this debate. I well remember when he presented his proposal for it to the Backbench Business Committee. His key point was that we should be looking for a strategy for the middle east, and that we should debate the role of the British Government internationally rather than concentrating only on one area in the region. I believe that many Members share my concern that for far too long we have made interventions in individual countries rather than looking at a broad range of strategic views across the region and deciding what the British role should be.

We are on the cusp of a decision on whether we should intervene in Syria. I am grateful to the Prime Minister for setting out a clear strategy and explaining what we want to achieve from an intervention against ISIL. However, the question remains: what would happen after ISIL was defeated? Where would the replacement Government come from? Where is the alternative view? For far too long, we have looked at countries right across the middle east simply as lines on a map that would be addressed. I speak as someone who has been on visits to Israel and the west bank with both the Conservative Friends of Israel and the Palestinian Return Centre to see both sides of the argument. One depressing thing about the Palestinian representation is how badly they have been let down by their leadership and by their legal advisers, and how they have failed to see any progress towards achieving what they all want to achieve, which is an outright country—a state that is independent and secure.

Israel has to take steps to maintain security. In 2014, Israel, whose territory was subjected to more than 5,000 rockets and bombs sent from Gaza, had to take action against Hamas and the Hamas dictatorship that is misleading Gaza. The reality is that even now Hamas is diverting the international aid that Britain and other countries are putting in to rebuild the terror tunnels it began. Hamas is also utilising the money to fuel hate-filled lessons in ideology in that region, and is preventing the international aid from coming in. It has even prevented the setting up of a water desalination plant that would enable all the people of Gaza to enjoy clean drinking water at first hand. That is extremely regrettable.

Dr Mathias: I agree that the rebuilding in Gaza is crucial. Will my hon. Friend join me in asking the Minister whether there is a way we can monitor it, through our staff or UN staff on the ground?

Bob Blackman: It is key that we monitor what is done. Clearly, Hamas is still using its power to divert aid and prevent ordinary Palestinians from receiving the aid that they so desperately need. It is a scandal that, more than a year after the conflict, people who were made homeless as a result of that conflict are still homeless in Gaza. Hamas and its distorted ideology prevent progress from happening.

We see a series of other potential conflicts to come. In Lebanon, Hezbollah has reinforced its forces as a result of being a proxy for Iran, and many hundreds of thousands of rockets are now aimed at Israel, in order to destabilise the region. In Syria, Assad’s regime directly assists Hamas and Hezbollah in rearming. We cannot deal with these countries in isolation.
I end as I began by saying that what we need in our country is a clear strategy for our policy in the middle east. I congratulate our Government on bringing forward additional resources to target that strategy, on creating a Foreign and Commonwealth Office with more Ministers in it than was the case under the last Government and on putting in place a proper strategy.

9.29 pm  
David Rutley (Macclesfield) (Con): It is an honour to follow my hon. Friend the Member for Harrow East (Bob Blackman), who, as always, gave a passionate and knowledgeable speech. I also warmly congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this debate, with the support of my hon. and learned Friend the Member for Seaford and North Hykeham (Stephen Phillips), with both giving insightful speeches at a particularly important time. This was always going to be a timely debate, but it is even more so now, given the events of not only recent weeks, but today. Recent events in, and relating to, Syria can only be described as shocking. The civil war and the emergence of the so-called Islamic State in parts of Syria and Iraq have produced sickening scenes that simply beggar belief. The sheer scale of the movement in mass migration that we have seen in recent months has been staggering.

Like many, I have been impressed by the words of Antoine Leiris after the tragic events in Paris. In response to the loss of his wife, Hélène, he courageously said of ISIS:

“I will not give you the gift of hating you.”

Like many in this House, I agree with that view. Clearly, that is the right moral response. Today, and over the days ahead, our focus must be on the pragmatic action that needs to be taken to address the two greatest challenges in the middle east: ISIL and the Assad regime.

The attacks in Paris underlined the fact that action must be taken. I am talking about not a knee-jerk response, but a considered, comprehensive approach. The Prime Minister made further important steps in setting out that case last Thursday.

The Syrian civil war and ISIL’s atrocities as it seeks to expand its hoped for caliphate are clearly root causes in driving hundreds of thousands of civilians away from their country and displacing millions from their homes. They are linked and we need to address both, but there is now no doubt that the clear and present danger for us in the UK is from ISIL, which is why tackling ISIL must be at the heart of our comprehensive strategy.

The Syrian civil war has created a power vacuum in the east. The lessons from Iraq, Eritrea and Yemen are that such vacuums need to be filled positively to create a safe environment for citizens and stability in a vital region in the global community.

With the benefit of hindsight, it is clear that over the past decade or more, wishful thinking has been too prevalent in foreign policy, not just our own but that of the west. The Arab spring seemed to point to great promise. Despite advances in Tunisia, our hopes have fallen far short of reality. Our world view hoped for more than the weight of history was ever likely to deliver. Now we have to contend with ISIL and its deep hatred of everything we are and everything that we stand for.

In Iraq and Afghanistan, we hoped that western boots on the ground would win the war and we wished that the inconvenience of winning the peace would go away. Not enough was done to engage Arab states in the battle, and, sadly, the post-conflict reconstruction plans did not stand up to scrutiny. Wishful thinking and idealistic hopes are not enough. We need a pragmatic approach, one that is grounded in the geopolitical realities and the terrorist threats that we face today. We will need to draw on traditional diplomatic skills, that put the UK’s national interest as our central objective. The Minister, who has made many strong contributions, has set out the comprehensive approach that we are taking and, with the Prime Minister, has taken a lead on this matter, and I am grateful to him for that.

Our response must be well grounded. Paris reminds us that ISIL’s response not only is grounded in its hoped for caliphate but extends far too close to home. If ever there was a time to act, it is now, and we should not forget that indecision and inaction both have consequences as well. This is not like the summer of 2013 and this is not about entering the Syrian civil war. Indeed, the Prime Minister has ruled out that course of action. Instead our approach needs to be about containing and defeating the menace that ISIL represents because it is in our national interests to do so, and that requires a fully worked-up strategy.

Time does not permit me to talk at length about that strategy, but it is clear that we have certain key elements in place to improve not only our intelligence services and counter-terrorism capabilities but our approach to humanitarian aid as well. That is well documented, because we have given more than £1.1 billion to provide aid to millions of Syrian refugees. We are also taking forward important work to achieve a political settlement. Discussions in Vienna, as the Minister has said, have brought the relevant parties around the table. This is an unprecedented moment in time and, despite the gaps in our interests with Russia, it is the moment when we need to build on that momentum and secure a political resolution in Syria that the many residents in Macclesfield and across the country want to see. Of course, we have also put forward another £1 billion to help with post-conflict reconstruction, and that is another important part of that plan.

It is because those elements of the comprehensive approach are being taken forward in parallel that I feel that I can give my support to the Prime Minister’s military plans. Given the circumstances we face, for the other elements of the strategy to gain traction we need to defeat ISIL. To do that, I have, with a heavy heart, come to the conclusion, along with many in this House, that we must add our weight to the coalition’s air strikes in Syria. It is for that reason that I support the Prime Minister’s response to the Foreign Affairs Committee’s report and will support the Government in the vote on Wednesday.

9.35 pm  
Graham Evans (Weaver Vale) (Con): It is a pleasure to follow my hon. Friend the Member for Macclesfield (David Rutley), and I congratulate my hon. Friend the Member for Bracknell (Dr Lee) on securing this important and timely debate.

Following the 9/11 attacks, the change in America’s foreign policy was rapid. The first page of the Bush Administration’s 2002 national security strategy said:

“America is now threatened less by conquering states than we are by failing ones.”
Weak and failing states have arguably become the single biggest global threat to international order, and a disproportionate number are located in and around the Middle East. In the wake of the horrific attacks on Paris—Friday 13 November will be a date that lives in infamy for the French people—and the destruction of the Russian passenger airliner in Egypt, Islamic State now universally threatens former cold war enemies, Russia and NATO countries alike.

It might sound surprising now, but before the Arab spring uprising in 2011, neither Syria nor Yemen were areas of concern on the Fund for Peace’s fragile state index. That illustrates both how rapidly states can deteriorate and the extent to which brutal insurgency can embed itself in the power vacuum that remains when states such as Syria fail, as we have seen with the rise of ISIL. Terror groups such as ISIL and al-Qaeda thrive in areas where weak or failed states lack either the will or the ability to confront and defeat them.

The Government have rightly chosen to focus more work on helping fragile and failing states, tackling instability and helping people affected by conflict. That is not just the right thing to do for those people in their countries, but is a way of keeping our country safe, secure and prosperous. That is why our commitment to spend 0.7% of GDP on international aid is so vital. It is directly in the international community’s interest and in our own interest to prevent these states from failing and to prevent the breeding grounds for such terror groups from forming in the first instance. If achievable, prevention is better, easier and cheaper than cure.

Equally, it would be entirely wrong and short-sighted to assume that established states in the middle east and conventional warfare are now in some way irrelevant and must be dismissed in the face of combating ISIL. About a fifth of the world’s petroleum supply passes through the strait of Hormuz, a 34-mile wide naval choke point between Iran and the United Arab Emirates. Few locations in the world rivalled the strait’s strategic importance for international trade and prosperity or its tactical vulnerability. As recently as 2011, Iran threatened to close the strait, embarking on military exercises in international waters in the region. It was only through the timely joint intervention of the Royal Navy, the US navy and the French navy, as well as the sheer amount of naval hardware in the area, that the situation was prevented from escalating further, preventing a global oil crisis.

This year, and in clear violation of a United Nations Security Council ban on ballistic missile tests, Iran tested a medium-range ballistic missile. Such missiles are inherently capable of carrying nuclear warheads. Iran and the P5+1 have been participating in intensive talks about the Islamic Republic’s nuclear programme for the past few years to reach a negotiated and permanent nuclear agreement. The joint comprehensive plan of action, signed in Vienna on 14 July, was built on a foundation of verification. For that foundation of verification to be successful, access for International Atomic Energy Agency inspectors monitoring nuclear and military sites in Iran must be automatic. Iran cannot be allowed to stonewall requests for access to suspect sites.

The world we face today is inherently more dangerous and uncertain than even five years ago. To combat the growing level and number of threats, as a country we must utilise and leverage our extensive network of soft power to prevent fragile states from failing. The UK is second only to the United States in the amounts of money provided to international development and we should at every opportunity encourage our international allies to meet their commitment to spend 0.7% of GDP on international development. I have no doubt that that will make the world a safer place.

Ultimately, the potency of soft power is contingent on the existence, ability and will to deploy hard power when necessary. Had we not intervened in Iraq or taken action against ISIL’s advance at the request of the democratically elected Government of Iraq, it is possible that the Iraqi Government would have failed in their efforts to push back ISIL, and the situation in the region would now be significantly worse, with more people subject to ISIL’s brutality.

Let us not forget that ISIL burns prisoners of war alive, pushes gay people off buildings, and makes sexual slaves of 12-year-old girls. It beheads aid workers, and publicly tortures religious prisoners and journalists. It is ideologically committed to religious and ethnic genocide, and glories in death, violence and barbarity. If we who can do not stand up to them for those who cannot, what do we stand for?

9.40 pm

Bob Stewart (Beckenham) (Con): I want to concentrate on the possible effectiveness of air strikes against Daesh in Syria.

Let me begin by looking at Daesh as a military force. The current Daesh order of battle was set up by Abu Bakr al-Baghdadi, who established the so-called worldwide caliphate on 29 June 2014. I understand from my friends that Daesh terrorists are extremely well trained. My contacts say that training courses are sophisticated and last at least three months. Weapons training ranges from pistols to anti-aircraft weapons, and some people can drive tanks and fire them. Daesh has further strengthened its military capability by capturing large quantities and varieties of weapons in places such as Mosul. It has improved its capacity to carry out subsequent operations and obtain even more equipment. Its weaponry includes T-54 tanks—I know how potent they are because I was struck by one in my own armoured vehicle—T-72s and M1 Abrams. It includes armoured cars and Humvees, surface-to-air missiles, BM-21s, which used to be called Stalin’s organ, howitzers and guns, as well as anti-tank missiles such as Stinger.

Daesh is no pushover, which explains why some of the ground forces ranged against it have not made better progress. We are about to consider extending Royal Air Force combat operations to include Syria as well as Iraq. To me, that makes military sense. From Daesh’s point of view, there is no Sykes-Picot line between Iraq and Syria.

Military orthodoxy states that wars cannot be won from the air, and that the enemy must be beaten on the ground. I agree, but let me ponder that for a moment. We won the air campaign in the battle of Britain in 1940, and saved our country from invasion by Nazi Germany. We should remember that Churchill then made a pact with Stalin against Hitler. Today, should we not consider opening a dialogue with President Assad’s regime to defeat the huge threat of Daesh, which is enemy to Syria, the United Kingdom and, indeed, the whole world?
In 1999, in the Kosovo campaign, air power was crucial, but we needed ground troops too. Air power won it. In 2011, colleagues will remember that it was from the air that the inhabitants of Benghazi in Libya were saved from having their throats cut, as promised by Colonel Gaddafi. Obviously, it went wrong from there. In 2014, Daesh forces were prevented from advancing and taking Baghdad in Iraq, mainly by US air power. Troops were needed then. And today Daesh is severely constrained within its territory because any force that it concentrates could easily be identified and destroyed by our air power. Remember, the Royal Air Force now contributes 30% of the intelligence above Syria.

Military campaigns are fought in phases. I accept that the first military phase in beating Daesh may well be to destroy or severely restrict its activities from the air, then soldiers with rifles need to exploit that advantage. I hope that such forces come from middle east countries, but I would not bet on it. Finally, I believe that to destroy Daesh in Syria and in Iraq, we need to work with the Governments of Syria and Iraq. We may also, at some stage, need to use our own armed forces too, because they may be needed to protect our country by operating in the middle east yet again.

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We have had a good debate and a long one, with 29 contributions and many more interventions, all of them making important points. I shall try to do justice to a few of those points in the short time available to me. Before I do so, I want to mention an hon. Member who is not here tonight—my hon. Friend the Member for Ilford South (Mike Gapes), an esteemed former Chair of the Foreign Affairs Committee, who was unfortunately taken ill in the past few days and is in hospital. I am sure all of us want to send our best wishes to him. I know he would very much like to have been here, taking part in the debate.

Understandably, the focus of the debate today has been mainly on Syria and the prospect of military action. I shall return to the subject of Syria, but first I want to mention the other important issues raised in the debate, which, as we recall, is on the “UK’s role in the Middle East”. It is unusual not to have a debate on the middle east where Israel and Palestine are not the main focus, but we have had important contributions from the hon. Members for Strangford (Jim Shannon) and for Hornchurch and Upminster (Dame Angela Watkinson), my hon. Friend the Member for Hammersmith (Andy Slaughter), the right hon. Member for Chwyd West (Mr Jones), my hon. Friend the Member for Foyle (Mark Durkan) and the hon. Member for Twickenham (Dr Mathias) who all talked about how important Israel and Palestine are to the region.

9.46 pm

Diana Johnson (Kingston upon Hull North) (Lab): I congratulate the hon. Member for Bracknell (Dr Lee) and other Members who secured this timely debate. We know that we will be facing decisions on extending airstrikes into Syria in the coming days. At the start of our debate, the hon. Gentleman set out eloquently the complexities of the region and the many factors and issues that need to be considered when discussing the middle east. He also made a compelling case for the Government to draw up a comprehensive strategy on the middle east.

We have had a good debate and a long one, with 29 contributions and many more interventions, all of them making important points. I shall try to do justice to a few of those points in the short time available to me. Before I do so, I want to mention an hon. Member who is not here tonight—my hon. Friend the Member for Ilford South (Mike Gapes), an esteemed former Chair of the Foreign Affairs Committee, who was unfortunately taken ill in the past few days and is in hospital. I am sure all of us want to send our best wishes to him. I know he would very much like to have been here, taking part in the debate.

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We all know that there are no peace talks at present and there seems to be little prospect of a return to negotiations in the short term. I agree with the view expressed by the hon. Member for Edinburgh East (Tommy Sheppard), who speaks for the SNP: the Government need to do all they can to urge a return to the negotiating table. It falls on all politicians in all parts of the House to reach out to the leaders in both Israel and Palestine and ask them not to take steps that will make a return to negotiations harder to achieve. This means an end to blockade and occupation, and an end to rocket and terror attacks.

Yemen was mentioned in the contributions of my hon. Friend the Member for Hammersmith, the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), the hon. Member for Charnwood (Edward Argar) and my right hon. Friend the Member for Leicester East (Keith Vaz), who chairs the all-party parliamentary group on Yemen. He reminded the House that Syria is not the only ongoing civil war in the region, nor is it the only conflict with an enormous humanitarian cost. The situation in Yemen is desperate, the death toll is rising and hundreds of thousands of people rely on humanitarian aid, which, as we heard, is becoming increasingly hard to get to those in need. I reiterate the Opposition’s call for an immediate return to the negotiations and for the UK Government to do all they can to encourage both sides to participate in the peace talks in Oman in good faith. It is also important that we have a full and impartial investigation into allegations that coalition forces broke international law during their operations in Yemen. The Secretary of State originally supported that proposal, but the Government appear to have U-turned, and I am still seeking an explanation for why.

We also heard contributions on Saudi Arabia from the hon. Members for Glasgow South (Stewart Malcolm McDonald), for Shrewsbury and Atcham (Daniel Kawczynski) and for Glenrothes (Peter Grant). They all pointed out that Saudi Arabia is a key player in the region and highlighted the important role it is playing in Yemen and Syria. My right hon. Friend the Leader of the Opposition has repeatedly and rightly raised the issue of human rights abuses in Saudi Arabia. It is of great concern to us all that there have already been 153 executions this year. We also need to urge the Saudis to ensure that we stop the flow of funding and support to ISIL/Daesh. Closing down the funding stream can be as important as military action, and we need the co-operation of the Saudis in that.

Iran was mentioned as another crucial regional player, particularly in the speeches of the hon. Members for Stratford-on-Avon (Nadhim Zahawi) and for South Ribble (Seema Kennedy). As a key backer of Assad, Iran will be crucial in enabling a political solution to the civil war in Syria, which is a prerequisite for any defeat of ISIL/Daesh. It was notable last week that the Prime Minister highlighted improved relations with Iran as a key reason for optimism on the prospects of a diplomatic breakthrough at the Vienna talks. Of course, that follows the vital nuclear deal agreed last year. Last week the House discussed the deal and the plans to lift sanctions. I would like to reiterate the comments of my right hon. Friend the Member for Wolverhampton South East (Mr McFadden), the shadow Europe Minister, in welcoming that agreement and congratulating all those who have worked hard to make it possible, including Baroness Ashton and Jack Straw, the former Member of this House.
We also heard an important contribution from the hon. Member for South Derbyshire (Heather Wheeler) about the persecution of Christians and other minorities in the region.

In the few minutes I have left I will turn to Syria. We heard many excellent contributions on the topic, and they all showed how Members of this House are reflecting on the very difficult and complex situation in Syria. We started with the great expertise of my hon. Friend the Member for Bridgend (Mrs Moon), who speaks with great knowledge as a member of the Defence Committee and as chair of the all-party group on the Royal Air Force. I do not have time to acknowledge all the important points that have been made, but it is clear that many Members on both sides of the House are still actively considering the Government’s case for extending bombing. It is also clear that Members are doing this in good faith and that we have the right to expect more information from the Government before being asked to vote on action.

I know that the Minister was limited in time when he spoke earlier, but he did respond to several of the points that were made. Unfortunately, he spoke half-way through the debate and other issues arose in the second half, and I know that he had to make many interventions to deal with those points. The Prime Minister waited several months to bring his case for extending action against ISIL/Daesh to the House, and I welcome the statement that he made last week, and the excellent Foreign Affairs Committee report that he responded to. However, I do not think that this is the end of the debate. There are several areas where the Government need to provide more detail, and a number of those points were raised again tonight.

For example, let us take the issue of ground troops, which was raised by the right hon. Member for Hitchin and Harpenden (Mr Lilley), the hon. Member for Isle of Wight (Mr Turner), my hon. Friend the Member for Hammersmith and the hon. Members for South Dorset (Richard Drax) and for Bolton West (Chris Green). Last week the Prime Minister gave a figure of 70,000 moderate opposition fighters, but he did not elaborate in detail on which groups those fighters represented, where they were located and what contact, if any, had been made with them. A Syria expert at the Brookings Institute, Charles Lister, supported the Government’s estimate of 70,000 fighters but disputed how moderate some of those groups really are. He also argued that to reach 70,000 fighters we would need to combine at least 10 groups that currently have different agendas and are dispersed across the country. Many are currently focusing on the battle with Assad. The Government need to explain in much greater detail on which groups those fighters represented. The Government need to provide more information to Members on both sides of the House before we vote. On that question, I hope that the Minister and the Prime Minister might think again and allow the extended debate that we need.

Dr Lee: We have heard many outstanding speeches from Members in all parts of the House. I particularly thank the Minister and the shadow Minister for their contributions. The hon. Member for Edinburgh East (Tommy Sheppard) made a very thoughtful speech. My hon. Friend the Member for South Derbyshire (Heather Wheeler), who referred to the need to protect all the minorities in the middle east, also made some telling remarks. My hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips) made an important contribution on the need to think about all the challenges that we face: all the ongoing civil wars and all the difficulties and complexities that I alluded to in my opening speech. He made a powerful speech, and I hope that the Government were listening.

I am sure you would agree, Mr Speaker, that this debate has been timely. I do not know whether you have this power, or where else it resides, but I think that a minimum of a monthly debate on a foreign policy issue would be welcomed by the great majority of people in this Chamber. It is long overdue that we have addressed the question of our approach to the middle east, and one could argue that the same could be said for our approaches to China, to India, or to South America: the list goes on. I encourage the people who hold the power to make a decision to allocate one day per month for us to discuss these things and to bring that about as soon as possible.

If you will allow me, Mr Speaker, I want to close this debate somewhat differently. I do not have enough time to pass comment on every single speech—I think there have been upwards of 30—so I hope that colleagues will forgive me for not mentioning them individually.

Over the weekend, a friend of mine sent me a photograph of Gustav Klimt’s “The Kiss” superimposed, rather impressively, on a devastated, bullet-ridden building somewhere in Syria. The man behind it, a Syrian-born artist called Tammam Hazzam, said that his intention had been to draw a parallel between

>“the greatest achievements of humanity with the destruction it is also capable of inflicting.”

I encourage all hon. Members to find that picture online.

If we are looking for a goal at the end of the difficult foreign policy path that we now appear to be walking down, I think it should be this: in future, art galleries should be open across the middle east, in all places and all cities, in which the original Klimt can hang beside equivalent middle-eastern art, with everyone in the region, men and women, visiting, admiring and enjoying those works of art. If we could achieve that, it would demonstrate success on so many levels. It is a welcome coincidence that a copy of an Austrian artist’s work evocatively
reproduced in a war-torn location within Syria helps to demonstrate what the Vienna process should ultimately be about.

Question put and agreed to.

Resolved,

That this House has considered the UK’s role in the Middle East.

Business without Debate

NATIONAL SECURITY STRATEGY
(JOINT COMMITTEE)

Ordered,

That Margaret Beckett, Crispin Blunt, Damian Green, Mr Dominic Grieve, Sir Gerald Howarth, Dr Julian Lewis, Angus Brendan MacNeil, Dr Andrew Murrison, Robert Neill, Stephen Twigg, Keith Vaz and Mr Iain Wright be members of the Select Committee appointed to join with a Committee of the Lords as the Joint Committee on the National Security Strategy.—(Bill Wiggin, on behalf of the Committee of Selection.)

ENERGY AND CLIMATE CHANGE

Ordered,

That Dr Alan Whitehead be discharged from the Energy and Climate Change Committee and Mr Jamie Reed be added.—(Bill Wiggin, on behalf of the Committee of Selection.)

Scotland and Malawi Relations

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

10 pm

Patrick Grady (Glasgow North) (SNP): Thank you, Mr Speaker, or zikomo kwambiri and yewo chomene, as we would say in Chichewa and Tumbuka. I am very glad to have the opportunity to mark Scotland’s national day—the feast of St Andrew—with this debate on the enduring relationship between my country and the country known as the warm heart of Africa, the Republic of Malawi.

A number of distinguished guests are watching these proceedings, either from the Gallery or via the broadcast, including representatives from the Malawi high commission to the UK and the UK high commission to Malawi. You will be aware, Mr Speaker, that His Excellency the President Professor Peter Mutharika is also visiting the UK today, and I had the honour and pleasure of meeting him at a cross-party group meeting earlier. To all of them, I say: Kwa inu nonse a Malawi anzanga omwe mwabwera kuno, tikulandirani ndi manja awiri. You are all most welcome on this special occasion.

Earlier this month we marked the 10th anniversary of the formal co-operation agreement signed by the Governments of Malawi and Scotland in 2005, and in October the civil society network, the Scotland Malawi Partnership, held its 10th annual general meeting. Ten years of formal co-operation between the countries build on a legacy stretching back more than 150 years, to the time of Dr David Livingstone, who is rightly remembered for his opposition to the slave trade. His impact on Malawi is commemorated in the naming of its major commercial city, Blantyre, the home of my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier). Indeed, it is difficult to go anywhere in either Scotland or Malawi and not meet people, communities or organisations that have connections to the two countries.

My own connections also began slightly more than 10 years ago, when I travelled with the now sadly missed Scottish Churches World Exchange programme to the northern capital of Mzuzu. As a boy from Scotland’s highland capital, Inverness, I thought that was very fitting. I made my home there for the next 12 months, along with some fellow volunteers, and we were warmly welcomed by the community of St Peter’s cathedral parish and the school where we were to teach.

As is often the experience of teachers, I probably learned far more from my students than they learned from me. Perhaps the most important thing I learned—or at least the experience confirmed this for me—is that no matter where in the world we go, people are the same. I taught kids who were eager to learn, and I taught kids who just wanted to be outside playing football. I met mothers and fathers who wanted nothing but the best for their children. I met priests and sisters of great faith, and I met others who had left their ministry. I met locals propping up bars late at night, drinking the local Kuche Kuche brew and putting the world to rights, and I met farmers, bakers, shopkeepers, starting their early morning shifts—although I hasten to add that they were not all walking together.
What was different was the context. Malawi is one of the poorest countries on earth: it ranks 174th out of 187 countries in the United Nations human development index. Life expectancy at birth is just 55 years, and half of the population live below the national poverty line, but all of those statistics represent improvements on the situation 10 years ago.

The difference between Scotland and Malawi lies not in the desire or the ability of the people to build a better life for themselves, but in the opportunities they have to do so. What stands in the way of those opportunities for people in Malawi is rarely the result of decisions taken in Malawi, but, rather, deep-rooted, structural causes that we in the west must take responsibility both for bringing about and for helping to bring to an end.

As we hold this debate today, world leaders are meeting in Paris for the climate change summit. Climate change is one of the biggest challenges facing people and the planet. It exacerbates the existing challenges of poverty, conflict, disease, resource depletion and population displacement.

**Patrick Grady:** Yes, of course: the debate is on Scotland’s relations with Malawi, but we recognise that there are bonds of friendship across the UK. The President expressed a number of useful comments and insights to the cross-party group, including on the importance of investment and, indeed, on the need for an agreement at the Paris summit. Malawi has been affected by climate changes, as have so many countries in that part of the world.

**Oliver Colvile** (Plymouth, Sutton and Devonport) (Con): I congratulate the hon. Gentleman on successfully securing this debate, and on his attendance when we met the President earlier today. Does he think that we in England also have a responsibility to make sure we are investing in Malawi? I know that part of the world is incredibly well, and it is time we took a serious interest in it.

**Patrick Grady:** Yes. Of course: the debate is on Scotland’s relations with Malawi, but we recognise that there are bonds of friendship across the UK. The President expressed a number of useful comments and insights to the cross-party group, including on the importance of investment and, indeed, on the need for an agreement at the Paris summit. Malawi has been affected by climate changes, as have so many countries in that part of the world.

**Stephen Gethins** (North East Fife) (SNP): I congratulate my hon. Friend on securing this timely debate. Does he agree that the Scottish Government’s work on climate justice is particularly timely, especially with today’s opening of the Paris climate talks, and that they are making good progress on it?

**Patrick Grady:** Yes. If I have time, I may say something about the climate justice fund towards the end of my remarks.

Other structures and factors exacerbate the challenge of global poverty. Tomorrow, we mark world AIDS day. HIV/AIDS is one of several totally preventable diseases that are still far too prevalent in countries such as Malawi. If developing countries are truly to control their own destiny, we must improve governance, strengthen civil society and, in particular, ensure that resources and capital generated in-country are allowed to stay in-country. His Excellency the President raised the issue of domestic resource mobilisation at today’s meeting. We on the SNP Benches will pay particular attention to the forthcoming renegotiation of the Malawi UK tax treaty.

**Jim Shannon** (Strangford) (DUP): Just this year, one of the top Government officials in Malawi, Charles Msosa, principal secretary to the Ministry of Education, Science and Technology, issued a very stern warning against abuse of the latest aid package. Does the hon. Gentleman feel, as he does, that there should be a zero-tolerance approach to abuse of the aid package?

**Patrick Grady:** I absolutely agree. I have spoken of the need to enhance and strengthen the role of civil society in Malawi to help its people to hold the Government to account and to strengthen the structures of Malawi democracy itself. Indeed, those points were made at the cross-party group this morning.

His Excellency also spoke of the need to tackle gender inequality in his country. Of course, his immediate predecessor is one of only a handful of females ever to be a Head of State in Africa. There is no single silver bullet to end global poverty, but the empowerment and education of women and girls comes pretty close.

Many of my SNP colleagues have constituents who have a connection with Malawi. The Scotland Malawi Partnership, a network of nearly 700 organisations and key stakeholders, reckons that about 94,000 Scots are involved in partnership activities, while its sister organisation, the Malawi Scotland Partnership, estimates that 198,000 Malawians co-operate with friends and counterparts in Scotland.

**Deidre Brock** (Edinburgh North and Leith) (SNP): Does my hon. Friend agree that what particularly distinguishes the Malawi Scotland Partnership is the dynamic and reciprocal nature of the relationship? That is particularly evident in the more than 150 school-to-school connections, which are creating firm links of friendship and understanding between schools in Malawi and schools in my own constituency, such as Broughton high and Stockbridge primary schools.

**Patrick Grady:** I totally agree. Many constituents elsewhere will have similar stories to tell. The development of school partnerships has been a particular characteristic of the Scotland-Malawi relationship over the past 10 years. Indeed, the school I taught at in Mzuzu was one of the very first to establish such a relationship with what is now St Matthew’s Academy in Saltcoats, which is ably represented by my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson).

It would be particularly interesting to carry out some research into the long-term impact of these partnerships. How have they benefited young people from Scotland and Malawi who have visited each other’s countries? What impact have these exchanges had on their career life choices? It would be interesting to know whether the Minister might consider funding that kind of study.

Cultural links built on person-to-person connections are a hallmark of the relationship between Scotland and Malawi, but these are not always straightforward. The Minister will be aware that Malawians wishing to visit the UK—even, on some occasions, those sponsored by the British Council—can find it difficult to obtain a visa. Again, I would be interested to hear how the Government plan to respond to the concerns about that raised by civil society organisations.

Civil society connections are strengthened and enhanced by the formal co-operation agreement between the Governments of Scotland and Malawi. Signed in the
aftermath of the Gleneagles summit in 2005, it commits the Governments to working together in the key areas of civic governance, sustainable economic development, health and education.

It is an agreement that has lived on through three First Ministers of Scotland and three Presidents of Malawi. I pay tribute to the work of Jack McConnell, who established the agreement as First Minister and who is now one of Malawi’s strongest advocates in the House of Lords. Scotland’s longest-serving—because he is the only one so far—International Development Minster, Humza Yousaf, has also championed the relationship. I know that his visit to Malawi in 2014 left a deep impression on him.

Over the years, the Scottish Government have invested more than £55 million in Malawi. That is in addition to Department for International Development investment and other UK investment, although I note that the Government like to count it towards the 0.7% official development assistance target. That funding has helped to quadruple the number of medical graduates in Malawi, ensured that 140,000 children have been prioritised for emergency treatment through a meningitis treatment programme, and brought new energy access to almost 80,000 people in the most rural parts of the country through a £2.3 million renewable energy programme.

I declare an interest because, before the election, I worked for the Scottish Catholic International Aid Fund, which benefited from the Scottish Government’s innovative climate justice fund, to which my hon. Friend the Member for North East Fife (Stephen Gethins) referred. The climate justice fund puts into reality the principle that we have done the most to cause climate change and people in developing countries such as Malawi have done the least but are being impacted first and hardest, by helping people to adapt and overcome the impacts of climate change. Last year, I saw at first hand the impact of that funding, which is helping communities in rural Malawi to overcome the effects of climate change through irrigation and sustainable agriculture projects.

I want briefly to pay tribute to two projects with which I have a personal connection. The first is the Eva Demaya centre, which was established by Jacqueline Kouwenhoven, who was initially from the Netherlands, and her husband, Mr John Fox, who hails from Dumbarton. The centre provides a valuable and innovative mix of conventional western medicine alongside more traditional and complementary therapies in a remote area of the Rumphi district. Such is the esteem in which Jacqueline is held that the local community elected her as an independent member of the Malawian Parliament last year—the only woman in that august House. I hope that I can find a way to make a connection with her in my capacity as a member of the Commonwealth Parliamentary Association.

The inter-cultural exchanges and innovative approaches that such small projects engender are hallmarks of the interventions that have happened in Malawi, especially over the last 10 years under the Scottish Malawi Partnership. It has allowed a thousand flowers to bloom, as it were, and there are many lessons to be learned.

The second project is the Chesney Trust, which was founded by one of my fellow volunteers, Janet Chesney, who travelled out to Malawi with me in 2004 but has never found the will to leave for a significant length of time. She has dedicated herself to improving access to education in northern Malawi through the establishment of a girl’s secondary school. Earlier today, she sent me a video of the pupils of that school singing Scotland’s national anthem, just in time for St Andrew’s day. I will endeavour to share that on social media so that you, Mr Speaker, and other Members can enjoy a clip that sums up the special relationship between Scotland and Malawi. I am grateful that you have chosen to remain in the Chair for this Adjournment debate, Mr Speaker. I know that you take a particular interest in matters of international development, as a former spokesperson on the subject.

In recognition of the girls learning the words to “Flower of Scotland”, let me finish with the words of Malawi’s national anthem. In Chichewa, it starts, “Mlungu dalitsani Malawi”. In Tumbuka, it is, “Chiuta m’tumbike Malawi”. In English, that is, “God bless Malawi”. As I have time, the first verse is:

“O God bless our land of Malawi,
Keep it a land of peace.
Put down each and every enemy,
Hunger, disease, envy.
Join together all our hearts as one,
That we be free from fear.
Bless our leader, each and every one,
And Mother Malawi.”

10.14 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): What a veritable challenge for Hansard some of those quotes will be. I hope that I will not be as challenging, although I wish I had had the foresight to prepare to be so.

This debate on Scotland-Malawi relations is timely. As has been mentioned, President Mutharika started an official visit to the UK this morning and will join the global African investment summit of the Daily Mail group later this week. I join the hon. Member for Glasgow North (Patrick Grady) in offering a warm welcome to the President and his team, and I also wish him, and the vast array of Members who have come to support him, a happy St Andrew’s day. No doubt they are reflecting the importance of the Malawi-Scotland relationship, as well as the high esteem in which he is held in his party and the House more generally.

I am delighted that today my right hon. Friend the Secretary of State for Scotland met the Minister responsible for foreign affairs to reinforce the close relationship between Scotland and Malawi. I know that he has a long-standing interest in Malawi. I met the Malawian high commissioner to London and had a wide-ranging discussion.

Indeed, Malawi is a country close to my heart. My wife went to school in Malawi, and her father worked there. My brother-in-law, Patrick Thompson, was born in Lilongwe hospital. When I finally married my long-suffering wife, we decided to honeymoon in part in Lilongwe while travelling anti-clockwise around Zimbabwe. When I was on the Back Benches, I volunteered with a charity called the Grow Movement, which seeks to unlock the potential of entrepreneurs in Uganda, Rwanda and Malawi by matching them with business consultants who offer structured advice over the phone. Over 12 phone sessions, I helped a lady called Evelyn who was running a wonderful business in Malawi called Body Hugging Fashions—I felt I should get that into Hansard.
I was also temporarily vice-chair of the all-party group on Zambia and Malawi, and I know from the Malawian high commissioner and our high commissioner to Malawi, who I am sure is listening to this debate somewhere, that the President very much enjoyed meeting members of the group, and was pleased with the hospitality he was offered. It was much appreciated.

I am delighted that this debate is taking place. The UK has an historic and deep bilateral relationship with Malawi, and although the UK has overall responsibility for foreign affairs, within that broader framework there is a special relationship between Scotland and Malawi that we in this House should cherish. The debate in the Scottish Parliament on 11 November to mark the 10th anniversary of the Scotland and Malawi co-operation agreement set out the breadth of the links and relationship that Scotland has with Malawi, and the cross-party support that it enjoys.

In my mind there are three key components to the relationship between Scotland and Malawi. The first is the history. Scotland’s part in the Malawi story is there for all to see. It is not just about the lives of explorers, missionaries, traders and doctors—and indeed teachers—from the past and present; it is built into the very fabric of Malawi. From the largest Malawian Protestant church with its Scottish roots, to some of the nation’s most historic and impressive buildings, and the name of its largest city, Scotland’s links with Malawi are very evident today.

Secondly, the links to people are still strong, and I pay tribute to the work of the Scotland Malawi Partnership and all it does to invigorate and build on historical links. I note that the hon. Gentleman lived and worked in Malawi. Indeed, I believe that we were in Malawi at the same time while I was honeymooning, although I did not get to the country’s further reaches—that was my own failing, as I was keen to complete the circumference of Zimbabwe. Many others have also worked there. The hon. Member for Edinburgh North and Leith (Deidre Brock) referred to the connecting classrooms programme, and I am sure that the British Council would welcome her thoughts on research into the impact that that had and on how such projects could be taken forward.

Kirsten Oswald (East Renfrewshire) (SNP): On the connecting classrooms programme, will the Minister join me in applauding the enterprise and enthusiasm of senior pupils from schools across East Renfrewshire who have just returned from Malawi where they spent a week painting schools and working in local communities, and cementing the bonds of friendship between our countries?

James Duddridge: I have no hesitation in congratulating those pupils on their excellent work, and I would love to find out more if the hon. Lady has some time to tell me about that programme and the work done by that school.

Oliver Colvile: Is my hon. Friend also aware that Plymouth St Andrew’s has a very close relationship with Medic Malawi in Kasungu, and does an enormous amount to send people out to help them to develop their healthcare?

Stephen Phillips (Sleaford and North Hykeham) (Con): My hon. Friend will know about the disastrous floods in Malawi in January last year. We do not know what caused the floods, but it is probably because of climate change that they are becoming more frequent in that region. Does he therefore agree that for nations such as Malawi it is imperative we reach an agreement in Paris that will lead to a solution that will see less of this type of weather across Africa?

James Duddridge: As ever, my hon. and learned Friend hits the nail on the head. It is absolutely essential for any Paris agreement to acknowledge the changing situation that is having an impact on and adversely affecting countries such as Malawi. Early indications of progress in Paris are good, but there is still a long way to go.

Her Majesty’s Government actively encourage the special bond that exists between Malawi and Scotland. The British high commission in Lilongwe brings together FCO and DFID staff who work with many Scots, Governments, individuals and other organisations who keep that bond alive. I am sure that our high commissioner will be open to further suggestions on how we can work together. The UK Government have supported visits to Malawi this year from the Scottish Government and the Scottish Parliament.

The hon. Gentleman mentioned problems with visas. He will appreciate that I cannot go into too much detail, and certainly not on individual cases, but I am open to suggestions on how the system can be improved. UK Visas and Immigration is responsible for making decisions each year on who has the right to stay. It is a difficult job that requires balance. Our immigration rules apply globally to every visa applicant. Statistics show that 85% of Malawian applications for visit visas
made in the past year were issued. That is well above the
global and regional average. Malawi is well placed in
relation to visas being processed and accepted. Statistics
on the time taken bear similar comparison to our
targets, and to global and regional averages.

We recognise the important work still to be done.
DFID in Scotland, in particular, is working incredibly
hard. That work, driven not only from Malawi and
London but from East Kilbride, makes the UK one of
Malawi’s largest development partners, in terms of the
global impact of DFID’s work. They are an excellent
team, and one I have visited in the past.

The UK Government are committed to ensuring that
every pound of UK aid money achieves its intended
results, and we maintain a zero-tolerance approach to
corruption. We are concerned, therefore, at the weaknesses
in Malawi’s financial management systems uncovered
by the “cashgate” scandal, which saw the theft by
politicians and civil servants of funds intended for the
people of Malawi. That is why, in concert with other donors,
we decided to stop providing financial aid directly to
the Malawian Government in November 2013.

It is important to note, however, that although we
cannot work through the governance system, the UK
continues to work with the Government and the Malawian
people, and our support is significant. We operate an
£80 million bilateral aid programme—up from £64 million
in 2014-15—with significant other UK support benefiting
Malawi, including, for example, through civil society,
research, the global funds and multilateral channels.

Scotland’s, and indeed the UK’s, relationship with
Malawi involves being there when Malawi faces difficult
times. Unfortunately, difficult times have been all too
common. DFID recently mobilised to provide £4.1 million
to help address the devastating floods, which my hon.
and learned Friend the Member for Sleaford and North
Hykeham (Stephen Phillips) mentioned, in January and
released a further £10 million in October to alleviate the
desperate food shortages facing nearly 3 million people.
In addition, contingency planning is in place for this
year’s likely El Niño.

Malawi’s future needs to move beyond a heavy reliance
on aid. Malawi must stimulate the creation of growth,
markets, jobs and incomes for all its citizens. To this
end, the Government are working with the Malawian
Government to improve the business environment and
the diversification and development of its export market.
We strongly support the President’s attempts to reform
the economy and public services to bring about the
change necessary to rebalance the Malawian economy—
from one heavily supported by donors and reliant on
the state to one more driven by private sector investment
and entrepreneurship, as I saw from Evelyn and others
in the country.

Dr Lisa Cameron (East Kilbride, Strathaven and
Lesmahagow) (SNP): I congratulate the Minister on
paying tribute to my constituency and DFID’s work
there, and I, too, congratulate them. Does he agree on
the importance of champions for women’s small business
enterprises in Malawi and across the developing world
and of investment in opportunities for business ventures
for women?

James Duddridge: I do agree. It has been my experience,
particularly in Malawi, that women within families can
be the most entrepreneurial of individuals. Sometimes,
however, it is not recognised even within their own
communities that they are the underlying business drivers
and income producers. We need to provide more support
to smaller businesses as they get bigger. Transitioning
from that micro-entrepreneurship to larger, more formalised,
tax-paying and employment-generating activity is exactly
the right way forward, and I am sure that Malawian
women, as African women, will be at the forefront of
that, leaving the men sadly behind.

Finally, it is important to reiterate that this is a
partnership, not a one-way relationship. Malawi is a
vibrant country with a warm heart in the middle of
Africa, renowned throughout the region as a land of
peace in a sometimes troubled neighbourhood. A
democracy with a staunchly free press, Malawi has been
a good friend to Scotland and the UK, and we are keen
to support it in the years to come. Malawian soldiers,
for example, play a valuable and respected role as
peacekeepers in the Democratic Republic of the Congo,
having been trained by our own armed forces. The
Malawian diaspora contributes enormously to many
areas of life in the UK, including in Scotland. Let us
remember that, for all its challenges, Malawi inspires
many people in Scotland and throughout the UK, and,
thanks to the hon. Member for Glasgow North, we
rightly celebrate that relationship today.

Question put and agreed to.

10.29 pm

House adjourned.
The Chancellor of the Exchequer was asked—

Support for Business

1. Jack Lopresti (Filton and Bradley Stoke) (Con): What fiscal steps he is taking to support businesses.

11. Rehman Chishti (Gillingham and Rainham) (Con): What fiscal steps he is taking to support businesses.

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): This Government know there cannot be a successful economy without support for business and enterprise. That is why we are cutting corporation tax, increasing the employment allowance and setting a permanently higher investment allowance. It is also why last week we increased our support for industrial policy, including a boost for science, and announced that we had doubled small business rate relief again next year, helping 600,000 small businesses.

Jack Lopresti: How will my right hon. Friend help small businesses compete with the de facto subsidy that businesses with complex overseas tax structures get, which result in their paying no, or very low, tax in the UK, particularly given that Small Business Saturday is coming up this weekend?

Mr Osborne: The OBR has made its assessment, but what it shows is that productivity growth picks up through this Parliament. The hon. Gentleman and I have had many discussions about this, and I think we are actually in agreement that productivity is a long-term challenge for the UK and has been a challenge for many decades. We are trying to solve that by measures like the apprenticeship levy which will be one of those so-called taxes he describes. It is not a tax in that people get their money back if they have enough apprentices, so it is a levy, and it is the kind of thing we need to try to deal with the productivity challenges in the UK.

Ms Margaret Ritchie (South Down) (SDLP): As part of his look at fiscal steps to support businesses, will the Chancellor give favourable consideration to the extension of the rural fuel rebate scheme to regions that have not already been considered?

Mr Osborne: I am very happy to give consideration to that. We are operating within the maximum flexibility that we believe the European Union rules allows us on this. Any postcode that possibly qualified we put forward to that. We are operating within the maximum flexibility that we believe the European Union rules allows us on the rural fuel rebate scheme to regions that have not already been considered.

Mr Andrew Tyrie (Chichester) (Con): The Chancellor said the apprenticeship levy is a levy, but of course what many businesses see is a 0.5% tax on employment collected through PAYE. Does the Chancellor think that is compatible with the tax lock? While he is answering that question, will he also say what estimate he has made of the cost of the apprenticeship levy to the public sector, which I cannot find anywhere in the Red Book?
Mr Osborne: The fact that the apprenticeships levy is set up in such a way that a large company employing high-quality apprentices will be able to receive back from the Government more than it puts in sets it aside from classic payroll taxes. Indeed, it has been broadly welcomed by the business community, even though it accepts the additional burden it represents. That is going to be very important. We made the calculations for the impact on the public sector in our public finance projections, and I am happy to write to my right hon. Friend with the precise numbers.

Stewart Hosie (Dundee East) (SNP): Will the Chancellor confirm that in addition to the 17% cut to the funding of the Department for Business, Innovation and Skills, the autumn statement did, as other Members have said, add £11 billion to the tax bill of businesses, in the area of business growth and skills, and mainly driven by the apprenticeships levy?

Mr Osborne: I would have thought and hoped that the Scottish National party supported an apprenticeships levy whereby we use the money to create 3 million apprenticeships in this part of the United Kingdom and make sure that there are arrangements to pass the money to the Scottish Government so that they can improve skills in Scotland. But of course if one looks closely at the record of the SNP Government, one sees that they have been cutting further education places in Scotland. As usual, the SNP says one thing here and does something different in Scotland.

Stewart Hosie: The question was of course about the £11 billion extra tax cost for business and the cut to the Department for Business, Innovation and Skills—something the Chancellor does not want to talk about. Given that there was no increase in retail sales in the last quarter, that the CBI industrial trends survey is down, that consumer confidence is down, that the deficit in the trade in goods is a colossal £134 billion and that manufacturing output is down, why does this political calculation of the impact on the public sector in our public finance projections, and I am happy to write to my right hon. Friend with the precise numbers.

Mr Osborne: I certainly pay tribute to the very successful and thriving tech businesses in Bath and across the west country. There is an opportunity now, with the investment in cyber-security at GCHQ, not too far from Bath, in Cheltenham, to help create a culture of small start-up businesses and make sure that on the back of our national security we have commercial success and commercially successful companies building those sorts of businesses in the west country.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): Will the Chancellor outline what measures he introduced in the autumn statement to support the UK’s renewable energy businesses?

Mr Osborne: We committed to double the investment in renewable energy over the next five years.

Seema Malhotra: What did we actually get from this Chancellor last week? The £1 billion to develop carbon capture and storage was cut; feed-in tariff subsidies for solar panels were cut by 87%; we heard not a mention of national projects such as the Swansea Bay tidal lagoon; and we had Britain at the bottom of the European league for renewables. Does he agree with companies such as Tesco, IKEA, Vodafone and Unilever that his renewable energy cutbacks now pose a risk to UK businesses and undermine confidence in investment?

Mr Osborne: We should all be proud of the fact that in this country jobs are being created and the economy is growing yet our carbon emissions fell by 8% in the past year. We are doubling our investment in renewable energy and at the same time putting investment into things such as low-carbon nuclear power and small modular reactors, which will be of real benefit to South Yorkshire and the north-west of England. My broader point is that we do not believe that the way to help save the Earth is by piling costs on people’s electricity bills, so we have also taken action to ensure that our home efficiency scheme is more efficient, so people’s household energy bills will go down by £30 as well.

HMRC Regional Hub

2. Philip Davies (Shipley) (Con): What estimate his Department made of the potential cost to the public purse of a HM Revenue and Customs regional hub being based at (a) Leeds and (b) Bradford. [902444]

Mr Osborne: We committed to double the investment in renewable energy over the next five years.

Seema Malhotra: What did we actually get from this Chancellor last week? The £1 billion to develop carbon capture and storage was cut; feed-in tariff subsidies for solar panels were cut by 87%; we heard not a mention of national projects such as the Swansea Bay tidal lagoon; and we had Britain at the bottom of the European league for renewables. Does he agree with companies such as Tesco, IKEA, Vodafone and Unilever that his renewable energy cutbacks now pose a risk to UK businesses and undermine confidence in investment?

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HMRC Regional Hub

The Financial Secretary to the Treasury (Mr David Gauke): HMRC announced the planned locations of its future regional centres based on a number of key principles that will enable it to deliver more for less. In addition to cost, HMRC has taken account of the quality of local transport links, the local labour market and future workforce supply and the need to retain the staff and skills it needs to continue its transformation. The changes will reduce HMRC’s estates costs by around £100 million a year by 2025.

Philip Davies: Does the Minister accept that basing the HMRC regional hub in Bradford would be cheaper for the taxpayer, that there is a suitable location available in Bradford but not in Leeds, and that an effective
northern powerhouse does not mean basing everything in West Yorkshire, in Leeds? Will he think again about that matter?

Mr Gauke: My hon. Friend is, as ever, a doughty advocate for the interests of his constituents. The point I would make to him is that this is a regional centre for the whole of the Yorkshire and Humber area. To retain as many members of staff as possible and reduce redundancy costs, HMRC’s assessment is that Leeds is a better location for those working in York, Sheffield and Hull from where there is a direct train service to Leeds.

John Pugh (Southport) (LD) rose—

Mr Speaker: Order. The hon. Gentleman is a very illustrious fellow and a distinguished philosopher, but for the purposes of this question he is on the wrong side of the Pennines.

Business Rates

3. Jo Cox (Batley and Spen) (Lab): What steps his Department is taking to enable councils to retain receipts from business rates.

The Financial Secretary to the Treasury (Mr David Gauke): The Government have announced a radical reshaping of the state. By the end of the Parliament, local government will retain 100% of business rates to fund local services. The Government will shortly begin consultation on those reforms.

Jo Cox: My local authority, Kirklees, estimates that it will lose in excess of £30 million a year as a result of this policy and the changes to the local government grant. By comparison, Westminster Council’s income will increase tenfold. When will the Government provide clarity for councils such as mine on the redistributive element that will mean it will be able to plug that very significant shortfall in funding?

Mr Gauke: The devolution of business rates will retain the system of top-ups and tariffs that currently exist, so there will be no immediate loss to any local authority as a consequence of devolution. The point is that it devolves power to local authorities so that they have stronger incentives to boost growth. Local authorities that grasp that opportunity will see their business rates revenue increase.

Stephen Hammond (Wimbledon) (Con): Does my hon. Friend agree that the point about last week’s announcement was that it was a defining moment for local authorities? Those local authorities that accept the principle of devolution of business rates can incentivise strong local business growth, and secure a local economy that is strong and that has jobs for its constituents. That is the key point.

Mr Gauke: My hon. Friend is absolutely right. He puts it very well. That is the key point: it is about ensuring that local authorities have the incentives to boost growth, and then local people can hold those local authorities to account.

Nic Dakin (Scunthorpe) (Lab): What consideration has been given to doing something about business rates to support the steel industry in line with the outcomes agreed at the steel summit, which was chaired by the Secretary of State for Business, Innovation and Skills?

Mr Gauke: My right hon. Friend the Chancellor made it clear that the business rates review, which we have been undertaking in recent months, will be completed next year. Obviously, we are looking at all the representations that we receive in the context of that review.

National Living Wage

4. Glyn Davies (Montgomeryshire) (Con): What assessment he has made of the potential effect of the national living wage on wage growth.

The Economic Secretary to the Treasury (Harriett Baldwin): The national living wage will mean that a full-time minimum wage worker will earn more than £4.700 more by 2020—a 40% pay rise. Additionally, owing to the ripple effect of higher wages, up to a quarter of workers will see some benefit. Economy-wide wages are expected to be, on average, 0.4% higher in 2020.

Glyn Davies: There has been a widespread welcome for the Chancellor’s national minimum wage announcement. Inevitably, the minimum wage has a major effect on traditionally low-wage sectors, especially social and residential care. Does my hon. Friend accept that the Government and local councils must be mindful of the fact that fees will need to be adjusted to ensure the viability of these hugely important services?

Harriett Baldwin: My hon. Friend is right that many of the 900,000 workers in the social care sector will benefit from the new national living wage, including many working in residential care. That is why last week in the autumn statement we made an announcement that councils will have the power over the course of this Parliament to access money that they may need to increase the amount that they pay for social and residential care, with new revenue streams for social care worth up to £3.5 billion by 2020.

Peter Kyle (Hove) (Lab): As the Minister will be aware, the national living wage does not apply to people who are self-employed, whose wages have been stagnating and whose pension contributions have fallen every year for the past five years. Why were self-employed people not mentioned once in the productivity plan, and what does she intend to do to tackle low pay and conditions among the self-employed?

Harriett Baldwin: The hon. Gentleman speaks powerfully of the importance of the self-employed to our economy. We pay tribute to the excellent work that so many self-employed people, including many in my family, do to generate economic growth in this country. He is right that, as wages across the economy grow and as we put more spending power into budgets for social and residential care, we expect that to be passed on to those who are self-employed.
Disabilities Employment Gap

5. Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): What assessment he has made of the potential effect on public finances of halving the disabilities employment gap.

The Chief Secretary to the Treasury (Greg Hands): The Government are committed to halving the disability employment gap, which on current figures would mean helping about 1 million extra people to find work. The impact of meeting that on the public finances depends on factors that we cannot predict, such as what people are likely to be paid. However, this is about more than the fiscal impact. The Government want to help disabled people benefit from the security of employment, which is why we have announced a real-terms funding increase to help people with disabilities and health conditions to find work.

Jonathan Reynolds: I am pleased to say that a delegation of young people with autism is visiting Parliament today to discuss how we can improve the transition from school to work for people with autism. Does the Chief Secretary agree that improving the routes into work for young people with autism and other disabilities will be a great thing for our national finances but also for the young people themselves, allowing them to participate in the workforce and lead the independent lives that they want?

Greg Hands: I join the hon. Gentleman in welcoming so many disabled people to Parliament today to discuss how we can improve the transition from school to work for people with autism. The Chief Secretary agree that improving the routes into work for young people with autism and other disabilities will be a great thing for our national finances but also for the young people themselves, allowing them to participate in the workforce and lead the independent lives that they want?

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Local Government Funding

6. Diana Johnson (Kingston upon Hull North) (Lab): What assessment he has made of the effect on local economies of reduced funding for local government.

The Chief Secretary to the Treasury (Greg Hands): Total local government spending will be higher in cash terms in 2019-20 than it is this year. The Government are also devolving 100% of business rates, meaning that, for the first time since 1990, local areas will see the full benefits of local business rate growth in their budgets. When it comes to local economies, I am sure that the hon. Lady will join me in welcoming the fact that unemployment has fallen by more than 25% in the past year in her constituency.

Diana Johnson: Hull City Council has lost a third of its budget from Government funding since 2010, while wealthier areas have increased their budgets in some areas. The business rate proposal the Government are putting forward will again benefit wealthier areas, so can the Chief Secretary say to my constituents how taking tens of millions of pounds out of the local economy will assist the Chancellor’s plan for the northern powerhouse for cities like Hull?

Greg Hands: To be precise, local government funding is being protected in cash terms. The £6.1 billion reduction in central Government grants is more than offset by a £6.3 billion increase in other sources of income. The hon. Lady mentions the northern powerhouse. The Chancellor announced yesterday the appointment of John Cridland as chairman of Transport for the North. We have also announced £200 million for Transport for the North over this Parliament to transform transport connectivity in the region, to introduce Oyster-style ticketing and to make sure the northern powerhouse becomes a reality.

Peter Heaton-Jones (North Devon) (Con): I very much welcome the measures announced last week by the Chancellor to allow local government to keep receipts from business rates. My local authority, North Devon council, is one of the smaller ones so the receipts, actual and potential, will always be slightly less. Can my right hon. Friend give me an assurance that smaller local authorities such as mine will see the benefit from this measure?

Greg Hands: Yes. A consultation on changes to the local government finance system will be launched shortly, to be implemented in financial year 2016-17. We ought to be clear that the 2% increase in the precept to fund adult social care will be across the board, including rural areas, for councils that are meeting social care pressures.

Neil Gray (Airdrie and Shotts) (SNP): The Prime Minister eloquently set out the difficulties facing public services as a result of the Chancellor’s cuts with reference to his own local authority. In the light of the lucky Chancellor’s £27 billion windfall, why is he still pursuing £12 billion in social security cuts and a 5% cut to the Scottish Government’s budget?

Greg Hands: The hon. Gentleman mentions the Scottish Government budget, which I am not sure is entirely within the scope of the question, but I will try to answer. The Scottish Government budget has done relatively well. There is a 14% real-terms increase in capital spending over the course of this Parliament, and the reduction in resource spending is only in real terms and is far less than that of a lot of UK Government Departments.
Marcus Fysh (Yeovil) (Con): Does my right hon. Friend agree that local economies such as mine in Somerset have an exceptional opportunity to benefit from the devolution of business rates and all the infrastructure spending that this Government are going to conduct there?

Greg Hands: My hon. Friend is absolutely right. That is why it is so important that local authorities are able to keep the proceeds of growing their local business rates, if that is what they are capable of doing. I am sure my hon. Friend will play his full part in attracting more business to his constituency.

Rebecca Long Bailey (Salford and Eccles) (Lab): Commenting on the Chancellor’s proposal to allow local authorities to raise council tax by up to 2% in order to fund social care, the Conservative vice-chair of the Local Government Association referred to the creation of a “postcode lottery”, stating:

“If you are in one of those areas with a very low council tax base, what you are likely to be saying is that, unless you are someone who physically cannot get out of bed... you are not going to get any help at all.”

What equalisation measures will the Chancellor take to ensure that there is no disparity between local authorities in the funding they receive and the resultant quality of service they can provide?

Greg Hands: One of the other announcements that the hon. Lady might have missed was the extra £1.5 billion going into an improved better care fund, thanks to this Government. She quotes the vice-chair of the LGA, but she could have quoted the LGA chairman, also a Conservative, who said:

“The LGA has long called for further flexibility in the setting of council tax and it is right that Greg Clark and Greg Hands have listened to the concerns set out by local government.”

Savings and Home Ownership

7. Christopher Pincher (Tamworth) (Con): What steps the Government are taking to support (a) people with savings and (b) home ownership.

8. Mrs Sheryll Murray (South East Cornwall) (Con): What steps he is taking to help first-time home buyers.

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): This Government back saving and home ownership. That support is exemplified by the Help to Buy ISA that becomes available today. This new ISA provides direct Government support to anyone saving for the deposit on their first home. For every £200 they save in the ISA, the Government will help them with another £50. Add it up and the Government will give them up to £3,000 towards their first home—all part of a plan to help working people in this country.

Christopher Pincher: One of the best ways to help people build up their savings so that they can get a Help to Buy ISA and buy their own home is to make sure that they have good jobs with good wages. What steps will my right hon. Friend take to drive employment in my constituency, which has historically low unemployment, and across the midlands engine?

Mr Osborne: I was in the west midlands yesterday seeing the fantastic investment that Jaguar Land Rover is making there, with Government help. Alongside that we are investing in the west midlands infrastructure. We have just signed an agreement with the authorities of the west midlands, across the political parties, to put more than £1 billion into the region over the next couple of decades. There is a long-term commitment to the midlands engine and the jobs in my hon. Friend’s constituency.

Mrs Sheryll Murray: It was reported in one of my local papers last month that some areas in Cornwall have seen a 15% rise in house prices over the past year. Will my right hon. Friend outline what additional action is being taken to assist first-time buyers in beautiful parts of the country, such as Cornwall, that are popular with second-home owners? What difference will the increase in stamp duty make?

Mr Osborne: My hon. Friend always speaks passionately on behalf of her constituents—in this case, those seeking to buy their first home. The Help to Buy ISA is, of course, available in Cornwall and will help first-time buyers buy their first home. The new stamp duty charge on second homes and buy-to-lets will raise money, and a portion of that will be given to local authorities and areas such as Cornwall, where there are quite a lot of second homes.

Chris Evans (Islwyn) (Lab/Co-op): Low interest rates have meant that many people have had to look at other savings vehicles such as buy-to-let. Measures in the Budget will deeply affect the buy-to-let market, as the Chancellor will be aware. What measures is he taking to help elderly people looking for better savings returns?

Mr Osborne: There is general agreement across the House that there should be a level playing field, so that people trying to buy their first home are not disadvantaged by people trying to buy a second home or a buy-to-let property. The changes that we have introduced help to do that. Alongside that, we have made the ISA more generous and have created new pension flexibility, so that people can get the most out of their pension savings. The low interest rates, decided independently by our central bank, are part of the vital support for our economy going forward.

20. [902463] Siobhain McDonagh (Mitcham and Morden) (Lab): I acknowledge the work that the Chancellor has done on tackling the bias towards buy-to-let in the housing market, but would he consider extending that by cutting further the tax relief on buy-to-let properties? We simply have to widen the space for first-time buyers so that they can get into the market, particularly in London.

Mr Osborne: I welcome the support that the hon. Lady gives; of course, the problems of getting on to the housing ladder are particularly acute for first-time buyers in London. In the summer Budget, we announced changes to mortgage tax relief for the buy-to-let market so that those on higher rates of tax, with larger incomes, will see that relief scaled back over the coming years. What we have set out now, with the extra stamp duty and the changes in the summer Budget, represents a fair and
balanced package for homeowners—those buying a buy-to-let property, but above all those buying their first home.

Mr Andrew Turner (Isle of Wight) (Con): Will the Chancellor explain how first-time homebuyers will benefit from his blueprint “A better deal”—what the Daily Mail calls a “blitz on rip-off” monopolies?

Mr Osborne: I am glad that my hon. Friend has read the document. Part of what we are doing is making sure that mortgage fees are more transparent. Alongside that, we are ensuring that utility bills are more competitive for families and cutting the electricity tariffs that we talked about earlier. We are also making sure that people can get a better deal from their water company. This is all part of driving down costs for families and helping the working people of Britain.

Rob Marris (Wolverhampton South West) (Lab): What will really support people with home ownership is massively increasing the supply of new homes—not, as the autumn statement does, simply subsidising people to bid up the prices of existing homes. After five and a half years in office, it is time that the Chancellor took some responsibility. He has a woeful record on house building, exacerbating the market failure that has led to restricted supply and consequently high prices. When will the Government increase supply very markedly by starting a real programme of mass house building—of homes for rent as well as to buy?

Mr Osborne: Over the course of this decade we will have built more social homes than in the entire period when the Labour party was in office. Affordable housing should also be housing that people can afford to buy, as well as rent, and we are doubling the housing budget. We started a 10-year house building programme since the mid-’90s to equalise the state pension age and have acted to ease the timetable, at the same age as men, or earlier. The Government have written to all those affected by increases to the state pension age and have acted to ease the timetable, at the same age as men, or earlier. The Government have ensured that utility bills are more competitive for families and cutting the electricity tariffs that we talked about earlier. We are also making sure that people can get a better deal from their water company. This is all part of driving down costs for families and helping the working people of Britain.

The Chief Secretary to the Treasury (Damian Hinds): As we remove gender inequality, women born between 1953 and 1955 affected by recent changes in pension age qualification.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Last night I launched the all-party group on adult education in recognition of the fact that at a time when we are all living longer, having many different jobs and even careers, and whole industries are being allowed to die, our long-term economic security depends on investing in adult education. The Chancellor was persuaded not to slash the further education budget. Will he now acknowledge that investing in further education is vital for the future?
Damian Hinds: The hon. Lady rightly identifies the importance of continuing in further education and the fact that in the modern economy more and more people will have multiple careers through their lives, which means that the availability of retraining is very important. That is why I welcome the protection of this budget and the availability of loans, for example, for part-time students.

Rishi Sunak (Richmond (Yorks)) (Con): The Government’s economic plan rightly prioritises infrastructure, and I welcome yesterday’s announcement of a new chairman for Transport for the North. Does my hon. Friend agree that continued investment in Yorkshire and the north is vital to rebalancing our national economy?

Damian Hinds: My hon. Friend is absolutely right. Of course, that is at the heart of the enterprise zones in the north, the city deals and the whole concept of the northern powerhouse—making sure that the cities of the north add up to something that is more than the sum of their parts—and Transport for the North, which he mentioned, is a vital part of that.

Sammy Wilson (East Antrim) (DUP): What assessment has the Minister made of the impact on the long-term economic plan to grow the economy of the promises made and the policies put forward at the green junket in Paris this week in the mistaken belief that piling pounds on to power bills can somehow change the world’s climate?

Damian Hinds: We of course recognise the challenges that come with energy costs, but it is true that the green sector supports a number of jobs in this country. It is very important that we seek to lead on research and development, and the autumn statement was another important step towards that.

Personal Allowance

12. Sir David Amess (Southend West) (Con): What plans has he to raise the personal allowance during this Parliament.

The Financial Secretary to the Treasury (Mr David Gauke): The Government are committed to raising the income tax personal allowance from £10,600 to £12,500 by the end of this Parliament. This is alongside our commitment to raise the higher rate threshold to £50,000. More than 30 million individuals will benefit from these changes. The summer Budget 2015 confirmed that the personal allowance will increase to £11,000 in 2016-17, and to £11,200 in 2017-18.

Sir David Amess: In the light of what my hon. Friend has said, will he reassure me that, as the economy continues to recover and grow, the Government will follow the sound Conservative principle of allowing people to keep more of the money they earn to spend as they wish?

Mr Gauke: Yes. If we are to continue to raise the personal allowance and meet our commitments on income tax, we also need to make sure that we show discipline in departmental spending and, indeed, the welfare budget.

Employment Trends

13. Nigel Adams (Selby and Ainsty) (Con): What assessment he has made of recent trends in the level of employment.

The Exchequer Secretary to the Treasury (Damian Hinds): With an employment level of 31.2 million, there are more people in work than ever before. Over the past year, employment growth has been driven by full-time employees and by high and medium-skill occupations, showing that we are now moving into the next phase of our recovery, with high-quality employment helping to boost productivity and raise living standards across the country.

Nigel Adams: Against the backdrop of redundancies and potential redundancies in the mining and power sector in my constituency, will the Minister tell the House what support is available to businesses of all sizes in Selby and Ainsty to ensure that the trend of rising employment since 2010 continues?

Damian Hinds: I commend my hon. Friend for his personal endeavours, including the annual Selby district jobs fair. He mentioned energy-intensive industries. We of course recognise the particular challenges that some businesses in those sectors face. We cannot change world price levels, but we will bring forward compensation and legislate to exempt EIIIs from renewables policy costs, helping with cash flow and providing greater business certainty. Businesses will of course also benefit from the further cuts to corporation tax and the higher permanent level of the investment allowance.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): I have been approached by constituents excited to get their first 15 hours a week job, hoping that it will lead to full-time employment. In retail in particular, however, the trend more than two years later is for more part-time employees to be recruited, but no full-time jobs to be given to those in post. Will the Minister look into this matter, and make sure that there are no perverse incentives for employers to create lots of small, part-time jobs without the opportunity for such people to progress?

Damian Hinds: The hon. Lady raises an important point. In fact, full-time workers account for almost three quarters of the employment growth since 2010. The crucial reform in the welfare and social security system is of course universal credit, which specifically seeks to get over the spikes found in the hours scale so that it always pays to move from being out of work into work and, crucially, to move up the hours scale.

Household Debt

14. Mrs Emma Lewell-Buck (South Shields) (Lab): What recent estimate he has made of the level of household debt.

The Economic Secretary to the Treasury (Harriet Baldwin): Since the financial crisis, households’ financial positions have improved. Household debt as a proportion of income has fallen to 144% in the second quarter of 2015, down from a peak of 168% in the first quarter of 2008.
Mrs Lewell-Buck: I thank the Minister for her response, but a large number of my constituents have been alarmed that mistaken overpayments of working tax credits made by Her Majesty’s Revenue and Customs have been recovered, without warning, from their child tax credit entitlements. Is the Department’s policy now to push people into poverty and debt by punishing them for HMRC’s mistakes?

Harriett Baldwin: The hon. Lady might remember the terrible roll-out of working tax credits that occurred when the Labour Government were in power. I can assure her that we will continue to improve the administration of tax credits. When her party was in power, people could have a £25,000 change in their income without it affecting their tax credits. We have brought the figure down to £2,500.

Several hon. Members rose—

Mr Speaker: The hon. Member for Havant (Mr Mak) looks animated and contented. Let’s hear from the fellow.

Mr Alan Mak (Havant) (Con): Thank you, Mr Speaker. Household debt will be kept low, thanks to the Government’s support for savers, including the Help to Buy ISA that was launched today. Will the Minister join me in encouraging first-time buyers and young savers to take advantage of this new Government support, which is part of the Government’s long-term economic plan?

Harriett Baldwin: I am delighted that, on behalf of his constituents in Havant, my hon. Friend has noticed many of his constituents will take advantage of it.

22. [902465] Margaret Greenwood (Wirral West) (Lab): Citizens Advice has noted that household bills are now the chief source of the problem debt that people are seeking its help with. What will the Government do to ensure that guarantor and logbook loans are properly regulated, so that they do not simply replace payday loans as a source of poorly regulated credit that exploits the low-paid and the vulnerable?

Harriett Baldwin: I am sure the hon. Lady will welcome the fact that, in the last Parliament, we took steps to bring credit under the regulation of the Financial Conduct Authority. As a result of that, payday lending has dropped sharply. We are also backing credit unions in many different ways in this country, and we want to ensure that people have an opportunity to save through their workplace credit union. If she will work with me, I can assure her that we will continue to ensure that households that have the lowest proportion of debt at the moment in their repayments will continue to see their financial positions—

Mr Speaker: Order. We are enormously grateful to the Minister. We could not be more grateful.
The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): The core purpose of the Treasury is to ensure the stability and prosperity of the UK economy. Today I can tell the House that the date of the Budget next year will be Wednesday 16 March.

Bob Blackman: My right hon. Friend has announced that the closure of the compensation scheme for Equitable Life policyholders will be at the end of this month. We will then know exactly how many claimants there are. Has he any plans to extend the amount of money that is being given to the victims of this scam?

Mr Osborne: I am, of course, always happy to listen to representations from my hon. Friend and others, but we have put a substantial sum of taxpayers’ money into compensating the people who lost out through Equitable Life. We have also ensured, through our payment system, that those payments have been made. That is why the scheme is coming to a close.

John McDonnell (Hayes and Harlington) (Lab): The Chancellor bowed to Labour pressure last week and made a U-turn on tax credits. Although tax credits will not be cut in the new year, as planned, the cuts to universal credit are going ahead in full, so he has not reversed his cuts to family incomes, but just delayed them. I am sure that he has looked at the impact of the changes in detail, so will he tell the House how much a single parent with one child who works part time on the so-called national living wage will lose as a result of his planned changes to universal credit?

Mr Osborne: First, let me say that I did not feel a huge amount of Labour pressure last week, but I am happy to see the hon. Gentleman at the Dispatch Box. With universal credit, we are introducing a fundamental improvement to our benefits system. Anyone on tax credits, including in the case that he refers to, who is moved on to universal credit by the Department for Work and Pensions from next year will have their cash awards protected.

John McDonnell: Let me explain to the Chancellor exactly what a single parent with one child who works part time on the national living wage will lose. They will lose an average of £2,800 a year as a result of the cuts to universal credit. This was not an autumn statement that supported families, but one that punished them because 2.6 million families will still be worse off by £1,600 on average.

Let me offer the Chancellor another way out. If he reversed the tax giveaways to the wealthy that he announced in his summer Budget, he could reverse fully these cuts to family incomes, while still achieving his fiscal mandate. Will he now address the threat to these families?

Mr Osborne: Universal credit is a new benefit where it will always pay to work and it will always pay to expand the number of hours that are worked. It will get rid of a complex series of benefits. That will help working families. Let me make this point, since the gang of four on the other side of the House are chuntering away. The hon. Member for Leeds East (Richard Burgon), who is a shadow Treasury Minister, has not bothered to turn up today because he is marching on the Labour party’s headquarters on a Stop the War march. The truth is that until the shadow Treasury team get their act together in this Chamber, their cases will not be listened to seriously.

T2. [902434] Kevin Hollinrake (Thirsk and Malton) (Con): Will my right hon. Friend join me in welcoming the 60% reduction in unemployment in my constituency since 2010, the 100% rise in house building since 2014 and the fact that Helmsley won best market town in yesterday’s—

Mr Speaker: Order. I am sorry and I do not wish to be unkind, particularly to new Members, but we do not have time for these lists. What we need is single sentence questions.

Kevin Hollinrake: My apologies, Mr Speaker. The A64 is still a bottleneck to investment and a traffic blackspot. Will the Chancellor look again at further investment in that important route, which would unlock further investment and economic progress for the northern powerhouse?

Mr Osborne: We certainly want to hear the good news about what is going on in Yorkshire. On the A64, we have committed billions of pounds to improvements to the road network of Yorkshire and, specifically, we have created a £475 million pot for local major roads. This is the sort of bid that should be put in.

T5. [902437] Alison Thewliss (Glasgow Central) (SNP): As the Chancellor was on his feet last week, the Department of Energy and Climate Change quietly issued a statement to the stock exchange on the removal of £1 billion of funding for carbon capture and storage. That was a breach not only of the Tory party manifesto, which is not surprising, I suppose, but of a promise to the people of Scotland during the referendum campaign. How can he justify that decision, which jeopardises 600 jobs in Peterhead?

Mr Speaker: Thank you. We need to be much pithier.

Mr Osborne: We are doubling investment in renewable electricity and energy, and much of that is going into Scotland. We also increased the capital budget for the Scottish Government, so instead of lobbying us for capital projects, they now have the resources to pay for such things themselves.

T3. [902435] Nadhim Zahawi (Stratford-on-Avon) (Con): I recently attended the skills show in Birmingham, which was an incredible example of the opportunities on offer in Britain for young people, including jobs, training and apprenticeships. Does my right hon. Friend agree that the levy he announced in the autumn statement is an excellent further step to ensure that young people in the UK are earning and learning—or preferably both—as that is the route towards a more productive workforce that is ready for jobs in the 21st century?

Mr Speaker: The hon. Gentleman is a celebrated denizen of the House and he should provide a better example to his new colleagues. Questions from both sides of the House are just too long—good, but too long.
Mr Osborne: I was very excited, Mr Speaker, to hear about the skills show in Birmingham. My hon. Friend is right: by investing in apprenticeships and creating 3 million apprentices we address one of the great weaknesses of the British economy that has emerged over many decades, which is the low skill base.

Mr Speaker: Unfortunately, the Chancellor’s excitement is of no interest to the Chair. What is of interest is pithiness and progress, and everybody ought to be able to grasp that point.

T8. [902440] Pat Glass (North West Durham) (Lab): The Chancellor is a leading member of the Cabinet’s economic Sub-Committee that is considering airport expansion. The outcomes of that Committee are vital to growth in the north, and we were promised a response to it by Christmas. When can we expect that response?

Mr Osborne: I completely understand the hon. Lady’s interest in this subject, and the matter arouses a lot of interest across the House and the country. I am afraid she will have to be patient and wait for the Government’s response to that important report.

T4. [902436] David Rutley (Macclesfield) (Con): I congratulate my right hon. Friend on this autumn statement, which continues to make science a clear priority. Does he agree that the new Cheshire science corridor enterprise zone will play an invaluable role not only in the local economy, but nationally as well, and particularly for the northern powerhouse?

Mr Osborne: My hon. Friend and constituency neighbour is right. Support for Cheshire science goes across the county, and it particularly supports the brilliant work being done in Macclesfield and Alderley Park not just by AstraZeneca but by many new companies that have come to that estate. It is something that I know he champions.

T10. [902442] Cat Smith (Lancaster and Fleetwood) (Lab): When does the Chancellor expect the UK to regain its triple A credit rating?

Mr Osborne: As the hon. Lady knows—she has asked me about this before—we have a triple A credit rating with one credit rating agency, and we will let the others make their own decisions.

T6. [902438] Dr Tania Mathias (Twickenham) (Con): Train services from Twickenham are inadequate and need to be faster and more frequent. Will the Chancellor look into what funding he can provide to improve services today, as well as for tomorrow with Crossrail 2?

The Chief Secretary to the Treasury (Greg Hands): I thank my hon. Friend and near neighbour for that question, and Crossrail 2 is also scheduled to go through my constituency. She will know that the Government have already committed money to feasibility studies in this Parliament. The National Infrastructure Commission has been tasked with reviewing further investment in London, and it will report back to the Government before the 2016 Budget.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): What recent assessment has the Chancellor made of the performance of the UK Guarantees scheme? When it was launched, the Treasury said in a press release that it would “dramatically accelerate major infrastructure investment”. The only thing that has dramatically accelerated since then is the national debt under a Tory Chancellor who has missed every target that he set himself. Will he please acknowledge at least one of his failures?

Greg Hands: The UK Guarantees scheme has already been approved for eight projects, including the Mersey Gateway bridge, the northern line extension, and Hinkley Point C nuclear power station. It has not always been necessary, and a further 18 projects worth almost £9 billion have been supported without the need for a guarantee.

The Economic Secretary to the Treasury (Harriett Baldwin): I congratulate my hon. Friend. On his appointment to the APPG, and I look forward to working closely with him to provide the data that he seeks.

Mr David Hanson (Delyn) (Lab): By what date do the Government expect to pay the national living wage to all their employees and all the contractors they employ?

Mr Osborne: The national living wage is coming in next April, so of course we will comply with it.

T9. [902441] Lucy Frazer (South East Cambridgeshire) (Con): I welcome the Chancellor’s spending review last week, boosting the science budget and supporting silicon fen. Does he agree that the only way to continue to attract international investment to the region is good infrastructure, and now is the time to upgrade the A10 from Cambridge to Ely?

Mr Osborne: We have put a huge amount of investment into Cambridge, including of course the renovation of the famous Cavendish Laboratory, and I congratulate my hon. Friend on the strong start she has made in recent months in championing her constituency. That has been continued today with a big bid for the A10, which I will take a close look at.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The Chancellor promised twice—at the Scottish referendum and in his manifesto—to have carbon capture and storage at Peterhead. Why has he broken that promise?

Mr Osborne: As I have said, investment in renewables will double over the next five years, and much of that investment will go into Scotland—[Interruption.] Look,
the Scottish nationalists have a choice now. They have got some extra money and increased capital spending, and if they want to invest in carbon capture and storage in Scotland they can do so. It is called devolution.

Mr Peter Bone (Wellingborough) (Con): Every three weeks, British taxpayers send more than £1 billion to Brussels. If the British people vote to come out of the EU, can the excellent Chancellor tell us how much earlier we would eliminate the deficit?

Mr Osborne: I will not get into the debate about our membership of the European Union, but what I would say is that—thanks to the hard negotiating of my right hon. Friend the Prime Minister—we have cut the EU budget.

Alison McGovern (Wirral South) (Lab): By some mistake, there does not seem to be any question on the deficit on the Order Paper—apart from the very interesting question we have just had. Can I ask the Chancellor the question he would not answer in response to the autumn statement: does he believe that by the time he leaves the Treasury for the last time, he will have finally dealt with our country’s deficit?

Mr Osborne: That is certainly the plan.

Tom Pursglove (Corby) (Con): The Rushden Lakes development at Skew Bridge and Primark’s new warehouse at Islip are bringing thousands of new jobs to east Northamptonshire. Is not the added bonus that under the new business rates regime the local authority will be able to keep the windfall that will arise?

Mr Osborne: My hon. Friend. Friend the Member for Wirral South (Alison McGovern) and given that the Chancellor has not met a single one of his own targets on economic performance, is he intending to go on and on, to the delight of the Home Secretary and the Mayor of London?

Mr Osborne: We promised to turn the British economy around and that is exactly what we have done. I know that the hon. Gentleman is out of sorts with the cultural revolution that is taking place on his Front Bench at the moment, but I just hope that in the modern Labour party they “let a hundred flowers bloom”.

Robert Jenrick (Newark) (Con): Entrepreneurs’ relief is a costly relief—and the Chancellor was right to reform it earlier this year—but it is an important way to incentivise our entrepreneurs to invest in businesses and to create jobs. Can he reassure our entrepreneurs that he remains committed to that relief and will take it forward in the years to come?

Mr Osborne: Of course we want entrepreneurs’ relief to be directed at entrepreneurs, and that is why we made the changes earlier this year, but during our time in office Conservative members of the Treasury team have doubled and redoubled that relief. We very much support that help for our enterprise economy.

Mr Speaker: Last, but not least—and with commendable brevity, I feel sure—I call Mr Mulholland.

Greg Mulholland (Leeds North West) (LD): Thank you, Mr Speaker. British pubs currently have 0.5% of British turnover, but pay 2.8% of business rates. Will the Chancellor meet me and officers of the save the pub APPG to discuss how we can better support pubs in the taxation system?

Mr Osborne: Of course, the pub industry has been supported by the reduction in beer duty, the increase in employment allowance, which is of huge benefit to many pubs, and the extension of small business rates relief, which we announced last week. I am happy to see what more we can do to support the great British pub industry, and I look forward to hearing the hon. Gentleman’s ideas.

Several hon. Members rose—

Mr Speaker: Order. I am most grateful to the Chancellor and colleagues. Treasury questions always bust the box office records, as far more people want to take part than there is time to accommodate, so I hope that colleagues will understand.
Business of the House

12.35 pm

The Leader of the House of Commons (Chris Grayling): Mr Speaker, with your permission, I should like to make a short business statement about tomorrow’s business. The main business for tomorrow will now be a debate on a motion relating to ISIL in Syria and United Nations Security Council resolution 2249. The business for Thursday remains as previously announced: Second Reading of the Charities (Protection and Social Investment) Bill [Lords].

Members will wish to know that, subject to the House’s agreement later today, oral questions to the Cabinet Office and the Prime Minister will not be taken tomorrow. The oral questions rota will be republished, and Cabinet Office questions will take place on Wednesday 9 December. The results of the ballots for both Question Times will be retained, and Members will not need to resubmit their questions. I will make my usual business statement on Thursday.

Chris Bryant (Rhondda) (Lab): Last week, I warmly commended the Prime Minister for the way he had treated the House thus far on Syria, and I only wish I could say the same today. The truth is that the Government never really intended to proceed tomorrow with the business announced last Thursday. They always intended to make an emergency business statement today, to abandon tomorrow’s Opposition day and to hold the vote tomorrow. The hon. Member for Stratford-on-Avon (Nadhim Zahawi), the Prime Minister’s apprenticeship adviser, blurted it out in yesterday’s debate. Why did the Leader of the House not come clean last Thursday, as I suggested?

Would it not have been better form to give MPs proper notice of the debate? Would it not be better form for the Government to abandon their own business, rather than Opposition business? Would it not have been better form to have told the House first? I confess that when I heard yesterday that the Prime Minister was going to make a statement on Syria, I innocently presumed he would make it to the House of Commons. “Oh no”, I was told by a Government Whip, “He’s in Paris. He can’t.” No he was not, Mr Speaker. At 8 pm last night, he announced, not to the House but on television, that the debate would be tomorrow, and he was not in Paris; he was all of 300 yards away, in the Cabinet room in Downing Street. He should have come here. His own ministerial code says that the most important announcements of Government policy must be made to the Commons first. The proper course of action would have been a supplementary business statement at 10 pm last night, and if he could not make it, the Leader of the House should have done so, and insisted on doing so, as the servant of this House, not just of the Government.

There is another problem. I gather that the motion has only just been tabled, meaning it will not be on the Order Paper until tomorrow. Yet again, that means the House will have to consider manuscript amendments. So on one of the most important issues we face—the security of our country, the safety of the people of Syria and our own armed forces—we are expected to frame our opinion on a motion we have not even seen yet. We asked for a two-day debate. I did so two weeks ago, and the Leader of the Opposition repeated that call yesterday. I recognise that the Government have tabled motions to allow a longer day than usual tomorrow, but what is the hurry?

Last week, 103 Members took part in the statement on Syria, and most will want to take part in tomorrow’s debate. Many of the 182 new Members will also want to lay out their reasons for supporting or not supporting the Government on a matter that is highly contested, and many will want to press the Prime Minister on his claims about the 70,000 Free Syria Army troops he says are standing ready to move into Raqqa. My own position on the substantive motion is on the record—I think we have to degrade and defeat ISIL—but I also said last week that the House would not take kindly to being bounced into the vote.

The Prime Minister himself said last week: “I want us to consider this and to think it through. I do not want anyone to feel that a good process has not been followed, so that if people agree with the case being put, they can in all conscience vote to support it.”—[Official Report, 26 November 2015; Vol. 602, c. 1503.]

We will all be exercising our consciences tomorrow, but this is not a good process. We now have to abandon Cabinet Office and Prime Minister’s questions and an Opposition day on mental health and the effect of the autumn statement on women. We will consider a motion that will appear on the Order Paper only on the day that we are debating it and we may have to consider manuscript amendments.

All in all, surely to heavens, this is no way to treat the House, our voters or, indeed, our armed forces. Far from inspiring confidence in the Government’s judgment, shenanigans of this nature seriously undermine it.

Chris Grayling: I have to say that I cannot agree with the shadow Leader of the House’s analysis. Let us take this in turn.

The hon. Gentleman says that the Prime Minister announced tomorrow’s debate on TV yesterday. What I would say to the House is that the Cabinet discussed the matter this morning. What the Prime Minister said last night was that he would ask the Cabinet to consider a proposition. The Cabinet considered and discussed this matter this morning and reached a decision, and therefore brought the matter to the House as quickly as possible after the conclusion of that Cabinet decision.

Chris Bryant: You know that’s not true.

Chris Grayling: The hon. Gentleman says from a sedentary position that it is not true. I can only say to him again that, in a Government that believe in Cabinet Government, it is right and proper that a decision of this magnitude should be taken and discussed around the Cabinet table, and that is what took place this morning.

The hon. Gentleman mentioned the moving of the Opposition day. I absolutely accept the importance of the issue of mental health. We will, of course, re-provide that Opposition day at an early opportunity and the Opposition will be able to bring that important subject to the House, but I am sure he would not disagree that the matters tomorrow morning are of the utmost importance to this country and should be brought before this House at an early opportunity.
The hon. Gentleman talked about the opportunity for debate and discussion. I would simply say to him that, over the past week, we had a two-hour statement from the Prime Minister last Monday, a two-and-a-half-hour statement from the Prime Minister last Thursday—78 people spoke in the first; 103 spoke in the second—and a Back-Bench debate yesterday for five hours, with 41 speeches. Tomorrow’s debate is the equivalent of two normal days’ debate in terms of length. As for the idea that we have been bounced into the vote, in total this matter will have been discussed in the House for 20 hours since last Monday.

The hon. Gentleman talked about the timing of the motion. We have taken care to ensure that in tabling the motion we have listened to views in all parts of the House. I make no apology for taking time to listen and consider those views and coming up with a motion that I believe reflects the views of the majority of Members of this House and that will, I believe and hope, command the support of the House tomorrow. I am absolutely confident that we are doing not only the right thing procedurally, but also, if we vote that way tomorrow, the right thing for this country.

Sir Edward Leigh (Gainsborough) (Con): Over the weekend the Foreign Secretary said that this was a very important matter and a matter of conscience, and he therefore called on the Labour party to provide a free vote. I take it we will not be having a free vote on this side of the House—I am not even going to press the Leader of the House on that, because I know the answer will be no—but he must know that it is not only on the Opposition Benches that people are agonising about this. There are many Conservative Members of Parliament who have very serious questions that they want to put tomorrow and, depending on the answers, they will not necessarily vote for the motion tomorrow. Could we therefore not extend the debate even further? Do we have to have the vote at seven? Could we not have it at 10?

If the answer is yes, I will be very happy with that, but how will manuscript amendments to the motion be published? If, say, a Back Bencher such as myself wanted to table a manuscript amendment on the basis of a proportionate response, how will it be published and debated, if at all?

Chris Grayling: First, the motion is available in the Table Office now; I would encourage my hon. Friend to take a look at that.

Chris Bryant: No it’s not.

Chris Grayling: The motion was tabled a few minutes ago; it is available in the Table Office now.

What I would say to my hon. Friend is that we are providing time to go beyond 7 o’clock tomorrow, to 10 o’clock. We have sought to provide what is the equivalent of two days of debate. A 10-and-a-half-hour debate tomorrow is effectively equivalent to the time we would have if we held the debate over a two-day period, so I hope he will sense that we have given an adequate amount of time for this debate.

My hon. Friend has concerns, but he should realise that this is a matter of concern to every single Member of the House, and that a decision such as this is never taken lightly by any Member of Parliament. If he has concerns and wants further information, he can talk to me and colleagues in the Foreign Office and the Ministry of Defence afterwards—we would be happy to discuss the issue further.

Mr David Winnick (Walsall North) (Lab): There must be few, if any, Members who will not be agonising over how to vote, so it would be useful if everyone had a free vote. Does the Leader of the House recognise that unlike his Cabinet colleagues, he has a special responsibility to Members of this House? On such a crucial issue and however we vote on it, I imagine it must be difficult for people outside to understand why we are confining debate to one day, albeit with extended time. Why is it impossible for the House of Commons to provide at least two full days of debate? We could end up with a situation in which Members are desperate to speak, and a good number might not be able to express a view on behalf of themselves and their constituents. Those who are called in the final stages might be limited to three minutes. It is simply wrong to undertake debate in this way on such a crucial issue of war and peace.

Chris Grayling: I absolutely accept—the hon. Gentleman is right to say it—that this is a crucial issue of conscience for many Members. However, the timing of tomorrow’s debate is effectively the equivalent of the amount of time that would have been available if we had held a debate across Wednesday and Thursday on normal business days for this House. It provides one extended debate on a single day, which I think makes for a more coherent debate over that extended period. It will start earlier than normal and finish much later than normal. I hope that will give Members of all parties the opportunity to contribute.

Alison McGovern (Wirral South) (Lab): On a point of order, Mr Speaker.

Mr Speaker: We will deal with points of order at the end. I shall not forget the hon. Lady.

Mr Peter Bone (Wellingborough) (Con): Of course, all votes in the House of Commons are free, and Members will make up their own minds on this issue. I do not think a single Member will vote on the basis of what the Whips tell them.

The shadow Leader of the House has a point about the motion. We have not seen it, so how can anyone decide whether to vote for or against it? It is a shame that we are voting at a time so close to the publication of the motion. As I argued at business questions, we can have a compromise position between the Leader of the House who wants one day and the shadow Leader of the House who wants two days by having the debate tomorrow without putting on any time limit. Anyone should be able to speak for as long as they like and if that means having the vote at 2 o’clock in the morning, so be it. People out there would realise that we were taking this matter seriously. Will my right hon. Friend consider this point again?

Chris Grayling: On the issue of the motion, let me repeat to my hon. Friend that we have taken the time to consult Members on all sides to try to ensure that we have a motion to vote upon tomorrow that reflects the concerns that Members have raised. If we have done so
and taken the time to deliver the right motion. I make no apology for that. On the matter of the length of tomorrow's debate, I simply think that 10 and a half hours, combined with all the opportunities we have had over the last 10 days, is sufficient to get the decision taken and the vote done. If the decision of the country is to do what the Government recommend, we will give our armed forces the support they need to deliver that mandate.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing the short business statement this morning. We remain profoundly disappointed about the way in which the Government have progressed the matter of tomorrow's business. It would have been so easy, it was tabled today because we had taken time to propose tomorrow. In view of that, will the Leader of the House be sure to keep us up to date and informed of what the Government are to do? I must first take up the hon. Gentleman's point about going to war. Britain has been carrying out air strikes in Iraq, with a mandate from the House, for a considerable time, and the motion simply allows us to extend that work so that we can degrade ISIL in the areas of Syria in which it is operating.

The motion was tabled in the Table Office after the Government's motion, which has just been presented, but it is not even in the Vote Office, so it is not available for Members to have a proper look at. This means that there will be no real opportunity to table amendments. Only manuscript amendments from right hon. and hon. Members will be possible. I see the Chief Whip shaking his head, but it is not in the Vote Office, so we cannot properly consider it.

I have a copy of the Government's motion, which has just been presented, but it is not even in the Vote Office, so it is not available for Members to have a proper look at. This means that there will be no real opportunity to table amendments. Only manuscript amendments from right hon. and hon. Members will be possible. I see the Chief Whip shaking his head, but it is not in the Vote Office, so we cannot properly consider it.

I know that a number of right hon. and hon. Members wanted to table serious and considered amendments to the motion, but now they will only have the opportunity to table manuscript amendments. It is so disappointing that, once again, we do not have two days in which to discuss the issue properly—two days for which we have been asking for the past few weeks. We are trying to shoehorn two days into one, and abandoning Prime Minister's questions so that the Leader of the House can do this. I ask him once more—please—to reconsider.

The motion on the Order Paper refers to “ISIL in Syria”, although this has nothing whatsoever to do with Islam. When will people get it into the Government's head that we should use the word “Daesh” when referring to what is going on in Syria?

We in the Scottish National party will constitute an effective opposition to what the Government are to propose tomorrow. In view of that, will the Leader of the House be sure to keep us up to date and informed of any developments that take place in the next 24 hours?

Chris Grayling: Let me begin by setting out clearly what the Government propose that we should do. I must first take up the hon. Gentleman's point about going to war. Britain has been carrying out air strikes in Iraq, with a mandate from the House, for a considerable time, and the motion simply allows us to extend that work so that we can degrade ISIL in the areas of Syria in which it is operating.

The motion was tabled in the Table Office after the opening of business today, in the normal way. As I said earlier, it was tabled today because we had taken time to consult Members, to listen to the concerns that were expressed in different parts of the House, and to ensure that we reflected those concerns in the final version of the motion.

The hon. Gentleman asked why I had not come to the House last Thursday. The answer is, very simply, that no decision had been made last Thursday. No final decision was made until the Cabinet met this morning. He also talked about the time that had been allocated. I repeat that we have allocated to one day, rather than two, the equivalent of the time that would have been available if we had operated normal days on Wednesday and Thursday. I believe that that has created a more sensible, single structure for a debate that can run consistently from end to end.

Mr Steve Baker (Wycombe) (Con): My right hon. Friend has said twice that the motion was tabled today in the ordinary way, but a few minutes ago the hon. Member for Rhondda (Chris Bryant) said that it was not available. I think that I just saw him handing someone's iPad back. I note that, at 12.33, the editor of PoliticsHome tweeted an image of a motion that appears to be “the motion”. May I ask my right hon. Friend to be crystal clear? At what time was the motion tabled, and might it not have been better if the hon. Member for Rhondda had been provided with a copy before the statement?

Chris Grayling: The motion was tabled in the Table Office shortly before midday, and it is currently available to Members there. Let us be absolutely clear about that. It is currently available to Members.

Mr Nigel Dodds (Belfast North) (DUP): It is clear that many Members in all parts of the House will want to participate in the debate, and it is clear that, given the importance of the matter, it will be a travesty if Members are limited to very short speeches lasting three or four minutes. May I appeal to the Leader of the House—and, indeed, to the Government in general—to ensure that the Front-Bench speeches do not take an inordinately long time, as they sometimes do, especially in the light of the fact that the speech from the Opposition Front Bench will actually be an expression of personal views?

Chris Grayling: I think that we may hear two different sets of views from the Opposition Benches. However, the right hon. Gentleman has made a sensible point, and I will certainly communicate it to my colleagues. I do want Members to have an opportunity to contribute. Many will, of course, seek to do so by means of interventions, but I will convey the right hon. Gentleman's point to my right hon. Friend the Prime Minister.

David Rutley (Macclesfield) (Con): Is my right hon. Friend aware that we had a long and considered debate on the middle east yesterday, during which many Members on both sides of the House were able to make strong contributions on issues in Syria, but which was not very well attended by a certain section of the Opposition Benches?

Chris Grayling: My hon. Friend has made an important point. As I said earlier, by the end of tomorrow we shall have considered these matters for 20 hours since Monday
last week, so I do not think that anyone viewing the House from outside could say that they have not been raised and discussed. The Prime Minister himself has taken questions for four and half hours during that period, and that is in addition to the contribution that he will make tomorrow. I think that Members have had plenty of opportunities to scrutinise the challenge that we face.

Mr David Hanson (Delyn) (Lab): The Leader of the House rose at 12.35 pm today. As we heard from the hon. Member for Wycombe (Mr Baker), the editor of PoliticsHome, having been briefed, issued the motion on Twitter at 12.33 pm. Whatever the rights and wrongs of the process—and I am still to make up my mind—does that not show that the House has not been given a full opportunity to consider this matter in detail, and that my hon. Friend the Member for Rhondda (Chris Bryant) should have had sight of the motion before he came to the House?

Chris Grayling: I do not accept that. I made a point of ensuring that no public statement was made by the Government, and no provision of the motion was made to the media, before the motion was tabled in the House, and I think that that was the right and proper thing to do.

Mr Richard Bacon (South Norfolk) (Con): I managed to get hold of a copy of the motion—for which I commend the Government—with no difficulty. If it is possible to get hold of it so easily, it surely ought to be possible for others, including the shadow Leader of the House.

Chris Grayling: The versatility demonstrated by my hon. Friend may explain why we are sitting on the Government Benches, in government, and those on the other side are not.

Alex Salmond (Gordon) (SNP): The Leader of the House needs to think about this issue again. Bringing issues of war and peace to the House for debate is a relatively recent innovation. In this instance, the Leader of the Opposition, the leader of the second largest Opposition party and, I suspect, the leaders of other parties have asked for a two-day debate. The issue of the two days is not just about the amount of time that is provided for debate, but about the amount of time that is provided for proper consideration of motions. If the Leader of the House does not concede that, he is creating a dangerous precedent, and a very unfortunate one.

There must be a reason for this. Is it the fact that the Prime Minister is more interested in dividing the Labour party than in uniting the country, or is there some other specific reason for his not wishing to be in the House on Thursday? Will the Leader of the House now answer that question honestly?

Chris Grayling: I know of no specific reason why the Prime Minister would not wish to be in the House on Thursday, but let me say this to the right hon. Gentleman. I have—sadly—sat through a number of debates on issues like this during my 15 years as a Member of Parliament, and I believe that the amount of time we are providing for this debate is absolutely in line with existing practice. In fact, it is more generous than the amount of time that was allowed when these matters were last debated in the House.

We have sought to create a single, coherent debate, started by the Prime Minister and finished by the Foreign Secretary, over an extended period which is, as I have said, equivalent to the amount of time that would have been available had we debated these matters over a normal Wednesday and Thursday. I think that we are providing an appropriate amount of time for the debate.

Dr Andrew Murrison (South West Wiltshire) (Con): I congratulate my right hon. Friend and those on the Front Bench on the motion. I had no difficulty in getting hold of a copy of it a few minutes ago, and I suspect that the House will have little difficult in supporting it tomorrow.

On the subject of the allocation of time, does my right hon. Friend recall—as I certainly do—the events of 2003, when there was a very similar debate about the time that was available for a matter that was, of course, of far greater significance? That debate was about actually making war, whereas this is simply about extending to Syria the action that we are currently undertaking in Iraq.

Chris Grayling: My hon. Friend is absolutely right. I remember that occasion as well. Let me also make the point that, in the last few days, the Prime Minister, my colleagues in the Government and officials have gone out of their way to provide briefings, to have discussions, to listen to the views expressed by Members in all parts of the House, and to try to come up with a motion that would reflect the concerns that they have raised. As I said at the outset, we are publishing the motion today not least because we have only just made the decision. We have tried to take time to listen to those concerns, to table a motion that encompasses the worries that have been expressed in different parts of the House, and to set out a strategy that encompasses not simply military action but developments, political solutions to the situation in Syria, and the rest. We are trying to do the right thing in an holistic way.

Diana Johnson (Kingston upon Hull North) (Lab): The debate that took place in the House yesterday was about the United Kingdom’s role in the middle east, and it included lengthy speeches about countries such as Yemen, Israel and Palestine, and Iran. I think it unfair to say that Members were able to talk at length, and ask questions at length, about the extension of the bombing of ISIL. I listened to the whole of that debate from the Opposition Front Bench and, at 6.35 pm yesterday evening, the hon. Member for Stratford-on-Avon (Nadhim Zahawi) referred to the debate that would take place on Wednesday this week.

I ask the Leader of the House to listen carefully to what Members in all parts of the House are saying—as they did in yesterday’s debate—about wanting opportunities to express their views, ask questions and speak in debates. I do not understand why the Government have set their face against a two-day debate. This is not normal business, and we ought to have the opportunity to take as long as we require to reach the right decision.
Chris Grayling: The hon. Lady is right that yesterday’s debate focused on more than simply the situation in Syria, but one of the reasons why we need to act against ISIL in Syria is the growing challenge we face from it around the middle east and in north Africa, and those issues were undoubtedly reflected in yesterday’s debate.

On the two-day debate issue, I simply repeat that we are providing an extended debate that is the equivalent of the amount of time that would have been available on a normal day’s business on Wednesday and Thursday, but we are doing it on one day over a very extended period to create a coherent single debate.

Steve McCabe (Birmingham, Selly Oak) (Lab): If the Government genuinely want to build as broad a consensus as possible on what might be the most momentous decision of this Parliament, how are the public supposed to understand a time-limited debate on their specific motion to escalate bombing where fewer than perhaps a fifth of Members are able to take part?

Chris Grayling: What I would say to the public is that we in Parliament will have discussed these issues over a 20-hour period since Monday of last week. The Prime Minister has taken two extended sets of questions, has considered very carefully the issues raised by Members on both sides of the House, has produced a motion that in our view reflects those concerns and takes many of them into account, and then has provided a length of time for debate that is longer than any that has been provided for a similar decision in recent years. I think that is treating this House, and the public and their concern, in exactly the right way.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): We certainly do not have any agreement on the wisdom of bombing Syria, and now we do not have any agreement on the process by which that decision should be arrived at through Parliament. That is because the Government are bouncing Parliament. Why are they doing that? We have heard from my colleagues that the motion has not been published properly—it is not available in all parts of this House. I can only reiterate that this motion was tabled shortly after the opening of business today and all Members of this House can manage to access it—and indeed my hon. Friends behind me have already managed to do so.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): The Leader of the House’s position seems to be that as his Government have spent some time considering their motion, it does not matter that MPs will have so little time to consider it. But what about amendments? I will not be voting for air strikes, but there are many things I would like to vote for, such as building a comprehensive UN consensus or cutting off Daesh’s oil supplies. How are we supposed to vote for an alternative approach if amendments are only to be available on the day?

Chris Grayling: Those elements of the hon. Lady’s concern are already reflected in the motion. As I have said, in the motion we have sought to reflect the concerns in all parts of this House. I can only reiterate that this motion was tabled shortly after the opening of business today and all Members of this House can manage to access it—and indeed my hon. Friends behind me have already managed to do so.

Ian Blackford (Ross, Skye and Lochaber SNP): It appears that a real shambles is developing here. The Leader of the House is telling us that we are having 20 hours of debate, but that is not correct, because we are being given 10 hours to debate the motion. That is a substantive point. As Members have said, it is a motion that this House needs to reflect on and put down amendments to. Is it not the case that our constituents are very concerned about the consequences of this motion, and surely we should be having two days for debate so that Members can debate this properly? Why does the right hon. Gentleman not call the Prime Minister back from whatever engagements he may have on Thursday? Let us do this properly and treat the country with respect.

Chris Grayling: I can only say again that we discussed these matters for two hours last Monday, two and a half hours last Thursday, and five hours-plus in the debate yesterday, and we have a 10-and-a-half-hour debate tomorrow, and the debate tomorrow is for the equivalent amount of time as would have been available if we had run normal days on Wednesday and Thursday. I happen to think it is more coherent and logical for us to do this in one go, with one extended debate opened by the Prime Minister and wound up by the Foreign Secretary, and we will have had in total 20 hours to consider these matters since Monday of last week.
Mr Speaker: I say in response to the hon. Lady that I am not sure that this is an occasion for pronouncing on a reform to the process, as she puts it. It is difficult for the Chair to give a ruling without certain knowledge of the facts, but what I would say at this stage is as follows—and I would welcome any clarification the Leader of the House can provide. The first point is that, as I understand it, it is the Government’s firm intention to ensure that the text of the motion is widely available today. Members can apparently consult it—I cannot say this for certain—now in the Table Office.

The Parliamentary Secretary to the Treasury (Mr Mark Harper) indicated assent.

Mr Speaker: I say in response to the hon. Lady that I am not in the habit of raising needless points of order, but we have just heard many Members raise their concerns and what seems clear about the motion for tomorrow is that it was in the hands of the journalists before it was in our hands, as the Prime Minister made his statement to the BBC rather than to this House last night. We have heard what the Leader of the House has to say, Mr Speaker, and I would now like your view on what possible reform we can bring to change that approach.

The hon. Gentleman is ever helpful, and I think that the time allocation is somewhat greater than has been the case in the past.

I am trying to be completely fair-minded about this. I respect what the Leader of the House has said, and there is some considerable agreement with what he has said, but I recognise that there is some unhappiness. I think the best thing at this stage on matters of procedure—we have the rest of the day available—is to try to maximise buy-in to the procedure and to minimise dissent. Let me try to look at it from the vantage point of members of the public. I think that is what responsible members of the public would expect responsible Members of Parliament to do. I hope that is helpful.

Sir Edward Leigh (Gainsborough) (Con): Further to that point of order, Mr Speaker. You have been extremely reasonable, and we have to look at this from the point of view of members of the public. I know that you have no ability to extend debates, but let us suppose that by 7 o’clock this evening 100 people have put in to speak. I do not know whether we will be bound by a procedure motion at 11.30. Perhaps discussions could take place between your office and the Leader of the House’s office. There is no reason why the Government should not extend the debate until 11.30 tomorrow, for instance, which would enable perhaps a further 30 people to get in. I am sure we can look at this in a holistic and creative way.

Mr Speaker: The hon. Gentleman is ever helpful, and that is appreciated. It is not really a matter for my office to engage or collaborate with the Government on the subject of the allocation of time—that is something for the Government to come to a view about and for the House either to agree to or not, as the case may be. However, I heard what he said about the likely level of interest in contributing and I can say that my door is always open, as is that of the outer office in the Speaker’s Office, as colleagues will know. There is no secret about the number of people putting in to speak. As colleagues will know, the Leader of the House and I speak regularly, as do the Government Chief Whip and I, and the same is true for the shadow Leader of the House and the Opposition Chief Whip. Of course I am happy to keep them informed, along with any Member who asks me how many people have put in to speak.

The shadow Leader of the House said that the Leader of the House was a servant of the House. I am a servant of the House, too, and I intend to be in the Chair tomorrow, very fully, to chair the debate. I would be happy, if the House willed it, to sit up all night in the Chair to hear colleagues—it is a pleasure and it is my responsibility—but how much time is allocated is not a
matter for me. The Leader of the House will have heard that there is some interest in having the maximum possible time allocated for this important purpose.

Mr Peter Bone (Wellingborough) (Con): Further to that point of order, Mr Speaker. Item 6 on today’s Order Paper relates to the sitting of the House on 2 December, and we can talk all night on it, if necessary, in order to reach a conclusion. What I cannot find on the Order Paper is the extension of the moment of interruption, which has been referred to as and almost assumed to be 10 pm tomorrow. I assume the Leader of the House will table a motion tomorrow morning dealing with when the moment of interruption will occur. If that is the process, the Leader of the House has until tomorrow morning to make up his mind whether it is until 10 pm or 11.30 pm. Alternatively, does the motion have to be tabled tonight and, if so, could you advise the House as to whether it is amendable?

Mr Speaker: The short answer is that it does have to be tabled by the close of business tonight and, yes, that motion will be amendable. I hope that is helpful.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): Further to that point of order, Mr Speaker. First, for your information, let me say that the fleet-of-foot Scottish National party is already tabling an amendment to the motion. I have two points about order that I hope you can help me with. First, have Prime Minister’s questions been cancelled at such short notice before? Secondly, does such a step need the consent of the House?

Mr Speaker: The short answer is that it does have to be tabled by the close of business tonight and, yes, that motion will be amendable. I hope that is helpful.

Mr Speaker: The short answer to the hon. Member for Na h-Eileanan an Iar (Mr MacNeil)—I am advised by the right hon. Member for Gordon (Alex Salmond) that I have pronounced that correctly, and I would not dare argue with him on that matter—is that, yes, such a proposition from the Government of course requires the assent of the House and that motion 6 is before the House, so I think we are fairly clear about that. The hon. Gentleman asks me whether this has happened before. He is quite an experienced denizen of this House and he will know that there are precedents for most things. The short answer is that, yes, Prime Minister’s questions have been cancelled—relatively recently, in fact—at relatively short notice before. He can consult the record, but I think it related to marking the unsurpassed tenure of Her Majesty the Queen. That was the occasion, at least most recently; there are precedents for these things.

Chris Bryant (Rhondda) (Lab): Further to that point of order, Mr Speaker. I am very grateful for what you said earlier about manuscript amendments. Many new Members have been asking me what they are. Of course, their name does not mean that they are hand-written, but it does mean that as long as things are in order when they are tabled you would be open to the possibility of amendments that do not get tabled until tomorrow morning. There has also been some confusion about the difference between the Table Office and the Vote Office. It is right to say that the motion has been available in the Table Office from the moment the Government tabled it, but it has not been available in the Vote Office.

[Mr Speaker]

[Interruption.] Oh, grow up! Would it not on this occasion be a good idea for this to be published formally, so that it is available for all Members of the House in both the Vote Office and the Table Office?

Mr Speaker: I think it would be better if it were available in both. I am advised by he who knows, to whom I am grateful, that the motion has been available in the Vote Office since 12.56 pm.

Look, we are where we are. I genuinely thank the Leader of the House for what he has said, and his attempt to provide clarification here and there. It is so much better if we can proceed in a consensual manner on matters of procedure. We acknowledge the existence of differences of opinion on the substance—differences of opinion that will exist right across the country—but we must do our business in an efficient, orderly and, where possible in terms of procedure, consensual fashion. I think the point is made, and it should not need to be revisited on subsequent occasions.

Greg Mulholland (Leeds North West) (LD): On a point of order, Mr Speaker. This relates to a different point. I wish to bring to the House’s attention, and seek your guidance about, what happened in the House of Lords last night. Owing to the disgraceful way the Department for Business, Innovation and Skills has backtracked on its clear commitment to this House to uphold the will of this House and to introduce the market rent only option for tied pubco licensees, our noble friends in the other place took it upon themselves to take the unprecedented step of introducing the same concept into a second Bill. There is confusion about what will now happen. May I seek your advice as to not only how we now proceed from a legislative point of view, but how we bring BIS Ministers to this House to get them to explain that they will actually respect the will of the House and do what they agreed to do at the Dispatch Box?

Mr Speaker: The short answer is that it does have to be tabled by the close of business tonight and, yes, that motion will be amendable. I hope that is helpful.

Mr Speaker: The short answer to the hon. Gentleman, whom I thank for his point of order, is twofold. First, I had no advance notice of it. I am not complaining about that, but I am simply saying that it makes it difficult for me to give any authoritative verdict from the Chair at this time. Secondly, I say to him that he is as dogged a terrier as any Back-Bench Member of this House—I hope he will take that in the positive spirit in which I intend it—and he will not let go of the issue. He has pursued it over a very long period with exemplary tenacity, from which other Members could learn, and I think that he will return to it.

I do not know whether the Government have any plan—I am not aware of it—to come to the House to explain their thinking or how they believe their conduct now is compatible with what had previously been said. I know where the hon. Gentleman sits and I know that he seeks to catch my eye, and I am always happy to try to facilitate his interrogating the Government on this and indeed other matters. I hope that he will hold his horses for now. If he wants to have a further conversation with me when I am more in the loop, I am happy to try to assist.

I thank the Leader of the House, the Chief Whip and the shadow Leader of the House for their interest and attendance, and if there are no further points of order, perhaps we can now move to the ten-minute rule motion.
Consumer Protection (Standards of Fire Resistance of Children's Fancy Dress and Play Costumes Etc)

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

1.19 pm

Mrs Anne Main (St Albans) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the standards of fire resistance, and relevant labelling requirements, in relation to children's fancy dress and play costumes; and for connected purposes.

The past 20 years have seen a huge evolution in the way children play and dress up, and we need our legislation to catch up. When I was a child, dressing up meant raiding a box containing mum's old clothes, hats and shoes, and going to parties meant wearing my best dress. However, what my era—the late 1950s and early 1960s—suffered from was dangerous flammable nightwear. Every year, up until 1964, many small children were admitted to hospital with horrific burns, and indeed many died. In 1964 the Daily Mail led a campaign for safer nightwear, and later that year this House decided to act. The nightwear standard became law and was updated in 1985.

Professor Richard Horrocks of Bolton University, who is an expert in textiles, said:

"We have over 50 years of experience during which time the fire statistics have shown that fire injuries to children are in low single figures per annum, and sometimes at zero."

That is the result of the nightwear standard, yet despite the fantastic reduction in flame injuries, it took the EU until 2007 before it chose to adopt a similar nightwear standard. Since that era of the dressing-up box, a whole new multi-billion pound industry has grown up. As dress-up costumes are classed as toys by the EU, our children are less protected than if they were wearing nightwear. In his briefing to me, the chief fire officer for Bedfordshire fire and rescue service, Paul Fuller, said:

"Dressing up clothes are not always worn just for play but appear to be increasingly worn as nightwear or normal clothes. The use of naked flames is more prevalent, particularly candles at events such as Diwali, Christmas, Halloween, birthdays, barbecues etc."

Toys are tested against the rate of spread of the flame, which is based on the ability of a child to drop or run away from a burning toy. In his “Watchdog” interview, Paul Fuller also said:

"These are toys they can't drop, or walk away from. And so I think that the test ought to be at least the same as the test for children's nightwear, which is much more stringent."

I agree with him.

In the United States, a child's dress-up garment offers a much higher level of protection: it must not catch fire for at least 3.5 seconds after exposure to a flame. Currently “toy” dress-up costumes in Europe and in the UK are tested under the toy safety directive EN71-2, which only offers protection at a burning rate of 3 cm per second. That is enormously fast on a small child. If that same child was wearing a nightdress in the UK with our BS 5722 standard, the rate allowable would be 3 cm in 2.5 seconds. That may be the difference between life and death.

It is hard to keep small children away from fire hazard. As Eunan Tiernan, consultant at Salisbury district hospital who deals with burns victims, said:

"The burns that you get from flames are often full thickness, which means that you need to have skin grafting...they can be life changing."

The British Retail Consortium said:

"We do however believe that the flammmability test EN71-2 is no longer fit for purpose. Since this test was introduced in 1979, the design of dress up outfits has got more complicated as has their popularity. The test has not kept pace with the outfit designs and no longer effectively assesses all the risks."

We are failing our children with EU toy safety standards that are considered not fit for purpose by the BRC, so why does the UK not simply change the EU-wide toy classification? Well, if the UK wanted to prepare or amend an EU standard, it would have to inform the Commission and the standardisation bodies. All 28 countries would have to meet and consult, and only if they were all in agreement would they give their findings to a commission that would then transpose it into a directive for all member states. That is sclerotic, and while the snail-like process of the EU grinds on, our UK children are vulnerable to horrific burns.

In September, the Business Secretary requested that Trading Standards carry out nationwide spot checks on retailers selling fancy dress costumes in the UK. The costumes will only be subjected to flammability testing to assess whether they meet the current EU safety standards, which are the very same standards that the BRC has condemned as not fit for purpose. Media star Claudia Winkleman knows only too well from personal experience the horror of a child’s costume catching alight. I pay tribute to her high-profile awareness campaign, which has led to many of our high street stores voluntarily making their play clothes to the higher nightwear standard. However, as the standard is only voluntary, there will still be inferior products on the market. It is hard to sort out the good from the bad, as price is not an indicator of safety.

Good Housekeeping magazine recently tested some widely available Halloween costumes, all of which met the current EU standards. Interestingly, the cheapest in its flammability test was also the safest. The Aldi cat costume at £3.99 did not catch light at all, whereas Sainsbury’s fantastical vampire costume at £13 took only five seconds to catch light. A Poundland “Frozen” Halloween dress at £4 took only five seconds to catch light, and a TK Maxx pumpkin costume at £12.99 took four seconds. Choosing a play costume is a minefield for consumers.

The Royal Society for the Prevention of Accidents figures for fire-related injuries show that in 2013, around Halloween time, there was a 37% increase on the 2012 figures, which means that things are getting worse. Regardless of Trading Standards findings, if the Government wanted to change the law quickly, they would have to do it through this Parliament. I wish to make it clear that I am asking not to change the designation of these toys to clothes, but to insist that the flammability level is the same standard as the nightwear designation. As Professor Richard Horrocks said:

"It's a proven standard, and it works, and it's well tried."

What is more, it protects children.

I have consulted the House Library and found that "reclassifying fancy dress costumes as clothes may not be the best way to achieving the objective of imposing tighter safety regulations on this sort of item."
Mr Anne Main accordingly presented the Bill.  

**Bill read the First time; to be read a Second time on Friday 11 March 2016 and to be printed (Bill 102).**

**IMMIGRATION BILL (PROGRAMME) (NO. 2)**

Ordered,

That the Order of 13 October 2015 (Immigration Bill (Programme)) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.
2. Proceedings on Consideration shall be taken in the order shown in the first column of the following Table.
3. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

<table>
<thead>
<tr>
<th>Proceedings</th>
<th>Time for conclusion of proceedings</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Clauses, new Schedules, amendments to Schedules relating to Part 1 or 2; new Clauses, new Schedules, amendments to Clauses and amendments to Schedules relating to immigration detention</td>
<td>Two hours after the commencement of proceedings on the motion for this order</td>
</tr>
<tr>
<td>New Clauses, new Schedules, amendments to Clauses and amendment to Schedules relating to asylum or support for certain categories of migrant; remaining proceedings on Consideration</td>
<td>6.00pm on the day on which proceedings on Consideration are commenced</td>
</tr>
</tbody>
</table>

(4) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 7.00pm on the day on which proceedings on Consideration are commenced.—(James Brokenshire.)
Immigration Bill

Consideration of Bill, as amended in the Public Bill Committee.

New Clause 16

Compensation for an illegal working closure notice where order is cancelled/no compliance order is made

‘(1) Where an illegal working closure notice is issued and—
(a) is subsequently cancelled in accordance with paragraph 3 of Schedule 3 to this Act, or
(b) no illegal working compliance order is made (whether or not an application is made for such an order)
the Secretary of State shall pay compensation to the persons listed in subsection (2).

(2) The Secretary of State shall pay compensation under subsection (1) to—
(a) the person to whom the notice was issued or, if he is dead, to his personal representatives;
(b) a person who lives on the premises (whether habitually or not);
(c) any person who has an interest in the premises.

(3) No payment of compensation under this section shall be made unless an application for such compensation has been made to the Secretary of State before the end of the period of two years beginning with the date on which the notice is issued.

(4) But the Secretary of State may direct that an application for compensation made after the end of that period is to be treated as if it had been made within that period if the Secretary of State considers that there are exceptional circumstances which justify doing so.

(5) The question whether there is a right to compensation under this section shall be determined by the Secretary of State.

(6) If the Secretary of State determines that there is a right to such compensation, the amount of the compensation shall be assessed by an assessor appointed by the Secretary of State.

(7) In assessing so much of any compensation payable as is attributable to suffering, harm to reputation or similar damage, the assessor must have regard in particular to—
(a) the conduct of the person to whom the notice was given;
(b) the conduct of the immigration officer.

(8) If, having had regard to any matters falling within subsection (9)(a) or (b), the assessor considers that there are exceptional circumstances which justify doing so, the assessor may determine that the amount of compensation payable is to be a nominal amount only.

(9) The total amount of compensation payable must not exceed the overall compensation limit. That limit is—
(a) £10,000 in a case in which there is no element for loss of earnings;
(b) £50,000 in any other case.

(10) The Secretary of State may by order made by statutory instrument amend subsection (9) so as to vary overall compensation limit.

(11) No order may be made under subsection (9) unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.’—(Stuart C. McDonald.)

Provides a statutory basis for compensation for illegal working closure notices when the order is cancelled.

Brought up, and read the First time.

Mr Speaker: I call the spokesperson for the Scottish National party. Mr Kerr?
Definitional change for the purposes of amendment 49.

Amendment 51, in clause 11, page 8, line 13, leave out “Scotland or”.

Removes the power for the Secretary of State to make regulations relating to illegal working in relation to private hire vehicles extend to Scotland.

Amendment 52, page 8, leave out line 18.

Prevents the Secretary of State making regulations that confer functions on Scottish Ministers in relation to illegal working relating to private hire vehicles.

Amendment 53, page 8, line 25, leave out paragraph (b).

Definitional change for purposes of amendments 51 and 52.

Amendment 35, page 9, line 4, leave out clauses 13 to 16.

Removes the extension of the right to rent legislation in the Bill.

Amendment 46, in clause 13, page 9, line 31, at end insert—

'(SA) A landlord will not commit an offence under subsection (1) if—

(a) the landlord enters a residential tenancy agreement with an organisation or person who is supporting an adult mentioned in subsection (2);

(b) the rental payment received by the landlord as a result of this tenancy does not significantly exceed the costs that are incurred by the landlord for having the adult occupy the premises.”.

Ensures that a landlord who has agreed by working with an organisation/charity to provide accommodation to support failed asylum seekers are exempt from committing an offence.

Amendment 22, page 10, line 10, at end insert—

'(SA) A landlord does not commit an offence under this section during the period of 28 days specified in section 33D(4).”

To protect a landlord/landlady from prosecution for renting to a person without a right to rent during the period for which they are prohibited from evicting the tenant under section 33D(4).

Amendment 23, in clause 14, page 12, line 1, leave out subsection (2).

To remove the provisions providing for summary eviction.

Amendment 24, page 13, line 18, leave out “Sections 33D and” and substitute “Section”.

See explanatory note for amendment 23.


See explanatory note for amendment 23.

Amendment 26, page 13, line 26, leave out subsections (5) to (7).

See explanatory note for amendment 23.

Amendment 54, in clause 16, page 17, line 7, leave out “Scotland”.

Removes the power for the Secretary of State to make regulations in relation to the right to rent scheme extending to Scotland.

Amendment 55, page 17, line 10, leave out “Scotland”.

See explanatory statement for amendment 54.

Amendment 56, page 17, leave out line 17.

Prevents the Secretary of State making regulations that confer functions on Scottish Ministers in relation to the right to rent scheme.

Amendment 57, page 17, line 27, leave out paragraph (c).

Definitional change for the purposes of amendments 55 and 56.

Amendment 41, in clause 57, page 50, line 4, at end insert—

“(7) Regulations made under—

(a) section 10;
(b) section 11; or
(c) section 16

of this Act shall not come into force in Scotland without the consent of the Scottish Parliament.”

Ensures regulations made under the relevant sections cannot extend to Scotland without the consent of the Scottish Parliament.

Amendment 21, in clause 58, page 50, line 9, at end insert—

'(2A) Section 13 shall come into force subject to the conditions set out subsection (2B).

(2B) The Secretary of State must prepare and publish an evaluation of the national implementation of provisions contained in sections 20 to 37 and Schedule 3 to the Immigration Act 2014, and must lay a copy of the report before Parliament.

(2C) The report in subsection (2B) must include an assessment of the impact of those provisions on—

(a) individuals who have a protected characteristic as defined in Part 2, Chapter 1 of the Equality Act 2010, and
(b) British citizens who do not hold a passport or UK driving licence.”

This amendment would require the Secretary of State to lay before Parliament an evaluation of the national roll out of the 2014 Right to Rent Scheme before the new offences in clause 13 come into force.

New clause 8—Detention of persons—exempted persons—

In paragraph 16 of Schedule 2 to the Immigration Act 1971, after subsection (4) insert—

“(5) A person may not be detained under this paragraph if they are—

(a) a woman who—

(i) states that she is pregnant, where this is confirmed to be the case or,
(ii) is reasonably suspected to be pregnant by an immigration officer;
(b) a person whose initial claim for asylum to the United Kingdom was based on being a victim of one of the following:

(i) human trafficking;
(ii) torture;
(iii) sexual violence;
(c) a member of any other group as may be prescribed in regulations by the Secretary of State.”

This amendment would provide that pregnant women, people who claimed asylum as victims of trafficking, torture or sexual violence, and any other group prescribed by the Secretary of State, may not be detained pending an examination or decision by an immigration officer.

New clause 9—Time limit on detention—

In paragraph 16 of Schedule 2 to the Immigration Act 1971 after subsection (4) insert—

“(5) Subject to subsection (6), no person shall be detained under this paragraph for more than 28 days.

(6) Subsection (5) shall not apply where the person detained under this paragraph has a criminal conviction with a sentence of imprisonment for three months or more.”

This amendment provides that people shall not be detained pending an examination or decision by an immigration officer, unless they have a criminal conviction.

New clause 13—Review of Immigration Detention—

“(1) Before the end of the period of three months beginning on the day on which subsection (1) of section 32 comes into force, the Secretary of State must commission a report on detention under paragraph 16 of Schedule 2 to the Immigration Act 1971 that addresses the following matters—
(a) the process for, and detail of, introducing a statutory
maximum limit of 28 days on the length of time an
individual can be detained under that paragraph;
(b) how to reduce the number of people detained under
that paragraph;
(c) how to minimise the length of time an individual is
detained under that paragraph;
(d) the effectiveness of detention in meeting the Secretary
of State's objectives; and
(e) the effectiveness of procedures to review decisions to
detain and to continue to detain.

(2) The Report must be published by a panel appointed by the
Secretary of State.

(3) The panel appointed under subsection (2) must be
independently chaired.

(4) On completion of the report, the Chair of the panel must
send it to the Secretary of State.

(5) The Secretary of State must lay before parliament a copy of
the report received under subsection (4).

Reflecting the unanimous agreement of the House of Commons to
the recommendations of the joint APPG on Refugees and APPG
on Migration inquiry into immigration detention, the new clause
requires the Secretary of State to appoint an independently-chaired
panel to consider the issues raised therein and report to Parliament
within three months of Schedule 7 to the Bill coming into force.

Amendment 32, in schedule 7, page 97, line 22, at end
insert—

“(2A) The Secretary of State must grant a person bail if
a person is detained under a provision mentioned in sub-
paragraph (1) after no later than the 28 day following that on
which the person was detained.”

To introduce a 28 day time limit on the amount of time a person
can be kept in immigration detention.

1.30 pm

Stuart C. McDonald: I am unashamedly moving lots
of amendments, and there are several others that we on
these Benches support too, which I will come to in due
course. The large number of changes that we want
reflects our hostility to this Bill, which we oppose
outright and will vote against this evening as ill-conceived
and regressive, and which will do little to move the
country towards the Government’s increasingly ludicrous-
looking net migration target. If the Bill passes, perhaps
one or two of these amendments might provide a little
comfort in an otherwise bleak piece of legislation.

New clauses 16 and 17 seek to rectify two provisions
that exemplify for us where fundamental problems lie
with this Bill. New clause 16 would put in place some
changes that we want to hand over to them.

Simon Hoare (North Dorset) (Con): If I heard the
hon. Gentleman correctly he does not like the Bill, and
his amendments and new clauses might make it a little
more likeable. If they were all passed, would he be in the
Aye Lobby this evening?

Stuart C. McDonald: We have done our best to make
the Bill slightly more palatable, but even with all our
amendments I regret to say that we would still find the
damage that the Bill will cause unacceptable. Regardless
of what happens today, therefore, we will be voting
against Third Reading.

New clause 17, would repeal the right-to-rent provisions
introduced by the Immigration Act 2014, provisions
which, like their successor provisions in this Bill, will
have limited effect on the Government’s pretend net
migration target, but are none the less deemed necessary
to make the Government look tough on immigration.
As I said on Second Reading, it is in reality immigration
theatre—acting out the part of immigration enforcer.
But while there is little evidence that it will achieve
much in terms of immigration control, its consequences
on cohesion could be significant.

Richard Fuller (Bedford) (Con): The hon. Gentleman
talks about looking tough and effective. Does he not
agree that that is the challenge for the Government in
the Bill? We want to see immigration measures that are
effective, not that just appear to be tough.

Stuart C. McDonald: I agree that we need to enforce
the immigration rules and laws that we have put in
place, but the problem is that the resources and manpower
are not being put in to do that. We do not need new
powers and rules; we simply need resources to enforce
the rules that already exist. I suggest that some of the
rules already go far too far.

New clause 16 is a modest response to clause 13,
which creates wide powers for immigration officials to
close premises for 48 hours without judicial oversight.
New clause 17, would repeal the right-to-rent provisions
in the 2014 Act. We have signed other
amendments in relation to right to rent, starting with the
crucial amendment 35, which would remove the criminal
sanctions and what we regard as Dickensian eviction
processes from the Bill. Amendment 46 is designed to
prevent those letting out rooms on essentially a charitable
basis from being criminalised. Finally amendments 54
to 57 remove powers for the Secretary of State to
legislate by way of regulations for new Scottish right-to-rent
provisions, with immense effect on devolved Scottish
housing law.

We also support changes proposed by Labour Members
such as amendment 22, which seems designed to fix
what we can only presume to be a drafting anomaly
under which a landlord or landlady would be guilty of
an offence for renting to a person with no right to rent,
even during the period of 28 days when they could not
exist that person. We also fully back their amendments 23
to 26, which would remove the obscene proposals that
would see landlords and landladies turned into not only
immigration officers but High Court judges, and would
see summary evictions without judicial oversight.

I know that my hon. Friend the Member for Glasgow
North East (Anne McLaughlin) will have more—much
more—to say on these dreadful and draconian measures
if given the opportunity, Madam Deputy Speaker. Our view
is essentially the same as it was on Second Reading. Right to rent is not evidence-based, but in fact flies in the face of the evidence provided by the Joint Council for the Welfare of Immigrants, and indeed parts of the Government’s own pilot review. It is unfair to place these duties and now criminal sanctions on landlords, and it will lead to inadvertent discrimination or racism, with foreign nationals and even British citizens without documents at risk of being rejected from a tenancy whenever there is a safe and easy option of a British passport holder to rent to. It will push more families away from authorities and immigration control, making enforcement harder, not easier.

The one part of the Bill from which something useful might actually emerge is the first few clauses of part 1, and the provisions for a Director of Labour Market Enforcement, which we welcome. It is sad that its presence in an immigration Bill suggests that the new role might be seen as one primarily concerned with enforcing immigration laws, so we have joined our Labour colleagues in supporting amendment 18, which is designed to ensure that the functions of the director are exercised for the purpose of protecting the victims of labour market exploitation.

More fundamental is amendment 19, which seeks to remove the offence of illegal working. We share the widespread concerns that, like other offences, it will have little effect in terms of immigration control, but will have other significant adverse effects. In this case, the negative consequence is to undermine the decent work that the Government have been doing to tackle slavery and trafficking. The Bill will drive exploited, undocumented workers further underground, and leave them more at risk of exploitation, rather than less.

While on this issue, we know that James Ewins’ report on domestic workers is with the Government but as yet not available to Members. We question why that is the case, and when we will be able to see and debate it in order to inform what should happen with this Bill if it gets a Third Reading.

Finally, in relation to part 1 of the Act, amendment 33 seeks to ensure that employers who incorrectly and inadvertently employ a person without the right to work are not criminalised by the Bill. It does so by applying a threshold of “knowingly or reckless” to the offence of employing an adult without permission to work, instead of merely requiring that they have “reasonable cause to believe” that the employee may be such a person. We are concerned that the current test might catch people who are not the intended target.

There are two further sets of amendments in this first grouping that I need to speak to. The first set relates to how a number of these provisions would be implemented in Scotland. Clauses 10, 11 and 16 all include what I am told are referred to as Henry VIII clauses—broad powers to legislate for Scotland, and indeed Northern Ireland and in one case Wales. Whereas provisions on licensed premises, private hire vehicles and right to rent are set out in significant detail in schedules to the Bill, and subject to full legislative scrutiny, that is not the case for Scotland. Instead, the Secretary of State is given the sweeping power to legislate in a similar way for Scotland by way of regulation. The power includes the ability to amend Acts of the Scottish Parliament, without any consideration of that Parliament’s view on the matter—and that is despite the fact that liquor licensing, private hire car licensing and housing are all devolved matters.

I understand that Parliament has long been hostile to Henry VIII clauses, and rightly so. These clauses are particularly pernicious for the reasons given, and so should be rejected. That can be done by supporting amendments 47 to 53, which would remove the power to regulate for Scotland in this way, thereby requiring primary legislation and the full scrutiny that that entails. Alternatively, amendment 41 requires that any such regulations would require the consent of the Scottish Parliament, again enabling proper scrutiny. That is surely only right and proper in the circumstances.

Finally, on new clause 13 and amendment 32, this House witnessed a powerful Backbench Business debate back in September, led by the hon. Members for Sheffield Central (Paul Blomfield), for Bedford (Richard Fuller) and for Enfield, Southgate (Mr Burrowes), who I know will all want, if they can, to speak on the issue again today. On that day there were strong speeches on all sides of the House as it united to tell the Government that immigration detention without a fixed and certain time limit was no longer acceptable. We are the only country in the EU without a time limit so it is inexcusable for this country not to operate one. We on the SNP Benches would prefer that we move straight to a position where immigration bail is granted after 28 days, as set out in amendment 32. Alternatively, we will support new clause 13 to see progress towards that goal.

Joanna Cherry (Edinburgh South West) (SNP): My hon. Friend will be aware that the immigration detention inquiry panel heard evidence from a consultant psychiatrist that those who are detained for more than 30 days suffer significantly more mental health problems than those detained for fewer than 30 days. Does my hon. Friend agree that this evidence reinforces the need for new clause 32?

Stuart C. McDonald: I agree entirely. That is one of a huge number of reasons that were highlighted during the Backbench Business debate earlier this year.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Does my hon. Friend share my concerns for the wellbeing of the migrants being detained—an experience described by one man as his three years in a cage? The conditions in which migrants are detained lack any shred of dignity. Does my hon. Friend concur with me that the Home Office seems to have forgotten that human rights are universal and not conditional upon immigration status?

Stuart C. McDonald: My hon. Friend makes her point powerfully. The issue is not just a time limit going forward, but conditions of detention and moving away from routine use of immigration detention to make it a rare exception, rather than almost the norm.

In conclusion, there is widespread demand for change, and perhaps if there is one—just one—piece of silver lining on the dark cloud represented by this Bill, it will be a time limit on detention.

Rebecca Harris (Castle Point) (Con): As I have had cause to mention previously in the Chamber, immigration was the single most important issue for my constituents
in Castle Point at the recent election and remains so. I am sure many hon. Members in all parts of the House find that to be the case. Having spent several weeks sitting on the Committee that considered the Bill, I fully support it as the Government have drafted it.

I shall speak in particular on new clauses 8 and 9, dealing with time limits on detention. Although I fully appreciate the thinking behind such amendments, I cannot support them because introducing a time limit on detention is, I believe, a poor approach to an important issue. I believe also that new clause 13 is premature as we await the results of several Government reviews of the whole system of detention.

The Home Office already has a policy to safeguard against unnecessary or arbitrary detention of individuals. Detention must be used sparingly and for the shortest period possible, and cases must be assessed on an individual basis.

Paul Blomfield (Sheffield Central) (Lab): I am conscious that we are covering ground that we covered in Committee. The hon. Lady will recognise that although that is the principle of the Home Office, there is powerful evidence that the Home Office is failing to achieve those objectives, as shown by the fact that many people are detained for months, and some for years. A statutory limit could therefore bring a culture change in the approach to the issue.

Rebecca Harris: I thank the hon. Gentleman for his intervention, but the Home Office is undertaking three separate reviews of the process, which makes the new clauses premature while we await the results of much more detailed work.

Richard Fuller: I appreciate the hon. Lady’s point about the need for those reviews to inform the debate. Does she share my disappointment that although the reviews have been pending for many months, we in this House do not have that information as we deliberate the amendment before us today?

Rebecca Harris: I recognise the frustration of my hon. Friend and others about that, but properly conducted reviews can take time and we have urgent business, which is to deal with many of the measures in the Bill. I feel confident that the Government will deal appropriately with the issue in due course.

In instances where an individual is detained while their case is being investigated, regular reviews can be undertaken to ensure that such detention remains lawful and proportionate. I feel sure that subsequent to the findings of those three reviews, any improvements that can be made will be made by the Government. In addition to this, detention is always a matter for the judiciary. Cases where an individual has been detained are rightly subject to scrutiny and oversight by the courts, which have the power to examine any case as they see fit. The judiciary is clear that factors such as risk to the public and an individual’s immigration history are key in deciding the appropriate timescale for detention.

It is correct that judicial authority and experience should be the guiding principle in such cases, and not a random figure imposed by politicians in the Chamber today.

Imposing a maximum time limit of 28 days, for example, is not only arbitrary, but potentially dangerous and irresponsible. Such a limit risks allowing all sorts of individuals to effectively and maliciously subvert the rules. They can refuse to co-operate with the authorities, safe in the knowledge that in doing so they will be released after just four weeks. I need hardly remind the House of the consequences that such a rule would have in the case of someone such as Abu Qatada. This surely cannot be the intention of the House. Placing a time limit on the detention of individuals could be an irresponsible risk to our national security and, especially in the light of recent events around the world, I cannot support the amendments and I urge other Members to oppose them.

1.45 pm

Keir Starmer (Holborn and St Pancras) (Lab): I shall speak to the amendments in my name. I hope it will be helpful to the House if I indicate as I go through them which of those amendments I currently intend to press to a Division, so that the Minister will know.

I start with the labour market provisions and say at the outset that we on the Labour Benches support the establishment of a director of labour market enforcement. This will provide strategic leadership, which is much needed and very welcome. The real issues in relation to the director are resources and focus. In Committee we heard evidence from Professor Metcalf, who is chair of the Migration Advisory Committee. He said that he understood the issues of public finances, but he did not think the enforcement bodies had enough resources. He pointed to the fact that on the evidence in the report on low-skilled work, Her Majesty’s Revenue and Customs could be expected to visit any given premises once every 250 years and that there was the prospect of a prosecution every 1 million years.

I accept that any investigation would be intelligence-led and targeted, but those figures are stark and point to the problem of resourcing. As another example, the Gangmasters Licensing Authority investigations dropped from 134 in 2011 to 68 in 2014. Clearly, we cannot deal with resources here in this debate, but amendment 18 is intended to give a focus to the director, to ensure that the functions of the director are exercised for the purpose of protecting the victims of labour market exploitation and to make this explicit on the face of the Bill. This mirrors the way in which the Modern Slavery Act 2015 dealt with the functions of the Anti-Slavery Commissioner established by that Act.

There is therefore a good precedent for the amendment. It provides clarity and it avoids any misconception or temptation about this role, which is being introduced in an immigration Bill—namely, that it should be about labour market enforcement, not immigration control. The experience of other countries suggests that this is the right focus for this important role.

Amendment 19 would omit the proposed illegal working offence and maintain the status quo. Time and again in the House and elsewhere the point has been made about the exploitation of the vulnerable. The Migration Advisory Committee reported in 2014 that

“the combination of non-compliance and insufficient enforcement can lead to instances of severe exploitation, particularly of vulnerable groups such as migrants.”

The Committee said in the same report:

“We were struck on our visits around the country by the amount of concern that was expressed by virtually everyone we spoke to about the exploitation of migrants in low-skilled jobs.”
There is a great deal of other evidence to the same effect. What is desperately needed is more resources for inspections, a focus on exploitative employers and a mechanism to encourage employees to have the confidence to come forward. The new provision cuts across that.

Clause 8 is likely to ensure that the most exploited and vulnerable will become even more so; in effect, it will simply strengthen the hand of gangmasters over exploited workers. It also fails the test of necessity. There are already criminal provisions relating to those who have breached immigration rules and there is no need to introduce a new criminal offence for employees. We are talking about the most vulnerable and exploited people, who need the confidence to come forward if the director is to achieve the functions set out in the Bill. My current intention is to push amendment 19 to a vote, although obviously I will listen to what the Minister has to say.

I turn to amendment 20, which also relates to the offence of illegal working. It is a strict or stark offence: an employee who simply does not have the right immigration status commits an offence and has no defence at all. I shall give an example of the injustice likely to be caused. If an employee in good faith relies on his or her employer to sponsor him or her, but something wrong in the process means that as a matter of law, and unbeknown to them, they do not have the right immigration status, they automatically commit an offence and have no “reasonable excuse” defence. That cannot be right for a new criminal offence in this field. With all due respect to the Director of Public Prosecutions, it is not good enough to say that the prosecution must weed out those cases. There needs to be a defence in statute to cover cases of mistake and error that are not the employee’s fault.

I turn to the provisions on landlords and the right to rent. The background is important during this Report debate. The Immigration Act 2014 introduced a civil penalty scheme in relation to the right to rent. That was discussed in the House; there were concerns about the impact it would have in practice and in particular about whether there would be any discriminatory effects. Assurances were given about piloting and properly evaluating the civil penalty scheme before it was rolled out. This Bill, in 2015, proposes to extend the civil penalty scheme by introducing a criminal penalty before there has been a full and meaningful evaluation.

As was mentioned on Second Reading, the Joint Council for the Welfare of Immigrants carried out an evaluation showing, alarmingly, that 42% of landlords said that the right to rent provisions made them less likely to consider accommodating someone who did not have a British passport. At that stage, we did not have the advantage of the Home Office evaluation, which was made available in Committee, as the Minister said it would be. That evaluation, however, was small and narrow. The Home Office itself said that it was not sure about the statistical significance of part of the evaluation and that the sample sizes were too small to draw any robust conclusions. We say that the assurance in relation to the civil penalty scheme has not been fulfilled and there is no warrant for extending the scheme to include a criminal sanction.

Amendment 22 deals with the position of landlords who, under the current provisions, would automatically commit a criminal offence the moment they were served notice that they had a tenant without the right to rent. They would be criminalised notwithstanding the period between receipt of that knowledge, normally by a notice, and their best prospect of getting anybody evicted. A reasonable, objective landlord who received a notice and acted on it immediately would still be criminalised during the process. There cannot be any sensible or compelling case for that state of affairs, which causes great concern to landlords and puts them in an impossible position. I understand that the Government may be considering the issue and obviously I shall listen carefully to what the Minister says. On the face of it, however, it is difficult to see that there could ever be a case for such a measure.

Amendments 23 to 26 all relate to the important issue of summary eviction. The Bill introduces a fast-track process—innovative in this field—in which a notice from a landlord stands as a court order, leading to provision for summary eviction. Some 30 or 40 years ago, the House set its face against summary evictions for a very good reason: there were too many examples of locks being changed and families literally being put out on to the street to sleep on the pavements. Everybody agreed that there should be due process before individuals and families, particularly families with children, were evicted. The Bill cuts through that protection for no good reason. In this country in the 21st century no group of individuals should—for whatever reason, and whether renting lawfully or not—be subject to summary eviction proceedings that, as I said, we turned our back on a long time ago.

I move on to immigration detention, which has already been touched on and is a matter of increasing concern to many in this House and beyond. The fact of immigration detention causes real distress and anxiety, particularly among vulnerable groups, and its indefinite nature adds to that. There is strong evidence of the impact on varying groups, particularly women. I think I am right in saying that the UK is the only country in Europe that does not have a time limit of any sort on immigration detention. That has been the subject of inquiry by the all-party groups on refugees and on migration. They concluded:

“We believe that the United Kingdom has a proud tradition of upholding justice and the right to liberty. However, the continued use of indefinite detention puts this proud tradition at risk.”

The reforms suggested by the cross-party joint APPG group were backed by the House of Commons when they were debated in September this year, and a motion supporting them was passed. The issue is one of increasing concern and justifying indefinite immigration detention is increasingly difficult. Amendment 32 is intended to deal with that by introducing a 28-day limit, which many people feel is the right one.

New clause 13 is intended to allow a review by an independently chaired panel to consider the issues and report to Parliament within three months: it is not premised on a fixed period. It is important that there is progress on these issues. Immigration detention is a real cause for concern and this is an opportunity to do something necessary.

The Minister for Immigration (James Brokenshire):

The hon. Gentleman just said that new clause 13 does
not prescribe a particular length of time, yet paragraph (a) specifies a 28-day time limit. Will he confirm that that is his position?

Keir Starmer: I apologise. I meant that it proposes a review of the time limit rather than a time limit itself, and that therefore, given the nature of the review, it would be open to it to look at other options. There are shared concerns across the House about immigration detention and its indefinite nature. There will be disagreements as to the precise time limit, if there is to be one, and that can be discussed, but at this stage sitting back and simply accepting the status quo is not an acceptable way of proceeding. However, I will obviously listen to what the Minister has to say on this.

2 pm

Richard Fuller: Does the hon. and learned Gentleman agree that one of the values of a time limit is that it provides the detained person with some certainty about what is happening while they are being detained? We heard evidence, and we know from our constituents, that the difficulty is that people are put in detention and do not know what is going to happen to them, with consequential mental health, and other, impacts.

Keir Starmer: I completely agree with the hon. Gentleman. There is the fact of detention in the first place, covering a wide range of individuals detained for different reasons, and then there is its indefinite nature, which adds to the anxiety, because most terms of detention are for a fixed period that allows the individual to know when they may regain their liberty.

As I say, there will be debates about what the precise time limit should be, but sustaining a position of indefinite detention is no longer acceptable in the 21st century. It is not the position in almost all other countries in Europe, and it should not be so in this country.

Simon Hoare (North Dorset) (Con): As somebody who served with the hon. and learned Member for Holborn and St Pancras (Keir Starmer) and others on the Bill Committee, there is a terrible sense of déjà vu, to put it politely, or “Groundhog Day”, not so politely, about this debate. We had a lot of these debates and discussions in Committee. I hope that those who did not join me in voting as I did in Committee would at least recognise that it was a very thoughtful process in which we went through the whole Bill in great depth and a great raft of amendments were tabled and debated. However, even the Opposition parties managed to run out of steam, allowing the usual channels to pull stumps some little time before the Committee stage was scheduled to finish. I hope that that in no way suggests that we cantered with unseemly haste through the important issues that the Bill seeks to address.

My hon. Friend the Member for Castle Point (Rebecca Harris), who is no longer in her place, hit the nail on the head, as did my hon. Friend the Member for Norwich North (Chloe Smith) in Committee. This is probably one of the most important issues that this House and this Parliament will deal with. If we get it right, we will engender a sense of an understanding of fair play and that this place “gets it”. If we get it wrong, we will seem to be even more disengaged from the communities that we seek to serve.

I am lucky to represent a predominantly rural constituency where even a casual glance at the census returns would suggest that immigration was not an issue that would be raised on the doorstep or in meetings. However, even in rural North Dorset, it has been, and continues to be, such an issue.

Anne McLaughlin (Glasgow North East) (SNP): I represent a constituency that has a significant proportion of people who have come from other countries, and immigration was raised with me on the doorstep once in the course of a year. Parties such as the United Kingdom Independence Party tend to do well in areas where there are few immigrants, so it is perception that is causing people to have a problem with immigration rather than reality.

Simon Hoare: This is noteworthy for Hansard—the hon. Lady and I have found something on which we agree. What we are seeking to do—which sits at the kernel of the Bill—is to shoot UKIP’s fox: the idea that the country, the Government, Parliament, Westminster or Whitehall has become rather soft and flabby on this issue and needs to—

Anne McLaughlin rose.

Simon Hoare: Let me address the hon. Lady’s first intervention and then I will be happy to give way to her again.

Although I represent North Dorset, I have the most enormous pleasure—the first prize in the lottery of life—to be a Welshman. I was hoping for some supportive comments there, but no. I come from Cardiff—a very mixed, culturally diverse city, which, thank God, has hitherto had very little tension between the communities. However, it was becoming an issue back in the 2010 election, and people are very keen, irrespective of the immigrant make-up of a community, to address it. That is what this Bill is all about, and what all these amendments—

Mims Davies (Eastleigh) (Con) rose.

Simon Hoare: Before I give way to my hon. Friend I must first take the intervention from the hon. Member for Glasgow North East (Anne McLaughlin).

Anne McLaughlin: Does the hon. Gentleman agree that rather than shooting UKIP’s fox with this Bill, the Government are allowing the party that has one single MP in this place to make the rules and are pandering to what it calls for?

Simon Hoare rose.

Madam Deputy Speaker (Natascha Engel): Order. We are venturing into much broader aspects of the principles of the Bill rather than the amendments before us. I am happy for the hon. Gentleman to respond to the hon. Lady’s point, but then I would be very grateful if we moved back on to the amendments.

Simon Hoare: I have fallen into my usual trap, Madam Deputy Speaker. I always like to set a backdrop to my remarks, and I am trying to explain the kernel of
the Bill, why it has come about, and why the amendments and new clauses are, in my judgment, fundamentally wrong.

The hon. Member for Glasgow North East has taken me neatly on to my second point—the amendments in her name and the names of her hon. Friends. The position of the separatists is entirely disingenuous on this issue. The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) told us that they would be unable to support the Bill not only if new clause 16 were not passed, but if the whole raft of other SNP amendments were not passed as well. We should not be unduly surprised by that, because in Committee we were able to tease out from their questioning of our witnesses that Members representing Scottish seats in the SNP interest believe in uncontrolled and unfettered immigration—an open-door policy. Moreover, they seek, on behalf of their friends in the Scottish Parliament, to assume to themselves powers and privileges reserved to this House with regard to the control of immigration, and suddenly, via the back door, to see it as a new devolved power. Anybody with a strand of Unionism and common sense in their body should seek to resist that, and that is why I will vote against the amendments.

In essence, at the heart of these amendments, SNP Members are seeking to encourage further devolution—further separation—and to have a greater tension between the regions and the countries of the United Kingdom.

Simon Hoare: With the most enormous pleasure, as always.

Stuart C. McDonald: I rather think the hon. Gentleman is missing the point about the amendments and new clauses. The Bill has very detailed provisions for England and Wales, and in some cases for Northern Ireland, but it just provides the Secretary of State with a broad, sweeping power to do the same for Scotland, without any scrutiny in Parliament or in the Scottish Parliament. Even if the hon. Gentleman does not agree with us about getting approval from the Scottish Parliament, he should at least agree about getting rid of the regulatory powers so that this would have to be done in primary legislation, with full scrutiny in this House, rather than by a Henry VIII clause.

Simon Hoare: I hear what the hon. Gentleman says. All I would say to him in reply is that the Bill has been brought forward in the United Kingdom Parliament and has a full and forensically discussion both on Second Reading and in Committee, as it will today on Report and, doubtless, on Third Reading. I suggest he should say to his friends holding ministerial office and other positions of power in Scotland and the Scottish Parliament that, when they are in effect carrying out duties passed to them under a devolved settlement, they should ensure that how they deliver such policies and put them in place on the ground always reflects the national law of the land.

When I gave way to the hon. Gentleman, I was simply concluding that if the new clauses and amendments, which would in effect devolve immigration to Holyrood, were agreed to, the United Kingdom Government would by definition need to find ways of controlling the movement of people from Scotland south into England, and very possibly people going from the south to the north as well. As I have said, we teased out in Committee—both in the evidence sessions and the other sittings—the SNP’s firm commitment to have an open-door policy and no fetters on immigration. My constituents in the south of England will be grossly alarmed by that.

Anne McLaughlin: Can the hon. Gentleman tell the House anything that any SNP Member said that leads him to believe we support an open-door, open-borders policy? I cannot think of anything, and I am sure my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands) cannot do so. What is the hon. Gentleman referring to?

Simon Hoare: Unlike Lord Green, I had no difficulty understanding what she and the hon. Member for Paisley and Renfrewshire North (Gavin Newlands), who knows precisely what I am referring to, said at any time in Committee. However, the tone and the tenor, the winks and the nods, and the direction of travel of the questions and the amendments in Committee—and, indeed, of the amendments today—can only lead one to assume that SNP Members, for reasons that are entirely respectable for them to deploy, do not believe in having any control of immigration at all. That is the narrative arising from the heartland of the hon. Lady’s speeches. The hon. Gentleman, who was also a member of the Public Bill Committee, told us that nobody raised with him the issue of immigration on the doorstep during the election campaign.

Mims Davies: I want to go back to our thoughtful discussions in Committee, in which the issues were well debated. I agree with my hon. Friend the Member for Castle Point (Rebecca Harris), for Norwich North (Chloe Smith) and for North Dorset (Simon Hoare), who said that immigration was the No. 1 issue on the doorstep. In Eastleigh post the by-election—we were third, before moving into second place and then absolutely came first—we had to reflect that fact in our deliberations. It was disingenuous to hear about one lawyer who represented the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) cannot do so. What is the hon. Gentleman referring to?

Madam Deputy Speaker (Natascha Engel): Order. The hon. Lady is hoping to catch my eye later in the debate. I suggest that she saves her very full intervention for then.

Simon Hoare: The good folk of Eastleigh, many of whom I got to know during the by-election, will no doubt breathe a huge sigh of relief at having a doughty champion in the form of my hon. Friend. She absolutely
gets the point that if we are to have a sensible, vibrant and vivacious debate about politics and public affairs in this country, it is absolutely right for this House to address such issues through legislation—hence the Bill introduced by my right hon. Friend the Minister for Immigration.

2.15 pm

If I may, I wish to make further points about the amendments and new clauses tabled both by SNP Members and the hon. and learned Member for Holborn and St Pancras. He is in his place, but not apparently agog with interest at the remarks being made by Conservative Members.

On immigration removal centres and detention, I think IRCs play a pivotal role in the arsenal available to this country and to those we charge with managing our borders and our immigration. I must say that the staff working in the centres deserve a huge debt of gratitude. In a previous incarnation, I was fortunate enough to visit quite a few IRCs, including those at Yarl's Wood and Heathrow. I was struck by the dedication of the staff approach such problems with huge sensitivity, judgment and experience, which is all I can speak from, often in very difficult circumstances.

Richard Fuller: In defending the pivotal role of immigration detention centres, will my hon. Friend defend the detention of pregnant women or the victims of human trafficking, torture or sexual violence? If not, will he support my new clause 8?

Simon Hoare: To answer my hon. Friend's questions in reverse order, no and yes. Whether or not a woman is pregnant is immaterial. The issue is about the environment in which people are detained and the care and attention they are given, rather than about their status. I know the proximity of Yarl's Wood to my hon. Friend's constituency—from memory, it is in his constituency—but I would tell him that I heard, both from staff and from those detained, that they had seen people destroy their papers or hide their child under the bed, where they cannot be touched, when an aeroplane was on the tarmac waiting to take off to take them away. In my judgment and experience, which is all I can speak from, the staff approach such problems with huge sensitivity, often in very difficult circumstances.

Richard Fuller: I, too, think that the people we ask to manage detention centres do a good job in general. On a point of clarification, my concern arises not from my constituency's proximity to a detention centre, but from the proximity of the rules to my ethical code. My hon. Friend mentions that the issue is about the care of people in detention centres. Is he aware of the case of PA, a pregnant woman detained in Yarl's Wood? The Home Office has recently had to admit that she was not given proper antenatal care. Is not the issue that if we detain pregnant women, mistakes will be made, and we therefore need to protect ourselves and our ethics from such mistakes by exempting those people from the rules?

Simon Hoare: I do not wish to test your patience, Madam Deputy Speaker, or indeed that of the House, by straying too far, but my hon. Friend has made a valid point. I certainly am aware of that case, but I never think it is right to build a policy on the basis of one incident. Terrible things happen when women are pregnant, whether they are detained or just going about their ordinary business. Medical negligence can happen even to those outside prisons or detention centres. Nasty, upsetting and tragic things happen. He is absolutely right to say that such things should raise questions, and right hon. and hon. Members should continually ensure that those detained can access a range of care that is wide, deep, qualitative and professional. My hon. Friend is absolutely right, but I do not believe that one isolated incident should force us to say that immigration removal centres and the principle of detention are inherently wrong or unethical. As a practising Christian, I find no difficulty in reconciling good quality care in detention with my faith and ethical basis.

Mr David Burrowes (Enfield, Southgate) (Con): My hon. Friend said that the Bill was about fair play. The question of fair play is also at the heart of the amendments relating to pregnant women. I shall cite not an individual case but the Home Office guidance, which states that pregnant women are normally considered to be suitable for detention only in very exceptional circumstances. The issue is whether that guidance is being properly applied or whether it needs further legislative attention. We are concerned about having proper fair play for those people. I am sure that my hon. Friend's constituents, and mine, are concerned about fair play for those in detention centres as well as about controlling our borders.

Simon Hoare: My hon. Friend makes an apposite point. This must all be about fairness, about robust regulations, about proper ministerial oversight and about the scrutiny of ministerial duties by this place. That is absolutely the right chain of command. We all know that things go wrong, whether in the healthcare system, in education, in the police or in the armed forces. Regulations are not necessarily followed to the letter, but—this is a horrible phrase that we all trot out and it sounds frightfully trite—lessons will be learned. I do not say this to be sycophantic, but my right hon. Friend the Minister has humanity and compassion at his core, and he will always ensure that those regulations are fair and that they are applied fairly.

On the subject of fairness, I want to say a few words about workers, employees, employers, landlords and housing. The hon. and learned Member for Holborn and St Pancras and I have discussed the fact that a survey might produce results that suggest x, y and z, and that we can extrapolate data from that, however small or large the sample pool is. The rules and regulations that now govern access to the private rental property market—certainly those that apply to affordable housing—are pretty strict and robust. In conjunction with the clauses in the Bill that introduce new responsibilities for employees and employers, one is tempted to say, not as a cheap, knocking political point, that the quantum has become so large due to the rather shy—nay, potentially deleterious—attitude of Labour when in government.

The Government and their agencies cannot seek to solve all these problems. That is why it is perfectly proper to expect a landlord who is just about to enter into a rental agreement, and his or her agent, to carry out the most forensic tests possible to ensure the legitimacy
and qualification of the individual or family seeking accommodation. That will not place a particular onus on them. In order to avoid the scenario that the hon. and learned Member for Holborn and St Pancras has raised, the advice given by the Residential Landlords Association to its members and the advice given to the residential letting agencies will have to make it clear what their duties are. It will be important to stress to both that they are helping the Government and the country by playing an important role in addressing this issue.

That takes me from the right of access to housing to the question of access to work, from the point of view of the employee and the employer. The Bill is absolutely right to address these issues, and the amendments are at best mischievous and at worst devious as they attempt fundamentally to undermine the provisions. I have little doubt that employers, whether large or small, usually seek to kick back from any new regulations or guidance under which they will have to operate, but that should not fetter our need to impose such regulations if we are convinced of their efficacy. I am convinced of the efficacy of the measures in the Bill, and I believe that the amendments would undermine them.

There is no point in hon. Members, irrespective of which side of the political divide they might fall, wringing their hands about trafficking, slavery or forced labour, if, when an opportunity arises to augment previous legislation such as the rules in the Act governing gangmasters, they then say, “Oh no, this is a step too far. This will place too great an onus on the employer. We must seek to resist this.” That sends a mixed and confusing message to those evil individuals who are now benefiting in labour and cash terms from forced and indentured labour. I stress that this is just my judgment of the matter, but if the Bill as amended in Committee does not prevail, it will be holed below the waterline. That is why, if and when the official Opposition Committee does not prevail, it will be holed below the waterline. That is why, if and when the official Opposition Committee does not prevail, it will be holed below the waterline.

2.30 pm

All the evidence tells us that is not what happens. I will tell the House why. For many asylum seekers, there is no choice. Sleeping on the street in rainy, freezing-cold Britain, going hungry day after day and knowing they are despised by many of the people who pass them by is preferable to returning somewhere where they face all that and are in danger of being raped or even murdered. That is what the evidence tells us. That is what those who work with destitute asylum seekers tell us. That is what asylum seekers themselves tell us.

Anne McLaughlin: I thank the Minister for giving me

James Brokenshire: We discussed this matter in Committee. The hon. Lady refers to asylum seekers. Does she mean failed asylum seekers—in other words, people who have claimed asylum but whose claims have not been upheld—because obviously, those who are asylum seekers are supported through the system?

Anne McLaughlin: I thank the Minister for giving me

Kelly Tolhurst (Rochester and Strood) (Con): The hon. Lady uses the phrase “asylum seekers”. Does she accept that the Bill focuses on a range of categories of people who are living here and may become illegal, and is not specifically targeted at asylum seekers?

Anne McLaughlin: I absolutely am aware of that, but we have limited time so I have to focus on the most important impact this part of the Bill will have on
people. That is why I am talking about the most vulnerable people and they are the asylum seekers who have been refused.

Chris Heaton-Harris (Daventry) (Con): Does the hon. Lady believe that any asylum seeker should be failed?

Anne McLaughlin: I would not use that language about anyone, but I understand that people come here seeking asylum who are not entitled to it. I made that clear in Committee, as did all members of the Committee. I am talking about asylum seekers who do need our help, who should be entitled to asylum and who tend to win their appeals. It is therefore accepted that they do require asylum and we need to give it to them.

Right to rent will not provide the Government’s desired “happy ever after”. It simply will not work, but it will increase discrimination and racism. It certainly should not be implemented in Scotland without seeking the permission of Members of the Scottish Parliament, to whom housing is devolved, among other things. It should be removed in its entirety from the Bill.

Chris Heaton-Harris: The hon. Lady’s party has often repeated the call for a more relaxed approach to asylum. In fact, it opposes the enforced removal of failed asylum seekers and pledged in its last manifesto to close the Dungavel detention centre, which is the only such centre in Scotland, making this very much an English problem.

Anne McLaughlin: There are a number of countries across the world, if the hon. Gentleman cares to read up on this, that do not make much use of detention, but use other ways of enabling people. Indeed, the family returns process in this country works very successfully to return a number of families when there is no other option for them. It is not essential to always detain people.

If our amendments to get rid of right to rent are unsuccessful, I ask the Government to accept amendment 46, which relates to something that I cannot believe is anything other than an oversight. In Committee, I asked for a bit more detail on when someone who provides a roof over a destitute person’s head becomes liable to criminal prosecution. There are many people who already do that as volunteers in an act of compassion or, if we want to bring the Christian faith into it, as other Members have done, as good Samaritans. I want clarity that those people will not find themselves facing court or even prison simply for showing kindness to another person.

I have received only partial reassurance from the Minister, thus amendment 46. Getting full reassurance on this matter is more important than it has ever been, because more people will need this kindness than ever before if the Bill goes through as it is. There will also be more people offering such support. One of the greatest reactions to the refugee crisis that escalated over the summer months was people, in their thousands, asking how they could help. Members on both sides of the House said how proud we were of those people. “Let them in,” they said, “and we will house them.” Thousands of people right across these islands offered to open their homes to house those in desperate need.

At that time, the offer was in response to the mainly Syrian refugees. Of course, refugees who have been granted leave to remain will not be affected—at least, not directly—by the Bill because accommodation will be provided for them. However, now that the debate has started, people are looking at the asylum seekers who are already in the UK with fresh eyes. Charities are saying to the people who offered help, “We have many refused asylum seekers who are currently destitute. Why not house them instead?” However, if they do so and the Bill goes through unamended, those kind, compassionate, generous people could be criminalised.

I said that the Minister has given me partial reassurance and I will explain why. If no money changes hands, there is no issue. People are allowed to let a refused asylum seeker—or failed asylum seeker, as Government Members like to say—stay at their home as long as no money is exchanged. That was welcome news to organisations in my city of Glasgow, such as Unity and Positive Action in Housing, which both do an incredible job in keeping vulnerable people off the streets with very little funding.

However, what if a householder cannot afford to do that? What if they are rich in compassion, but poor in finances? It costs money to let another person live in one’s home. There are heating costs, lighting costs and food costs. Even if it is not part of the agreement, people will hardly sit down to dinner knowing that another person under their roof is going hungry. Some charities therefore pay a nominal sum to the householder—not a profit-making amount or a commercial rent, but a nominal sum to cover their costs. I have had no reassurance about where those people stand. In response to that question, the Minister said that exemptions had been made for refuges that house victims of trafficking. Why not exempt anyone who houses a refused asylum seeker because otherwise they would have to live on the street? Are the Government really going to make criminals of those people, who are still volunteers because they are not making any money out of it? Will the Minister criminalise them for having the decency to share what they have with a stranger in trouble and for not being wealthy enough to cover the increased costs themselves?

What about the charities? There are charities, such as the Action Foundation in Newcastle, that seek out philanthropic landlords who will make the houses that they own available for refused asylum seekers to rent at a heavily discounted rate that is paid by the charity. Those philanthropic landlords will now be committing a criminal offence, but will the charities also be committing an offence? They need to know. Do the Government really intend for that to happen? Other groups, such as Abigail Housing in Leeds and Open Doors Hull, provide accommodation not in family homes, but in houses that are lent by their owners, empty vicarages and church buildings. Abigail Housing raises funds in order to pay a nominal rent, not a commercial rent. Nobody is making a profit.

Dozens of charities, individuals and church groups across these islands are carrying out this kind of work. Will they be committing an offence? It certainly seems that those who support their charitable aims by providing the accommodation will be. Are men and women of God to be prosecuted for doing as the Bible asks them to do and not turning the other cheek? Are the Government comfortable with potentially having to imprison faith leaders for up to five years? I urge the Government to think again, otherwise they are saying to the thousands of people who responded to the refugee crisis in a
manner that we were all rightly proud of, “No, you can’t help. Yes, there is a need and we are going to increase that need by making more refused asylum seekers homeless, but if you dare to help, we will criminalise you.”

Simon Hoare: The hon. Lady makes her points with the same eloquence and passion that she showed in Committee. She asked me to evidence what I said about the open-door policy and what I perceive the SNP’s position to be, but she has effectively just done that. She is talking about refused asylum seekers, and those who have no right to be here, being allowed to stay for as long as they like, based on the philanthropy of individuals. Such philanthropy is to be championed and supported, but when people have gone through the whole process and their claim has been refused, surely she will admit that it is time for them to go home.

Anne McLaughlin: The hon. Gentleman, and his Government, know full well that some people simply cannot go home. Indeed, people in such circumstances are often sent not home but to detention centres, where they languish for a long time because they cannot be sent home. I am not talking about every asylum seeker, or about keeping people here indefinitely; I am saying that we should not criminalise people who open their homes to those in desperate need. To be clear, I oppose the right to rent in its entirety, and I question the British Government’s right to override the wishes of the Scottish Parliament. I hope that this particular topical issue will turn out to be simply an anomaly that the Government will put right.

Mr Burrowes: It is a pleasure to take part in this debate, and I will speak to the new clauses to which my name has been added. New clauses 8, 9, 13 and 32 are unique in that they have a cross-party feel, which should not go unnoticed. I have not had the pleasure of being involved in all stages of the Bill, but I think that cross-party support for these new clauses is a unique aspect to our deliberations; I do not think it has happened until now. As the Minister has noticed, there is cross-party support for these new clauses, but I think that it is time for them to go home.

Fair play matters for those who shout loudest and campaign loudly—whether before elections or in other campaigns throughout the year—just as much as it matters for those who are relatively voiceless, or perhaps do not even have a vote. Fair play should be about “the other” and those who are not as loud, and we want to uphold the fundamental British values of fairness and due process. Indeed, one could refer back to Magna Carta when considering issues of detention, and the right and duty to detain people only after fair and due process, and not for administrative purposes alone. Although I concede that immigration detention is not the main purpose of the Bill, it will not surprise the Minister that these new clauses have been tabled.

When dealing with detention, it is important that we uphold principles that have stood this country well for many years. The rest of the world looks at how we handle detention and whether we do so with fairness, and when dealing with those who are detained for administrative reasons, the bar is set that much higher. We must be proportionate, reasonable, and do things in a limited way, so that a limited number of people are in detention for as short a time as possible. Regardless of whether the new clauses are accepted, we must ensure that that principle is applied.

Keir Starmer: Does the hon. Gentleman agree that what unites the parties is the principle that there should be some measure to limit and reduce the time spent in immigration detention?

Mr Burrowes: I agree, and I look forward to hearing from the Minister about that abiding principle. Home Office guidance states that detention should be used sparingly and as a last resort, and such guidance must be available for all to use and apply throughout the system. However people come to this country, and whether by fair means or foul, we must treat everyone fairly and with dignity when they are with us, all the way through to their possible removal. They may be with us voluntarily or by force, but at every stage we must show that we respect their human dignity.

It is important not to be wholly bound by the issue of the time limit. Some of us feel that we may return to the stage where we need a statutory time limit to ensure that there is movement, and so that everyone does all they can to limit time spent in detention. It is important that we listen to what the Minister has to say about the review being undertaken, and we must consider the measures in new clause 13, which I will come on to. We must consider how we want to achieve what we are all saying about the principles that have been outlined.

Work on immigration is taking place, and Stephen Shaw’s review into the conditions of detention is important. We wanted that review sooner, and the Home Affairs Committee—which I sit on—recommended that it be published before these discussions on the Bill. I recognise that the Government are considering that review carefully and want to treat it with the respect that it deserves. We look forward to it being published at a later stage, and it will no doubt inform deliberations in the other place.
I welcome indications that a further comprehensive review will go to the heart of new clause 13, and particularly recommendations (b) to (e).

There is a danger that immigration detention will not get sufficient attention. We have done our best to consider it, but it is somewhat out of sight and out of mind. Over the year about 30,000 people are held in 11 immigration removal centres, and apart from campaigns and individual circumstances that sometimes lead to litigation, the issue does not get the attention that it needs. We need serious action one way or another to ensure that immigration detainees are much clearer about when they are likely to be released and have a clear expectation.

I am a criminal defence solicitor, and as I said in a debate scheduled by the Backbench Business Committee, the first question asked by every client once they have ended up in prison, and after they have challenged me about how I dealt with their case, is, “How long have I got? What is the earliest date of release?” We must be able to provide greater clarity and at least some expectation that various gatekeepers and review mechanisms have been put in place to ensure that everyone knows that there is no prospect of indefinite detention, and that there is a greater push and pull to ensure that the smallest number of people are detained for as limited a time as possible.

The new clauses are framed around the inquiry of the all-party group on refugees, which was able to report before the election, and then more substantively in a motion discussed in a Backbench Business debate. That achieved something that has not happened before, which is a unanimous resolution to support the principles and recommendations behind the inquiry. We are concerned about maximum time limits, but we are also concerned about outcomes, which cut across conditions and treatment and go to the numbers in detention and the time they spend there. We want to ensure that we see action. This is a complicated piece of work, as the Minister perhaps knows more than anyone, but new clause 9—in my name and that of my hon. Friend the Member for Castle Point (Rebecca Harris), who is no longer in her place, mentioned that “28 days” is an arbitrary figure. In one way, it is arbitrary to have an indefinite time in detention: it is an issue of fairness and due process. Cost is another driver, and a cost impact assessment has no doubt been done on the Bill. We have had the comprehensive spending review, and the Home Office is still looking at the issue of cost. The cost of holding one person in detention is more than £36,000 a year, and the overall cost is £164.4 million. There must be better ways to spend that money.

On new clause 8, it is important to look at the individual categories of people we are talking about, away from the statistics, because sometimes we can stereotype them in the wrong way. That goes to the heart of the issue and the concerns that the all-party group expressed. New clause 8 seeks to exempt pregnant women, and people who have been granted asylum as victims of trafficking, torture or sexual violence, from detention orders. My hon. Friend the Member for North Dorset (Simon Hoare) mentioned this issue and, as I said in an intervention, that provision is already in the guidance, but we need to make sure that it happens and does not get lost in the guidance. Current Home Office guidance identifies vulnerable groups of people—the elderly, pregnant women, those suffering from serious mental illness, torture survivors, those with serious disabilities and victims of human trafficking. No one can suggest that it is immaterial if a woman is pregnant, as my hon. Friend seemed to do: it is material, and pregnant women should be subject to detention only in very exceptional circumstances.

Our inquiry heard that the guidance is not properly applied. Under the screening process, those protections are limited, and it is all too commonplace for victims of torture and trafficking to end up in detention centres for an intolerable time. They end up re-traumatised by what they go through.

In an oral evidence session, we heard from Penny, who was one among many. When she arrived at the IRC she was asked if she had gone through any trauma. Despite saying that she had been a victim of trafficking, her detention continued and she was told that she had fabricated her trafficking experiences. Since her release, she has received formal recognition as a victim of human trafficking. We need to recognise that the screening process does not do enough. It is not surprising, given the language issues. Also, when people who have been through trauma end up in detention, they are unlikely to speak freely and frankly about their experiences. New clause 8 seeks to challenge the Government and asks whether we are doing enough, and the issue will no doubt be informed by the Stephen Shaw recommendations.

We also heard about the Home Office’s failure to comply with its own guidance on detaining pregnant women only in exceptional circumstances. Hindpal Singh Bhui, a team inspector at HM prisons inspectorate, said in evidence that, when looking for evidence that pregnant women were detained only in the most exceptional circumstances, “we haven’t found those exceptional circumstances in the paperwork to justify their detention in the first place.” So the Home Office fails at almost the first hurdle. We need to do more because we are failing to protect the most vulnerable people. There must be fair play and they must be treated properly.

I sense that in the future we will look back at the numbers detained in so-called immigration removal centres—that is a bit of a misnomer—and wonder how we tolerated for so long so many people being detained who were victims of torture, trafficking, sexual violence or who were pregnant.

New clause 13 has received the most cross-party support because its provisions are very moderate. It follows the all-party group’s recommendations, the Backbench Business motion and the unanimous resolution of the House in September. I wait to hear from the Minister exactly how he will proceed. There is scope for us to really coalesce behind recommendations (a) to (e) in the new clause, if I can find it—[Interruption.] This is a “Blue Peter” moment—something I prepared earlier.

I want to hear from the Minister that we will look at “how to reduce the number of people detained”—
and make sure that we put in place procedures, policies and guidance to find a way “to minimise the length of time an individual is detained”.

We need to develop a more effective form of detention that meets the objectives already put into place by the Secretary of State, and ensure “the effectiveness of procedures to review decisions to detain and to continue to detain.”

That is what we want to achieve. Some of us feel that we still need a statutory time limit and we want to hold the Government and the Minister to account. But let us see what the Minister says and how that time fits into the progress of the Bill in the other place and following the recommendations in the Stephen Shaw report. The Home Affairs Committee will also be listening to what the Minister says and I hope that we will have an update on the comprehensive review before we go too far down the line in the other place.

I hope that the Bill will mean that we have many fewer people in immigration detention, many fewer in detention for too long and many more people receiving fair play and respect for their human dignity.

Gavin Robinson (Belfast East) (DUP): Before I speak to three of the amendments, I wish to make some brief points. The hon. Member for North Dorset (Simon Hoare) and the hon. and learned Member for Holborn and St Pancras (Keir Starmer) reminded the House that we should not go over the issues that were discussed in full in Committee. I gently say that I would have loved to serve on the Committee. I realise that no one can assuage my concerns this afternoon, but on an issue of such importance—and one that is reserved to this Parliament—it is important to re-emphasise the fact that we need regional representation on a Bill Committee, and that Northern Ireland should have a representative, whether from my party or any of the others, so that we can fully scrutinise the Bill and get involved in these important discussions.

I say, with tongue firmly in cheek, that I was delighted to see the Under-Secretary of State for Northern Ireland on the Front Bench earlier in the debate, because I hope to grab hold of him before we get to the second group of amendments.

Byron Davies (Gower) (Con): Just for the record, I served in Committee as a Welsh Member.

Gavin Robinson: I am sure the people of Wales are delighted. Among the three main parties, whether or not SNP Members are present, there is representation of Scotland, England and Wales, and it is important that they were represented in the Committee, but my point was about Northern Ireland.

I look forward to contributing on the second tranche of amendments, which I hope we will have the chance to discuss with the Northern Ireland Minister in advance. For now, however, I shall turn to amendments 18 to 20. I have discussed this matter with the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) many times before, and although I do not agree with his final conclusion—he cannot support the overall thrust of the Bill—I found many of his arguments about the amendments persuasive and powerful, and I hope they were listened to by Members in the Chamber and outwith. I believe that some of the amendments are worthy of support, but we see considerable benefit in the overall thrust of the Bill, which therefore has our support.

On amendment 18, I think there is a persuasive argument for putting in legislation guidance to the Director of Labour Market Enforcement. I know we are not considering a gargantuan directorate or the creation of a large body, but it will have a large body of work to deal with. The issue of immigration in the UK is so big that I think it would be a mistake for Parliament not to insert in the Bill a provision outlining some guidance and the core functions we expect the directorate to perform. The amendment is therefore well made.

The hon. and learned Member for Holborn and St Pancras rightly referred to the anti-slavery commissioner and the Modern Slavery Act 2015 as an example of where such direction has been given in legislation. Another example is the Children and Families Act 2014 and the children’s commissioner. There are many examples of where the House has deemed it appropriate to impart to an individual what functions we expect them to perform, to direct them in that work and to wish them well in their endeavours, once they have received the House’s approval. We therefore support amendment 18.

We cannot, however, readily lend our support to amendment 19, which would remove the illegal working offence. I recognise the thrust of the amendment, but it is important that the Government take the necessary powers and tools to ensure that those working in the country do so legally and properly and recognise that there are penalties and consequences for not adhering to the law of the land.

That naturally brings us to amendment 20, for which I think there is an incredibly strong argument. It is hugely important that we insert a defence for somebody who finds themselves, through no fault of their own, coerced, exploited and enslaved to provide labour. I said on Second Reading that we should insert such a defence. When we talk of slavery, many in the Chamber will hark back to the good old days of William Wilberforce. As a country, we have a considerable heritage and a proud tradition of standing against slavery, but when Wilberforce got involved in anti-slavery movements in 1787, he was preceded by a Belfast man called Thomas McCabe, who in 1786, in response to the creation of a company with slave ships in Belfast, disrupted the meeting at which the agreements were to be signed and declared: ‘May God wither the hand of any man who signs this declaration to create this company.’ He started an anti-slavery revolution in Belfast that spread to the rest of the UK and started a tradition we proudly remember today.

Anne McLaughlin: Does the hon. Gentleman agree that the UK not only abolished slavery but took full advantage of the slave trade and benefited from it, and that we continue to benefit from its inheritance?

Gavin Robinson: I am focusing on anti-slavery because we have a proud tradition of standing against those who exploit others and for those who are exploited.
The hon. Lady makes the point that it continues today; I am making the point that in today’s debate, as we focus on amendment 20, we should not lose sight of the compassion this country has shown, continues to show and should show. That is why I support the amendment.

The hon. Member for North Dorset referred to the Minister’s compassionate heart. I do not doubt he has such a heart, but I believe that the small insertion of a defence would be preferable to the suggestion in Committee to let the decision be solely at the discretion of the Director of Public Prosecutions. If we, as the supreme Parliament of this country, cannot insert a defence and ask the DPP to exercise discretion in certain circumstances, what direction should she take in doing so? It is our role as parliamentarians to say that if somebody is being, or has been, exploited or enslaved in this country, the DPP should consider what we intended the defence to be against the offence of illegal working. I do not consider that to be an onerous insertion or amendment for the Government to consider. Every response to date has indicated that, as we heard on Second Reading, discretion should be provided and that such defences exist already in the Modern Slavery Act. If, therefore, there is no resistance to the prospect of such a defence, why not make provision for it?

I look forward to contributing to the further tranche of amendments, but for now I have outlined where my party stands on the current group.

Richard Fuller: I wish to speak to the new clauses and amendments dealing with immigration detention. New clause 8, which stands in my name, would exempt certain persons from detention. New clause 9 and associated amendment 32, tabled by the Opposition, would provide for a time limit. New clause 13, which stands in the name of my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) and many others across the House, would provide for a review of the role of detention centres in our immigration control system.

Before turning to those new clauses and amendments, however, I want to make a brief comment about the amendments tabled by the SNP. Those amendments have nothing to do with separation, but come from an acute sense that the direction of travel in the Bill, which is to make it harder for people here illegally to stay in the country, pushes against not just things we all agree are wrong, such as exploitation, but against our compassion. SNP Members are absolutely right to ask whether we have got the balance right, and they made some strong points in Committee and today.

The amendments and new clauses focus on immigration detention because for so long now we have lacked control over our immigration detention system. We allowed a culture of disbelief to grow up within it such that the people caught up within the system had no way of managing their rights. It is right that we look for a fundamental change. Immigration detention has moved from being a part of the immigration system to being the substantive and default position. The focus is on looking tough rather than being effective. It would be nice to hear from the Minister that he gets that and that he is focusing on an effective way to achieve what the people of this country want: that we remove, effectively and compassionately, people with no right to be here, while standing up for things we want to protect—namely, our compassion and our values. If some of the amendments we are proposing today are not pressed or if we do not hear a sufficient response from the Minister, I fear that the true victims will continue to be the British sense of compassion and the British sense of justice when we manage immigration.

James Brokenshire: I thank my hon. Friend for his contribution, as well as my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) for his. I want to emphasise that that sense of efficiency and effectiveness is absolutely at the heart of the work we are undertaking and of the broad review currently under way. My hon. Friend the Member for Bedford (Richard Fuller) makes some important points about vulnerability, and he knows that Stephen Shaw’s review will focus on that. We will come back to the House soon—before Committee stage in the House of Lords—to respond to the report and to allow, I hope, further detailed examination.

Richard Fuller: I am very pleased that the Shaw review will be available for their lordships to review in tabling amendments. I can assure the Minister that, should amendments come to this House to ensure that pregnant women and victims of torture and rape are exempted from our immigration detention estate, I will support those amendments at that time, if the Shaw review has not done a sufficient analysis.

There is no point going over our concerns again that the report has not been available to us in this House—we shall wait on their lordships—but I know that there will be women in Yarl’s Wood detention centre right now who have been victims of torture or rape. We also know that in the last year 100 pregnant women were put into Yarl’s Wood detention centre. This is not one or two cases; it is a significant part of what is happening, and that points to the reason behind new clause 8: the limits on the Minister’s ability to control the action on the ground. The procedures can look perfect on paper, but we know that in practice they are failing and falling down. That is why new clause 8 and the associated amendments aim to restrict the types of people who might fall foul of those processes.

Byron Davies: Is this not more about the integrity of the system and how it is supervised, rather than introducing a new clause?

Richard Fuller: My hon. Friend makes a very good point. Part of the evidence built up in this Parliament, in case after case after case, is that what the Home Office says is the case is patently not the case, and examples from Yarl’s Wood are front and centre of that. Not only have we had cases where the guards’ procedures in Yarl’s Wood should have been of a certain type and clearly were not—that has besmirched many people who work in immigration and removal centres who do a very good job—but we know that procedures for the provision of care for pregnant women in detention centres are not followed either. My hon. Friend is therefore quite right that there is an issue about procedures, and that is why we are waiting to hear what the Minister is likely to say.

I want to sit down so that the hon. Member for Sheffield Central (Paul Blomfield), a fellow member of the all-party group on migration, can contribute, but let me say first that I feel—and I hope—that the Minister
has been listening to the work of the all-party group and the unanimous view of the House of Commons that change needs to be made along the lines of its recommendations. He has heard some eloquent speeches from the Scottish nationalists, from the Labour Benches and also from the Conservative Benches that reinforce that. I feel, however, that he is one step away from being able to reassure the House. I hope he will take that step—I alluded to that a moment ago. I understand that there are concerns about having time limits for individuals or even a category of people, but that is different from the intent behind the all-party group’s report, which seeks a recognition from the Home Office that the use of detention in immigration is overblown and to hear that he as Minister will seek to limit and reduce the overall amount of time in detention in this country. If we could hear that, hon. Members in all parts of the House would be reassured.

Paul Blomfield: I am delighted to follow the hon. Member for Bedford (Richard Fuller), whose contribution represents the cross-party consensus on this issue, as does the breadth of support from both sides of the House for new clause 13.

I will severely reduce the remarks I was going to make because I am keen that the Minister should have the full opportunity to respond, but I want to underline the breadth of support for engagement in the inquiry—which I was privileged to be vice-chair of and which Sarah Teather led—to which the hon. Member for Enfield, Southgate (Mr Burrowes) referred. We had Members from all parties and from both Houses, with a depth of experience that was reflected in the involvement of a former Law Lord and a former chief inspector of prisons. We were unanimous, having heard evidence over eight months, that the introduction of a time limit on indefinite detention was overdue. That was reflected, as other Members have said, in the will of this House when we debated the matter on 10 September.

3.15 pm

New clause 13 seeks to reflect the will of the House in the Bill. It is not a particularly controversial proposal and would bring this country into line with most other countries in Europe. This is not a party political proposal, because our concern is about the growth of the detention estate in the UK, which happened under successive Governments—my Government as well as the Conservative Government—and needs to be addressed.

I would like to share one of the many stories we heard that highlight the problem. We spoke to a detainee who was in detention at the time of our inquiry, a young man from the disputed territory on the Cameroon-Nigeria border. He told us that he had been trafficked to Hungary as a 16-year-old, where he was beaten, raped and tortured. He managed to escape and eventually made his way to Heathrow—using a false passport, because he was desperate. That passport was discovered on arrival and he was detained. We asked him how long he had been detained and he said, “For three years”—three years in an immigration removal centre. That detention conflicts with the three stated aims of the Home Office—that those who have been trafficked should not be detained, that those who have been tortured should not be detained and that detention should be for the shortest period.

With new clause 13 we are trying to reflect the will of the House in addressing that problem. I accept that the Minister also wants to address it, because indefinite detention does not simply have an impact on those detained—we heard powerful evidence about the impact on their mental health and the sense of hopelessness when people do not know how long they are to be held, which they said made detention worse than prison—but is also expensive, costing the taxpayer more than £36,000 a year.

We recognise that the recommendation to introduce a time limit will mean a fundamental culture change and a reliance on methods other than detention to manage the process, so we looked at other countries that are doing this successfully, such as the United States and Australia. Indeed, some people are quick to hold up Australia as a model of a country with hard-line immigration policies, but it is developing much more effective alternatives to immigration detention. There is also a precedent in the UK, whereby the coalition Government, committing to reduce the number of children detained, introduced the family returns process. That process worked, leading to a dramatic fall in the number of children detained, with no increase in absconding.

There are therefore powerful arguments at every level for a shift in policy. I hope the Minister will commit in his response to seeking to limit and reduce the time that people spend in detention.

James Brokenshire: I thank all right hon. and hon. Members for their contributions on a range of issues, which have highlighted the concerns, passion and interest that so many people have shown throughout the consideration of this Bill. The debate we have had over the last hour and 50 minutes has again underlined that interest and focus, and it is important that the House has been able to debate in this way.

I want to start with the issue of immigration detention, which is one of the key elements of the debate. I want to underline at the outset the fact that the Home Office has a policy to safeguard against unnecessary or arbitrary detention. The presumption is in favour of liberty. Cases must be considered on their individual circumstances. Detention must be used sparingly and for the shortest period necessary. That goes to the heart of some of the elements in new clause 13, which was tabled by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes). This is about having a system that is efficient and effective, but that also treats those within it with dignity and respect.

Keir Starmer rose—

James Brokenshire: If I may, I would like to finish this point and then take interventions. I want to set out the fact that the Home Office is conducting detailed analysis of the purposes behind that—in other words, moving towards the policy that I have underlined, including looking at the checks and balances in the systems to ensure that we have a more efficient and more effective process so that people are removed more swiftly and speedily. We also need to reflect on how that sits within an overall framework of removal.

I believe that it is accepted here that detention plays an important role in managing immigration and managing people towards removal, but it has to have removal as
its focus. Yes, of course, for certain groups such as foreign national offenders or in certain national security cases, detention might be needed for a slightly longer period, but always with the focus on the realistic prospect of removal taking place. We will come back to this House in the new year—and we intend this to be before the Bill has passed through both Houses—setting out the much broader piece of work that we are undertaking.

Other amendments relate to the issues of vulnerability raised by Stephen Sherr. As I have indicated, we intend to respond to it before the Bill has started its Committee in the House of Lords, and we shall also set out proposals for a new detained fast-track, which I suspended because I was not satisfied that the necessary safeguards were in place. It is the sense of how we construct an efficient and effective detention policy that goes to the heart of the issues I have highlighted—of considering cases on their merits, but using detention sparingly and for the shortest period necessary that is consistent with our policy, which must be upheld.

Keir Starmer: Does the Minister agree that the reviews he has summarised dealt with the issues raised in paragraphs (b) through to (e) in new clause 13? Having set out the policy carefully, does he agree that it is consistent with the principle that we should seek to limit and reduce the time spent in immigration detention?

James Brokenshire: As I have said, the current Home Office policy is to use detention sparingly and for the shortest period necessary, which is why our work on ensuring a more efficient and effective system consistent with our obligation is absolutely consistent with the themes redolent in paragraphs (b) to (e) of new clause 13. The difference is that I believe that having a 28-day time period does not advance the cause. It is a blunt instrument that does not take account of the full range of different circumstances that are redolent here from foreign national offenders to those who might not be compliant with the requirements we put upon them or who abscond, so we need to look at the situation on a case-by-case basis. I repeat, however, that we are conducting our review in the light of our focus on efficiency and effectiveness, and we will revert to the House as I have outlined.

A number of other points, including about the right to rent, have been highlighted in the debate. The right-to-rent scheme restricts the access of illegal migrants to the private rented sector, stopping them setting down roots and building ties. The scheme, which has been rolled out to parts of the west midlands, has not proven difficult or burdensome for landlords, but it has led to illegal migrants being apprehended.

The scheme has been in place for one year and is working as intended. The Government published an extensive evaluation of the right-to-rent scheme’s first six months, and this found no hard evidence of discrimination or any new barriers to lawful residents accessing the private rented sector. Repealing the right-to-rent scheme would remove a significant part of the Government’s measures to deter illegal migration. The Bill’s provisions on residential tenancies are aimed to make it easier for the majority of reputable landlords to evict illegal migrant tenants and to crack down further on those rogue landlords who do so much to damage the sector.

The offences are framed to allow for the prosecution of those who are or who have knowingly rented to illegal migrants or who have or had reasonable cause to believe that they were renting to illegal migrants. We believe that that is the right approach, but a conviction will be possible only where the offence has been proven to the criminal threshold of beyond reasonable doubt. These offences are not designed to catch out a landlord who has made a genuine mistake, and it is difficult to foresee a situation in which it would be in the public interest to pursue a prosecution against a landlord making reasonable efforts to remove illegal migrants from their property.

There are concerns about people being evicted without adequate notice or without sufficient safeguards in place—and points were raised about these in the debate on some of the other amendments. However, safeguards already exist. The Secretary of State will serve notices only where she is satisfied that the migrant is here unlawfully and only after taking the migrant’s circumstances into consideration. Should there be recognised barriers to illegal migrants leaving the UK that are not of their own making, these will be taken into account.

The hon. Member for Glasgow North East (Anne McLaughlin) asked about measures relating to charities. Amendment 46 would create what we regard as a significant loophole in the right-to-rent provisions. It could lead to endless quibbling about what is meant by “significantly exceed the costs” and indeed about what constitutes “costs”. I responded in Committee to give an assurance on a number of different aspects, and said that many of the shelters would fall outside the provisions. Our concern is that rogue landlords would take advantage of the measures that the hon. Lady outlined, and we would not want to create such a loophole.

In the debate in Committee on the director of labour market enforcement, there was strong support on all sides for the creation of such a director, which has been reflected in today’s debate, too. The director’s role is already set out in the Bill. The director will set out the strategy for our enforcement bodies to stop exploitation and non-compliance across the spectrum, but there is a difference between the role of the director and that of the anti-slavery commissioner. If we look at all the different aspects of the labour market enforcement strategy, we judge that the provision is right, but we will obviously continue to reflect to ensure that it is appropriately framed.

On the issue of resources, we have recently announced that we will increase HMRC’s budget for 2015-16 by £4 million around the issue of the national minimum wage. The director will analyse the available funds across all the different aspects for which he or she would have responsibility.

Some have raised concerns about the offence. The Government would not want to prosecute those who have been forced to travel here and exploited for the profit of others, which goes to the heart of the matter. That is why the offence is not aimed at the victims of modern slavery. The statutory defence in section 45 of the Modern Slavery Act 2015 will apply.

On some of the issues raised by SNP Members, we maintain that the heart of the issues that matter here are reserved, so it would not be appropriate to accept the proposed amendments. New clause 16 would amend the compensation arrangements for those experiencing
financial detriment as a consequence of an illegal working closure notice, but we believe that these provisions are already covered in paragraph 15 of schedule 3 and related safeguards, which are, in our judgment, sufficient. As for James Ewins’s review of overseas domestic workers, it will shortly be published and will no doubt be subject to further consideration at that stage.

I reiterate to right hon. and hon. Members that we have given careful consideration to the Bill and have reflected on a number of the points raised. I hope that, with the assurances I have given, right hon. and hon. Members will be minded not to press their amendments and new clauses to the vote.

Stuart C. McDonald: I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

Clause 8

OFFENCE OF ILLEGAL WORKING

Amendment proposed: 19, page 5, line 2, leave out clause 8.—(Keir Starmer.)

To omit the clause on the new illegal working offence and maintain the status quo.

The House divided: Ayes 256, Noes 312.

Division No. 133] [3.28 pm

AYES

Ahmed-Sheikh, Ms Tasmina
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Arkless, Richard
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Boswell, Philip
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Byrne, rh Liam
Caubury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair

Ayres, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Fellows, Marion
Ferrier, Margaret
Field, rh Frank
Fiellio, Robert
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Gardiner, Barry
Gethins, Stephen
Gibson, Patricia
Glass, Pat
Glindon, Mary
Godsiff, Mr Roger
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Haigh, Louise
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harpham, Harry
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hillier, Meg
Hodgson, Mrs Sharon
Hosie, Stewart
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
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Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinnock, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
Mactaggart, rh Fiona
Madders, Justin

Mahmood, Mr Khalid
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Malhotra, Seema
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
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McDonald, Stuart C.
McDornell, John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
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McKinnell, Catherine
McLaughlin, Anne
Meale, Sir Alan
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Moon, Mrs Madeleine
Morden, Jessica
Morris, Grahame M.
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Murray, Ian
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Nicolson, John
Onn, Melanie
Onwurah, Chi
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Qureshi, Yasmin
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Rees, Christina
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robertson, rh Angus
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Salmond, rh Alex
Saville Roberts, Liz
Shah, Naz
Sheppard, Tommy
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 Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
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Question accordingly negatived.

3.43 pm

More than two hours having elapsed since the commencement of proceedings on the programme motion, the proceedings were interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

Amendment proposed: 35, page 9, line 4, leave out clauses 13 to 16.—(Stuart C. McDonald.)

Removes the extension of the right to rent legislation in the Bill.

Question put, That the amendment be made.

The House divided: Ayes 257, Noes 309.

Division No. 134] [3.43 pm

AYES

Abbott, Ms Diane
Ahmed-Sheikh, Ms Tasmina
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Arkless, Richard
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Boswell, Philip
Bradaiah, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Clegg, rh Mr Nick
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Cowan, Ronnie
Cox, Jo
Coyle, Neil
Crausby, Mr David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Craddas, Jon
Cryer, John
Cummings, Judith
Cunningham, Alex
Cunningham, rh Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
Day, Martyn
De Piero, Gloria
Docherty, Martin John
Donaldson, Stuart Blair
Doughty, Stephen
Down, Jim
Dowd, Peter
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Ellford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Farron, Tim
Ferrier, Margaret
Field, rh Frank
Fiellio, Robert
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Gardiner, Barry
Gethins, Stephen
Gibson, Patricia
Glass, Pat
Ghindon, Mary
Godsiff, Mr Roger
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Haigh, Louise
Hamilton, Fabian
Hanson, rh Mr David
Harman, rh Ms Harriet
Harpman, Harry
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Heepburn, Mr Stephen
Hilier, Meg
Hodgson, Mrs Sharon
Hosie, Stewart
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinnock, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Lewell-Buck, Mrs Emma
Lewins, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
MacTaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCaig, Callum
McCarthy, Ken
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
Beresford, Sir Paul
Benyon, Richard
Bellingham, Mr Henry
Bebb, Guto
Barwell, Gavin
Baker, Mr Steve
Bacon, Mr Richard
Atkins, Victoria
Ansell, Caroline
Andrews, Peter
Allan, Lucy
Alban, Heidi
Andrew, Stuart
Allen, Heidi
Allan, Lucy
Alastair, Andy
Smith, Jeff
Smith, Cat
Smith, Owen
Smyth, Karin
Spellar, rh Mr John
Starmer, Keir
Stephens, Chris
Stevens, Jo
Streeting, Wes
Stringer, Graham
Stuart, rh Ms Gisela
Tami, Mark
Theewiss, Alison
Thomas, Mr Gareth
Thomson, Michelle
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Urmunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Weir, Mike
West, Catherine
Whitelaw, Dr Elidh
Whitehead, Dr Alan
Whitford, Dr Philippa
Williams, Hywel
Williams, Mr Mark
Wilson, Corri
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Peter
Woodcock, John
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Marion Fellows and Owen Thompson

Adams, Nigel
Ainley, Adam
Aldous, Peter
Alban, Lucy
Allen, Heidi
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Baldwin, Harriet
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Burt, rh Alistair
Cairns, Alun
Cameron, rh Mr David
Carmichael, Neil
Cartidge, James
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Costa, Alberto
Cox, Mr Geoffrey
Crabb, rh Stephen
Davies, Byron
Davies, David T. C.
Davies, Glyn
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Djagnarly, Mr Jonathan
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Donelan, Michelle
Dorries, Nadine
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Elliot, Tom
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
Evennett, rh Mr David
Fabnicant, Michael
Fallon, rh Michael
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy
Frey, Mike
Fysh, Marcus
Gale, Sir Roger
Garnier, rh Sir Edward
Garnier, Mark
Gauke, Mr David
Ghani, Nusrat
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Gove, rh Michael
Graham, Richard
Gray, Mr James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hinds, Damien
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margaret
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jennick, Robert
Johnson, Boris
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Kinaan, Danny
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Dr Philip
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lilley, rh Mr Peter
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lumley, Karen
Mackinlay, Craig
Mackintosh, David
Main, rh Mrs Anne
Mak, Mr Alan
Malthouse, Kit
Mann, Scott

NOES

Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Borwick, Victoria
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David

Immigration Bill
1 DECEMBER 2015
Immigration Bill
New Clause 3

TRANSFER OF RESPONSIBILITY FOR RELEVANT CHILDREN

'(1) This section applies in relation to a local authority in England ("the first authority") if—

(a) the authority has functions under any of the provisions of or made under Part 3, 4 or 5 of the Children Act 1989 (support for children and families and care, supervision and protection of children) ("the relevant provisions") in relation to a relevant child, or

(b) functions under any of the relevant provisions may be conferred on the authority in relation to a relevant child.

(2) The first authority may make arrangements with another local authority in England ("the second authority") under which—

(a) if this section applies to the authority by virtue of paragraph (a) of subsection (1), the functions mentioned in that paragraph become functions of the second authority in relation to the relevant child, and

(b) if this section applies to the authority by virtue of paragraph (b) of subsection (1), the functions mentioned in that paragraph become functions that may be conferred on the second authority in relation to the relevant child.

(3) The effect of arrangements under this section is that, from the time at which the arrangements have effect in accordance with their terms—

(a) functions under the relevant provisions cease to be functions of, and may not be conferred on, the first authority in relation to the relevant child ("C"),

(b) any of the relevant provisions which immediately before that time applied in relation to C as a result of C's connection with the first authority or the area of the first authority have effect as if C had that connection with the second authority or the area of the second authority (if that would not otherwise be the case), and

(c) C is to be treated for the purposes of the relevant provisions as if C were not and had never been ordinarily resident in the area of the first authority (if that would otherwise be the case).

(4) Subsection (3)(b) is subject to any change in C's circumstances after the time at which the arrangements have effect.

(5) Nothing in subsection (3) affects any liability of the first authority in relation to C for any act or omission of the first authority before the time at which the arrangements have effect.

(6) The Secretary of State may by regulations make further provision about the effect of arrangements under this section.

(7) Arrangements under this section may not be brought to an end by the first or second authority once they have come into effect.

(8) In this section "local authority" means a local authority within the meaning of the Children Act 1989 (see section 105(1) of that Act).

(9) In this section "relevant child" means—

(a) a person under the age of 18 who is unaccompanied and has made a protection claim which has not been determined, or

(b) a person under the age of 18 who is unaccompanied and who—

(i) requires leave to enter or remain in the United Kingdom but does not have it, and

(ii) is a person of a kind specified in regulations made by the Secretary of State.

(10) The Secretary of State may by regulations make provision about the meaning of "unaccompanied" for the purposes of subsection (9).
(11) In subsection (9)—
  (a) “protection claim” has the meaning given by section 82(2) of the Nationality, Immigration and Asylum Act 2002, and
  (b) the reference to a protection claim having been determined is to be construed in accordance with section 94(3) of the Immigration and Asylum Act 1999.—[James Brokenshire.)

This new clause creates a mechanism in England to transfer responsibility for caring for particular categories of unaccompanied migrant children, including unaccompanied asylum seeking children, from one local authority to another.

Brought up, and read the First time.

James Brokenshire: I beg to move, That the clause be read a Second time.

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

Government new clause 4—Duty to provide information for the purposes of transfers of responsibility.

Government new clause 5—Request for transfer of responsibility for relevant children.

Government new clause 6—Scheme for transfer of responsibility for relevant children.

Government new clause 7—Extension to Wales Scotland and Northern Ireland.

New clause 1—Extended criteria for refugees joining refugee sponsors—

(1) Rules made by the Secretary of State under section 3 of the Immigration Act 1971, shall make provision for persons outside the United Kingdom to apply for family reunion with persons recognised as refugees in the United Kingdom, or granted humanitarian protection in the United Kingdom on or after 30 August 2005, who are their children, grandchildren, parents, grandparents, spouses, civil or unmarried partners or siblings.

(2) Rules made under subsection (1) may—
  (a) make provision for dependants of the persons therein mentioned;
  (b) make provision for a person who the Secretary of State is satisfied was a dependant of the refugee or person granted humanitarian protection or a member of their household at the time the refugee or person granted humanitarian protection left the country of his habitual residence;
  (c) restrict provision for siblings applying to join family in the UK to those who have not formed their own independent family unit outside of the UK.

(3) Family members seeking leave to enter or remain in the United Kingdom must—
  (a) be applicants who would not be excluded from protection by virtue of article 1F of the United Nations Convention and Protocol relating to the Status of Refugees if he were to seek asylum in his own right;
  (b) be applicants who would not be excluded from humanitarian protection for any reason in the immigration rules in the United Kingdom.

This new clause would allow those separated from their family, and who have refugee or humanitarian protection status in the UK, to sponsor family members beyond spouses or under-18 children to join them. It would also remedy an anomaly that prevents children with refugee status in the UK from sponsoring their parents to join them.

New clause 11—Review of rules relating to refugee family reunion—

(1) The Secretary of State must undertake a review of the current rules on refugees or those granted humanitarian protection reuniting with close family members in the UK.

(2) The review under subsection (1) must consider—
  (a) the failure to implement Dublin Convention III, which allows for spouses or children under 18 with refugee status or those granted humanitarian protection to be reunited with family members in the UK;
  (b) options for allowing British citizens to sponsor close family members recognised as refugees or granted humanitarian protection; and
  (c) options for extending the criteria for family reunion to include children, grandchildren, parents, grandparents, spouses, civil or unmarried partners or siblings who have refugee status or have been granted humanitarian protection and have close family members in the UK.

(3) This review under subsection (1) must be completed and a copy must be laid before Parliament within six months of this Act receiving Royal Assent.'

Amendment 29, page 40, line 14, leave out clause 37.

Amendment 31, in schedule 8, page 109, line 29, leave out from “(6)” to end of line 30 and insert—

’(none) ;

See explanatory statement for amendment 30.

Amendment 40, page 112, line 11, leave out sub-paragraph (5).

This amendment ensures that families with children under 18 receive section 95 support until they leave the country.

Amendment 30, page 113, line 13, at end insert—

‘(2A) If the Secretary of State decides not to provide support to a person or not to continue to provide support to them, under this section , the person may appeal to the First Tier Tribunal.’

To reinstate a right of appeal against Home Office decisions to provide support (under Section 95 or new 95A).

Amendment 2, page 119, line 21, at end insert—

’(43A) The Immigration Act 1971 is amended as follows.

(43B) After section 3(9) (general provisions for regulation and control) insert—

(10) In making rules under subsection (2), the Secretary of State must have regard to the following.

(11) Rules must provide for persons seeking asylum, within the meaning of the rules, to apply to the Secretary of State for permission to take up employment (including self-employment and voluntary work) and that permission must be granted if—
  (a) a decision has not been taken on the applicant’s asylum application within six months of the date on which it was recorded, or
  (b) an individual makes further submissions which raise asylum grounds and a decision on that fresh claim or to refuse to treat such further submissions as a fresh claim has not been taken within six months of the date on which they were recorded.

(12) Permission for a person seeking asylum to take up employment shall be on terms no less favourable than those upon which permission is granted to a person recognised as a refugee to take up employment.’

Amendment 42, in schedule 9, page 121, line 26, leave out paragraph 2.

This amendment removes those provisions added by Schedule 9 that would prevent local authorities providing care support under the Children Act 1989 to young people who are not asylum seekers and do not have leave to remain when they reach the age of 18 years.

Government amendment 7.

Amendment 43, page 122, leave out lines 16 to 34.

This amendment removes those provisions added by Schedule 9 to the Immigration Bill that would prevent local authorities providing for asylum seekers and those granted humanitarian protection reuniting with close family members in the UK to sponsor family members beyond spouses or under-18 children to join them. It would also remedy an anomaly that prevents children with refugee status or granted humanitarian protection from sponsoring their parents to join them.

New clause 11—Review of rules relating to refugee family reunion—

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  (c) options for extending the criteria for family reunion to include children, grandchildren, parents, grandparents, spouses, civil or unmarried partners or siblings who have refugee status or have been granted humanitarian protection and have close family members in the UK.

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  (a) a decision has not been taken on the applicant’s asylum application within six months of the date on which it was recorded, or
  (b) an individual makes further submissions which raise asylum grounds and a decision on that fresh claim or to refuse to treat such further submissions as a fresh claim has not been taken within six months of the date on which they were recorded.

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New clause 11—Review of rules relating to refugee family reunion—

(1) The Secretary of State must undertake a review of the current rules on refugees or those granted humanitarian protection reuniting with close family members in the UK.
leaving care support under the Children Act 1989 to young people who are not asylum seekers and do not have leave to remain when they reach the age of 18 years.

Amendment 44, page 122, line 46, at end insert

‘and,
(c) he entered the UK as an adult.’

This amendment enables local authorities to provide leaving care support under the Children Act 1989 to young people who do not have leave to remain and are not asylum seekers.

Government amendments 8 to 12.

Amendment 45, page 124, leave out from line 11 to line 13 on page 125 and insert—

‘10B The Secretary of State shall provide adequate funding to local authorities to enable them to meet their duties under the Children Act 1989 to persons who do not have leave to enter or remain and are not asylum seekers.

This amendment provides for the Secretary of State to make funding available to local authorities, as the specialist agency responsible for care leavers, to meet the duties set out in the Children Act 1989 in relation to young people who do not have leave to remain and are not asylum seekers.

Government amendments 13 to 17.

New clause 2—Automatic deportation under the UK Borders Act 2007—

‘(1) Section 32 of the UK Borders Act 2007 is amended as follows.

(2) In subsection (2) substitute “12” for “6”.

This new clause would require that non-British citizens who commit offences and are sentenced to 6 months in prison be deported automatically.

New clause 10—Offence of presence in the United Kingdom without legal authority—

‘(1) Any person who is present in the United Kingdom after 1 June 2016 without legal authority shall be guilty of an offence.

(2) Any person who after 1 June 2016 enters or attempts to enter the United Kingdom without legal authority shall be guilty of an offence.

(3) A person guilty of an offence under subsection (1) is liable on summary conviction—

(a) to imprisonment for a term not exceeding six months;
(b) to a fine which in Scotland or Northern Ireland may not exceed £5,000; or, to both.

(4) Any person who is convicted of an offence under subsection (1) shall be subject to a deportation order unless the Secretary of State deems such a deportation order to be against public interest.

(5) For the purposes of subsection (2) above, a deportation order shall be deemed to be in the public interest unless a certificate to the contrary has been submitted by the Secretary of State to the Court.

(6) Any person who, after 31st December 2016, enters or attempts to enter the United Kingdom without legal authority shall be guilty of an offence.

(7) A person guilty of an offence under subsections (5) or (6) is liable on summary conviction—

(a) to imprisonment for a term not exceeding six months; or,
(b) to a fine which in Scotland or Northern Ireland may not exceed £5,000; or,
(c) to both.

(8) Any person who is convicted of an offence under subsections (5) or (6) shall be subject to a deportation order unless the Secretary of State deems such a deportation order to be against the public interest.

(9) For the purposes of subsection (8) above, a deportation order shall be deemed to be in the public interest unless a certificate to the contrary has been submitted by the Secretary of State to the Court.

(10) Any power to make regulations under this section is exercisable by statutory instrument.

(11) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.’

New clause 14—Minimum income requirement for partner visas—

‘(1) The Secretary of State shall within six months after this Act receives Royal Assent amend the Immigration Rules regarding a person applying for entry clearance to, leave to remain in or indefinite leave to remain in the UK as the non-EEA national partner or dependent child of a person who is—

(a) a British citizen; or,
(b) present and settled in the UK; or,
(c) in the UK with refugee leave or humanitarian protection to make provision as set out in this section.

(2) The minimum annual income requirement—

(a) for the sponsor of the partner shall be the equivalent of one year’s full-time salary (net of tax and national insurance contributions, and allowing for four week’s holiday) at the rate of the National Minimum Wage as it applies to that individual;
(b) for the first child in addition to the partner the additional sum of £2,500;
(c) for each further child the additional sum of £2,000.

(3) The minimum annual income requirement as specified in subsection (b) may include financial support from third parties.

(4) In this section “full-time” will mean 35 hours a week.’

New clause 15—Adult dependent relative visas—

‘(1) The Secretary of State shall within six months after this Act receives Royal Assent amend the Immigration Rules regarding Entry Clearance in respect of an adult dependent relative of a person who is—

(a) a British Citizen; or,
(b) a person settled in the UK; or,
(c) in the UK with refugee leave or humanitarian protection to make provision as set out in this section.

(2) The Immigration Rules for persons specified in subsection (a) must not require as condition for entry that in the country where they are living—

(a) the required level of care is not available;
(b) there is no person in that country who can reasonably provide the required level of care;
(c) the required level of care is not affordable.

(3) The applicant shall be adequately maintained, accommodated and cared for in the UK by the sponsor without recourse to public funds for five years.

Amendment 39, in clause 20, page 25, line 18, at end insert—

‘(2A) In paragraph 2(2) after “examine” insert “at the point of entry into the United Kingdom.”

This amendment would end the practice of conducting speculative, in-country spot-checks and restrict the power to the point of entry into the UK.

Amendment 36, in clause 25, page 32, leave out lines 20 to 23.

This amendment removes proposed extension of powers of relevant officers—custody officers, prison officers or prisoner custody officers—to conduct strip searches of detainees for documents which “might” establish a person’s nationality or indicate “the place from which the person travelled to the UK or to which a person is proposing to go”.

Amendment 38, page 102, line 9, leave out sub-paragraphs (1) to (3) and insert—

‘(1) The Secretary of State must provide, or arrange for the provision of, facilities for the accommodation of persons released on immigration bail.’

This amendment makes provision for an impecunious detainee to be furnished with an address to facilitate their applying for bail, without which they are unlikely to be granted bail.

James Brokenshire: In this part of the debate we turn to amendments and new clauses concerning the asylum system and the arrangements made for the support of failed asylum seekers who the courts have agreed do not need our protection.

The crisis in Syria and events in the middle east, north Africa and beyond have seen an unprecedented number of migrants and asylum seekers arriving in Europe. Some have gone on to reach the UK via northern France, including many unaccompanied asylum-seeking children. There are now nearly 1,000 unaccompanied asylum-seeking children in Kent County Council’s care, 300 of whom have had to be placed in other local authority areas. I would like to put on record my thanks to all those in Kent—all the officers and others—for the way in which they have responded to this challenge, but in our judgment a national response is required.

Additional funding has been made available to local authorities who take on responsibility for unaccompanied asylum-seeking children from Kent. We hope that the dispersal arrangements that have been put in place will remain voluntary. However, we have tabled new clauses 3 to 7 and Government amendments 5 and 6 to underpin the voluntary dispersal arrangement and, if necessary, enforce them, although we see this as a reserve backstop power. The amendments introduce a new power to facilitate the transfer of unaccompanied asylum-seeking children from one local authority to another; enable the Secretary of State to direct local authorities to provide information about their support to children in their
care—this will inform new transfer arrangements; enable the Secretary of State to direct a local authority that refuses to comply with a request to accept an unaccompanied asylum-seeking child to provide written reasons; enable the Secretary of State to require local authorities to co-operate in respect of transfers; and enable the provisions to be extended across the UK by regulations, subject to the affirmative procedure and informed by further dialogue with the devolved Administrations.

4 pm

We take our responsibilities for unaccompanied asylum-seeking children very seriously. The new provisions will ensure that there is a more equitable distribution of such cases across the country and that the welfare of vulnerable children continues to be safeguarded.

Government amendment 7 addresses an anomaly in migrants’ access to support in paying university tuition fees. Under the Education (Student Support) Regulations 2011, which govern home student access to student loans in England, British citizens—including those returning to the UK from overseas—and most other groups must demonstrate three years of ordinary residence before they can qualify. We think that that is also the right benchmark for adult migrant care leavers with limited leave to remain or an outstanding application.

The measure will also relieve the burden on local authorities, created by case law, that means that their leaving care duties under the Children Act 2004 may encompass payment of student tuition fees for migrant care leavers who do not meet the student support regulations. Those payments are normally at international student rates, which range from £12,000 to £15,000 per year in most cases. Even one or two cases can place significant pressure on local authority budgets.

Schedule 3 to the Nationality, Immigration and Asylum Act 2002 restricts access to local authority support for migrants without immigration status. Schedule 9 to the Bill simplifies that framework. Government amendments 8 to 16 make technical improvements to those provisions. Amendment 17 amends schedule 3, which provides a UK-wide framework, so that regulations may make equivalent changes across the UK. That will be informed by further dialogue with the devolved Administrations.

A number of other amendments and new clauses have been tabled in this group. I shall make some initial comments about them, but will reflect and respond further in the light of any points made. Amendments 29 and 40 would reverse the reforms made by schedule 8 to the support provided to failed asylum seekers and other illegal migrants. They reflect a clear difference of principle, which was clear in Committee. We say that it is not appropriate for public money to be used to support illegal migrants, including failed asylum seekers, who can and should leave the UK. Schedule 8 will therefore restrict the availability of such support, consistently with our international obligations, and remove incentives for migrants to remain in the UK when they have no lawful basis for doing so.

The system of support for which Parliament legislated in the Immigration and Asylum Act 1999, to discharge our obligations to asylum seekers, is, in our judgment, too often used to support those whose asylum claim has failed and who have no lawful basis to remain in the UK. On 31 March 2015, we were providing support to an estimated 15,000 failed asylum seekers, their dependants and others. In 2014-15, such support cost an estimated £73 million.

We believe that the situation is wrong in principle. That is why, under schedule 8, those with children with them when their asylum claim and any appeal are rejected will no longer be treated as though they were still asylum seekers and will cease to be eligible for support under section 95 of the 1999 Act. Section 4 of the 1999 Act will be repealed and support will be available to failed asylum seekers and any dependent children only if there is a genuine obstacle that prevents their departure when their appeal rights are exhausted.

In Committee, there was a great deal of discussion about the 2005 pilot; it was said that that could be prayed in evidence as to why our approach might not work. However, I underline again what I said in Committee about why we think there is a difference. First, the current onus on the Home Office to show that a family is not co-operating with return is removed; to qualify for support under new section 95A of the 1999 Act, the family will have to show that there is a genuine obstacle to their departure at the point when they have exhausted their appeal rights.

Secondly, the 2005 pilot involved a largely correspondence-based process in cases that had exhausted appeal rights in the previous 11 months. The new approach will involve a managed process of engagement with the family, in tandem with the local authority, following the end of the appeal process, to discuss their situation and the consequences of not leaving the UK when they can. Thirdly, we judge that circumstances have changed: it is now more generally recognised that the taxpayer should not have to support illegal migrants who could and should leave the UK.

Amendments 30 and 31 are concerned with appeal rights. Under the Bill, asylum seekers refused support under section 95 of the 1999 Act will retain their right of appeal. That appeal is extended to those refused support whose further submissions on protection grounds are accepted, or may be treated, as a fresh asylum claim. However, the Bill does not provide a right of appeal to failed asylum seekers refused further support because they do not face a genuine obstacle that prevents their departure from the UK when they have exhausted their appeal rights against the refusal of asylum. Common examples of a genuine obstacle will be where medical evidence shows the person is unfit to travel or there is evidence that an application for the necessary travel document has been submitted and is still outstanding. These are generally straightforward matters of fact which do not require a right of appeal.

Anne McLaughlin: Does the Minister agree that the children of parents who will not return—to my mind, mostly because they cannot—face genuine obstacles to returning, namely their parents, and that we should therefore support those children because they have absolutely no choice in the matter?

James Brokenshire: We had detailed and considered debate about this in Committee, to which the hon. Lady was party. The point I made there is that the family returns process engages with this so that we assist and work with families to bring about their return. She will
recall our debates about the support that can still be made available by local authorities in respect of destitution cases. That support is potentially still available as we continue, as part of this process, to assist families in their entirety, with the appropriate safeguards, in seeing that they are returned if they do not have the right to remain in the UK.

The appeal statistics on asylum support do not give the full picture. In the year to August 2015, 37% of asylum support appeals were dismissed. Forty-one per cent. were allowed, but in many cases this was because the person provided only in their appeal the evidence required for support to be granted. Many of the remainder were remitted for reconsideration or withdrawn, in many cases also in the light of new evidence provided in the appeal. Few appeals related to the issue of whether there was a practical obstacle to departure from the UK. The previous independent chief inspector of borders and immigration found in his July 2014 report on asylum support that 89% of refusals were reasonably based on the evidence available at the time.

Amendments 42 to 45 would reverse the Bill’s reforms of support for adult migrant care leavers and require that they be provided with local authority support under leaving care legislation, even though all their applications and appeals to stay here have been refused. We believe that these changes are wrong in principle. Public money should not be used to support illegal migrants, including failed asylum seekers, who can leave the UK and should do so. The amendments would create obvious incentives for more unaccompanied children to come to the UK to make an unfounded asylum claim, often by using dangerous travel routes controlled by smugglers and traffickers. We are speaking of adults. If their asylum claim has been finally refused, automatic access to further support from the local authority should cease at that point. The Bill makes appropriate provision for their support before they leave the UK.

Amendment 2 would allow permission to work where an asylum claim has been outstanding after only six months, remove the caveat that any delay must not be of the asylum seeker’s own making, and lift all restrictions on the employment available. As we debated in Committee, we do not consider this to be sensible. We met our public commitments to decide all straightforward asylum claims lodged before April 2014 by 31 March 2015 and to decide all straightforward claims lodged from 1 April 2014 within six months. About 85% of cases are straightforward. We judge that this policy strikes the right balance. If an asylum claim remains undecided after 12 months, for reasons outside the person’s control, they can apply for permission to work in employment on the shortage occupation list. This is fair, reasonable and consistent with EU law.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Minister has talked about making regulations to extend provisions to Wales and about skills requirements. Does he agree that the Bill should recognise, in dealing with asylum claims, the distinct skills and immigration requirements of Wales, and enable the Welsh Government to provide input into Home Office immigration policy?

James Brokenshire: I am afraid that I do not, on the basis that immigration is a reserved matter. The hon. Lady may be aware that the Migration Advisory Committee analyses differences in this regard between the countries of the UK, as well as regional differences. For example, in Scotland there is a separate shortage occupation list, so there is an ability to reflect variations across the UK in assessing evidence and policy.

New clauses 1 and 11 would widen the scope for refugee family reunion. I am aware of the calls from the Refugee Council and others for that. We recognise that families may become fragmented because of the nature of conflict and persecution, and the speed and manner in which those seeking asylum often flee their country of origin. Our policy allows the immediate family members of a person with refugee leave or humanitarian protection—for example, a spouse or partner, and children under the age of 18 who formed part of the family unit before the sponsor fled their country—to be reunited with them in the UK. The immigration rules allow for the sponsorship of other family members. By contrast, some EU countries require up to two years’ lawful residence before a refugee becomes eligible and impose time restrictions on how quickly family members must apply once their sponsor becomes eligible.

We have granted over 21,000 family reunion visas over the past five years. In our judgment, widening the criteria for inclusion would not be practical or sustainable. It might be a significant additional factor in how the UK is viewed by those choosing where among the different jurisdictions to make their asylum claim, and it would undermine our wider asylum strategy. Some have asked whether we have fully implemented the Dublin regulations. In our judgment, we have. The challenge is to get family members to make claims in EU countries to establish the links that operate under the Dublin regulations. That is often the impediment standing in the way of those who are entitled to this, but who need to start by making their claim in an EU country.

Caroline Lucas (Brighton, Pavilion) (Green): Does the Minister not accept that the definition of a family is drawn incredibly tightly and is very cruel, for example to those with siblings or children over the age of 18? He says that extending the criteria would not be efficient or effective, but it would actually be one of the most effective ways of granting refugee status to more people. Such people will not put great pressure on our services because they will largely be looked after by their families.

James Brokenshire: I recognise the manner in which the hon. Lady advances her point, but our judgment is that the policy strikes the right balance. Our family resettlement policy has rules, but equally, certain circumstances—for example, where there are older relatives, or issues relating to illness or medical need—allow for some greater flexibility within those existing rules. From our standpoint, the steps we are taking on resettlement are about an assessment of vulnerability. That is redolent of the approach we are taking in the camps, through the United Nations High Commissioner for Refugees, and how we are seeking to deal with resettlement.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab) rose—

James Brokenshire: I am delighted to give way to the right hon. Lady, who tabled new clause 1.
Yvette Cooper: May I press the Minister on the people who are currently excluded by the rules? For example, a case has been raised with me about a family of refugees from Syria. The parents are in the country with their younger children, but their 19-year-old daughter is still in Lebanon. She is unable to join them, even though she is also a refugee from Syria, because she is over 18, which is surely wrong. As a result, they are worried that they may have to pay people smugglers and traffickers to get her to Britain, which is a huge risk and would mean breaking the law.

James Brokenshire: As the right hon. Lady knows, the current regulations are framed in a way that allows the resettlement of children under the age of 18. Our judgment is that that is framed in the right way. Adults seeking protection can use the normal route of claiming asylum in other countries. We do not think that resettlement should be extended beyond the current framework. As I have said, there are exceptions to that, particularly in cases of older relatives who have an illness. The rules can operate in a way that allows entry clearance officers to take such factors into account. Clearly, the rules are examined case by case, including by looking at whether leave falling outside the rules may be appropriate in certain circumstances.

Yvette Cooper: What is the option for that 19-year-old and so many other similar cases? Where does she go—should she get a boat across to Greece and try to apply there? The Dublin III arrangements are not working for people arriving in Greece and Italy. There are huge numbers of examples of that. What does the Minister say to that 19-year-old?

James Brokenshire: We think that the Dublin arrangements are the right way to provide consistency of approach across the whole EU in dealing with what some have described as asylum shopping and with people’s ability to choose the jurisdiction in which they claim asylum. The key element is that we achieve a stable Syria, so that the people in those camps can see a stable future in which they will be supported there. Our response in relation to humanitarian protection, including the Dublin convention, is that we think that the Government mechanisms are available to us to enhance the process. We are working to achieve a speedier and more efficient and effective use of detention and to determine how that plays into a more effective removal process, and that is why we are legislating in this way in the Bill. I also want to highlight the work that we discussed in our debate on the previous group of amendments. We are working to achieve a speedier and more efficient and effective use of detention and to determine how that plays into a more effective removal process more generally. The measures are already in place, but my hon. Friend’s points relate fundamentally to our achieving more efficient and effective removal, which is an aim I share.

Richard Fuller: May I take my right hon. Friend back to new clause 2, which relates to the deportation of non-British citizens who have committed offences here? I am persuaded by his response to the new clause, which was tabled by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes), but will he tell us a little more? I understand that there is a number of countries to which it is extremely difficult for us to deport people in these circumstances. Are moves such as we have seen in relation to Jamaican prisons relevant to this issue, and has any progress been made with those other countries?

James Brokenshire: My hon. Friend makes an important point. The issue of prison conditions is relevant, for example, as are prisoner transfer agreements and the bilateral arrangements that we have in place. Work is being done across Government on the return of foreign national offenders, which I know was a particular issue for my hon. Friend the Member for Enfield, Southgate, not simply in the Home Office, but in the Foreign Office, the Ministry of Justice and elsewhere, to look at these issues in the round and see what measures and mechanisms are available to us to enhance the process. My hon. Friend the Member for Bedford (Richard Fuller) was right to frame his point in that way. I assure him and my hon. Friend the Member for Enfield,
Southgate that we are taking a joined-up approach across Government to use the measures that are available to us to enhance our response in respect of returns.

New clause 12 seeks to create a system that requires non-UK nationals, including EU nationals, seeking leave to enter and remain in the UK to obtain legal authority to remain in the UK. I agree with much of the thinking of my hon. Friend the Member for Christchurch (Mr Chope), but new clause 12 essentially seeks to curtail the free movement of EU citizens to the UK under existing treaty rights. I am not sure that legislation is the right way to approach that.

The Immigration Act 2014 limits the factors that draw illegal migrants to the UK and introduces tough domestic reforms to ensure that our controls on access to benefits and services, including the NHS and social housing, are among the tightest in Europe. We believe that the way to bring about real change is through effective renegotiation with the European Union. My hon. Friend the Member for Christchurch will be well aware of the letter the Prime Minister sent to Donald Tusk, the President of the European Council, to set out our approach and the broader stance we seek to take.

New clause 14 would require the Secretary of State to amend the minimum income threshold requirement for sponsoring a non-EEA national partner and any non-EEA national dependent children to settle in the UK. That would undermine the impact of the minimum income threshold, which the courts have agreed correctly reflects the public interest in controlling immigration to safeguard the UK’s economic wellbeing by preventing family migrants from becoming a burden on the taxpayer and by promoting their integration. A couple with income equivalent to the national minimum wage can still access income-related benefits and tax credits. A minimum income threshold set at that level would therefore not be sufficient to prevent burdens on the taxpayer once the migrant partner reached settlement and had full access to welfare benefits. It would also provide less support for the migrant partner’s integration in society. That is simply not an adequate basis for sustainable family migration and integration.

Stuart C. McDonald: Will the Minister clarify his position on the rules that prevent potential income from a non-EEA spouse from being taken into account? That income is not a burden on the UK taxpayer, so why is it still the Government’s position that it should be excluded?

James Brokenshire: I thank my hon. Friend for his intervention. That is what we have done. We must also ensure public confidence more generally about where costs should lie, and ensure that understandable concerns about access to healthcare are framed rightly. That is why we introduced the immigration and health surcharge in the last Parliament.

Amendment 39 seeks to restrict the power of immigration officers to examine someone in-country. As my hon. and learned friend the Solicitor General—he is sitting alongside me—said in Committee, the power to examine someone in-country is essential, for example when immigration officers are questioning persons who have been seen climbing out of lorries on motorways or at service stations, and who are therefore suspected of having entered the UK illegally.

Officers working in immigration enforcement do not conduct speculative spot checks. To examine a person after the point of entry, an immigration officer must have information that causes them to question whether someone has the right to be in the UK, as set out in the 1987 case of Singh v. Hammond. Our published guidance reflects that judgment, and makes clear that when conducting an in-country examination, immigration officers must first have reasonable suspicion that a person is an immigration offender, and they must be able to justify that reasoning. If the power of examination is limited only to the point of entry, the ability to conduct in-country enforcement operations would either be severely hampered, or it could risk unnecessary arrests.

Government amendments 3 and 4 are minor and technical, and replace “strip search” with “full search” to allay concerns that the person is stripped completely naked during such a search when that is not the case. We judge that the term “full search” more appropriately reflects the nature of the power.

Amendment 36 seeks to remove the power to conduct such searches from detainee custody officers, prison officers and prisoner custody officers when they are searching for nationality documents. As the Solicitor General said in Committee, the reality of detention is such that items are often concealed below clothing. It may therefore be necessary in some cases to remove the detainee’s clothes to locate documentation and other items. Of course, such a power must be governed by
appropriate safeguards, and used only when necessary, and it may not be exercised in the presence of another detained person or a person of the opposite sex. Removing altogether the ability to search in that way would create an easy way for detainees to thwart removal efforts.

Amendments 27 and 28 are to clause 34. Section 94B of the Nationality, Immigration and Asylum Act 2002 allows human rights claims and deportation cases to be certified to require an appeal to be brought from outside the UK, where to do so would not cause serious irreversible harm or otherwise breach human rights. Clause 34 extends that power to apply to all human rights claims, but amendment 27 would remove that clause from the Bill. Extending such a power to all human rights claims is a Government manifesto commitment and builds on the success of section 94B, which was introduced by the Immigration Act 2014 and has resulted in more than 230 foreign national offenders being deported before their appeal.

The Court of Appeal recently considered two cases concerning the operation of that power. It held that the Government are generally entitled to proceed on the basis that an out-of-country appeal is a fair and effective remedy. The amendment would prevent the Government from meeting their manifesto commitment to extending that successful power, the operation of which has recently been endorsed by the Court of Appeal.

Amendment 28 relates to the best interests of children. It seeks to impose an obligation on the Secretary of State to conduct a multi-agency best-interest assessment for any child whose human rights may be breached by the decision to certify. The amendment is unnecessary because, before any decision to certify is made, the best interests of any child affected by that decision must already be considered. Section 55 of the Borders, Citizenship and Immigration Act 2009 imposes a statutory duty on the Secretary of State to consider the best interests of any child affected by a decision to certify. Where the person concerned makes the Secretary of State aware of the involvement of a child who may be affected by her decision, the Secretary of State will ensure that the best interest of that child is a primary consideration when deciding whether to certify. That consideration is supported by published guidance and will take into account all the circumstances of the case.

4.30 pm

On language requirements and devolved Administrations, amendments 1 and 34 relate to part 7—a measure to ensure that the public receive help, advice and support from their public services in fluent spoken English. Regarding Scotland, the English language duty applies only to reserved matters. Consent is not required for such application, but consultation is appropriate and I am grateful to Scottish Government officials considering the draft code of practice and its implementation. On Northern Ireland, it is right that we consider extension of the scheme there. But amendment 1 is defective as it needs to be limited to reserved powers, as with Scotland. We need to give further thought to how best to achieve the intent behind the amendment, and we intend to return to that issue in the other place.

I hope that with those comments the Government new clauses and amendments will receive the approval of the House.

Keir Starmer: I start by confirming that we see the sense in the Government new clauses—I think they are new clauses 3 to 7—intended to help local authorities such as Kent deal with unaccompanied children, and we support them. But that is the extent of the agreement on this group of amendments.

Amendment 29 deals with the removal of support for certain categories of migrants. Such removal is wrong in principle and likely to be counterproductive. All the evidence is one way—support for families facing removal is the best means of ensuring that they leave. By support, I mean not only support in the terms set out in the Bill, but support by way of help with obstacles, documents and advice. It is the families that are supported in that broad way that are most likely to leave, and thus the objective is achieved by having the support in place. By contrast, withdrawing support has the opposite effect.

Let us call a spade a spade. Withdrawing support for this category of migrants is a threat of destitution as a means of enforcing immigration rules. All the evidence suggests that it is counterproductive. The Minister mentioned the 2005 pilot, confident—I think—that I would also mention it. It was a pilot of the proposition that withdrawing support—threatening destitution—was likely to encourage people to leave and to alter behaviour. The results of that pilot were evaluated in 2006, and they were stark. Of the 116 families in the pilot, one family left as a result of the withdrawal of support; 12 sought help with documents; 32 families went underground; and nine were removed from the scheme because on analysis it was found that their claims should not have been refused. The pilot was considered a complete failure.

The evidence is not only a pilot some 10 years ago: it is practice since then, with successive and different Governments accepting that destitution, or the threat of destitution, should not be used as a means of enforcing removal because—among other reasons—it is wholly counterproductive.

The Minister says that the situation now is different, and he put forward two reasons. The first is that, under the proposed arrangements, families would have to prove there was a genuine obstacle to removal. I am not sure how far that advances the argument. The idea seems to be that putting the onus on the family to prove a genuine obstacle will make them less likely to go underground if support is withdrawn, but there is no rational link between the two propositions. Secondly, he says the process will not be by way of correspondence, but carried out in a more engaged manner. It is hard to see how that change, welcome though it is, will make a difference to the stark results of the 2005 pilot. The withdrawal will cause hardship, distress and anxiety and will be wholly counterproductive. That is one the problems with the Bill: it does not meet its own objectives. The only basis on which the Government can advance these provisions is that they will make the UK appear to be a more hostile environment.

Destitution in the 21st century should not be a means of enforcing immigration rules, or any other rules, yet that is what lies behind the provisions. The whole House will accept that children should not be adversely impacted by the decisions of their parents, yet the Bill will have those adverse impacts on them, because they will fall within the removal of support provisions. That led to great debate in Committee about whether this would
simply transfer the burden from one Department to local authorities, which are not going to stand by and leave destitute children unassisted. The provision, therefore, is wrong in principle and counterproductive, and not one that in the 21st century we should have anything to do with.

Turning briefly to appeals, I will start with the narrow issue of appeals on the question of support. Amendments 31, 40 and 30 would reinstate the right of appeal against Home Office decisions on support. This is where the Home Office has made a decision on support but it is thought that the decision is wrong. At the moment, the error rate is very high. Those in the House who were not on the Committee will be astonished to hear that it is as high as 60% in some cases. Under the Bill, those decisions could not be put right on a simple appeal. In Committee, the Minister said that the long route of judicial review would remain as a remedy, but I failed to understand then, and I fail to do so now, how it can be sensible or cost-efficient to remove a simple right of appeal in cases for which there is a high rate of success and to rely on the more expensive route of judicial review by different principles. With a 60% error rate, it is unacceptable to withdraw the right of appeal.

In relation to that error rate and others I will mention, the argument that some decisions that are changed are changed because an individual provides additional information is no answer. The rate of 60%, and of 40% to 42% for general appeals, is high in any event, and there is no evidence to suggest that in the majority of cases an individual has not provided the necessary information. In any event, whether or not they have been properly advised about what information to provide, they should not be punished by the withdrawal of support where inappropriate.

On the wider point of appeal, amendments 27 and 28 deal with the extension of appeals to the wider category of individuals who will be removed before they can appeal. There is a general point to make about such appeals, which is that although there may be court cases establishing that these provisions or their forerunners do not extinguish the rights of appeal, there is no question but that they materially inhibit the right of appeal. The success rate under the current arrangements, of between 40% and 42%, is instructive—these are the cases where individuals have been removed, only in the end to succeed in their appeals. I accept that some in that group may well have succeeded earlier had different or fuller information been made available to the authorities, but there is a variety of reasons why that may have happened, including the advice that those people had been given. Removing first, before appeal, materially inhibits rights of appeal and it should certainly not be expanded.

Amendments 27 and 28 are intended to ensure that before a decision is made to certify any claim for family reunion in the way envisaged by new clause 1. The reason I have brought those provisions forward again is that, despite previous debates, it seems that the statistics on how many people are being prosecuted and/or convicted for offences under section 24A of the Immigration Act 1971 are going in the wrong direction. On the wider point of appeal, amendments 27 and 28 deal with the extension of appeals to the wider category of individuals who will be removed before they can appeal. There is a general point to make about such appeals, which is that although there may be court cases establishing that these provisions or their forerunners do not extinguish the rights of appeal, there is no question but that they materially inhibit the right of appeal. The success rate under the current arrangements, of between 40% and 42%, is instructive—these are the cases where individuals have been removed, only in the end to succeed in their appeals. I accept that some in that group may well have succeeded earlier had different or fuller information been made available to the authorities, but there is a variety of reasons why that may have happened, including the advice that those people had been given. Removing first, before appeal, materially inhibits rights of appeal and it should certainly not be expanded.

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Mr Chope: I rise to speak to my two new clauses. In so doing, I want to thank the Minister for telling me all the reasons why he does not support them, although he was generous enough to say that he agrees with the principles that lie behind them.

The second of my new clauses, new clause 12, could well be a blueprint for what happens after the country decides to leave the European Union in the forthcoming referendum, because it sets out the way in which people who are already in this country would be able to obtain the right of residence here, as well as some of the associated rules to ensure that those without the right of residence would be the subject of criminal sanctions.

Before coming to that in more detail, I want to refer to new clause 10 and some of the background to it. New clause 10 is modelled very much on a private Member’s Bill that I have brought forward on a couple of occasions for debate in the House, the Illegal Immigrants (Criminal Sanctions) Bill. The Bill had the privilege of being the subject of an opinion poll, which was conducted by the noble Lord Ashcroft in June 2013. The findings were that some 86% of those polled supported the provisions of the Bill and only 9% were against them, so this is a new clause that strikes a chord with the British people.

The reason I have brought those provisions forward again is that, despite previous debates, it seems that the statistics on how many people are being prosecuted and/or convicted for offences under section 24A of the Immigration Act 1971 are going in the wrong direction. In 2009, the number of people proceeded against and convicted both in the magistrates courts and the Crown courts for offences against that section was a giddy 158. For every year after 2009 the number had fallen, and by 2013—the last year for which figures are available—the number found guilty in the magistrates courts had fallen to six and the number convicted in the Crown courts had fallen to 66, making a total of 72 convictions for a widespread range of criminal offences against our immigration laws.
he thinks will be subject to prosecution under the proposed new section 24B for the offence of illegal working. I hope he will also explain why there have been so few prosecutions under the existing section 24A.

It is always much easier to go for the people with resources, the people who are trying their hardest to run businesses, often small businesses, which is why clause 9 penalises them for employing illegal workers, even though they are already to a certain extent subject to civil penalties. In 2013-14, there were 2,150 civil penalties for such offences. When it comes to the employment of illegal workers, particularly where the workers are themselves illegal immigrants, one would have thought that the first port of call would be to sanction the illegal immigrants rather than the people they duped into employing them.

Some offences are designed to deal with people who are in the United Kingdom with permission, but are subject to immigration control; and this in a sense reinforces my concern. If we are introducing new sanctions against those who are here lawfully but are subject to immigration control, surely we should be even harder on those who are here unlawfully and are trying to avoid any immigration control.

That is the background to new clause 10. It does not simply re-enact the provisions of section 24 of the Immigration Act 1971, as it includes more specific proposals that are set out in subsection (4), whereby:

“Any person who is convicted of an offence under subsection (1) shall be subject to a deportation order unless the Secretary of State deems such a deportation order to be against the public interest.”

Subsection (5) states:

“For the purposes of subsection (2) above, a deportation order shall be deemed to be in the public interest unless a certificate to the contrary has been submitted by the Secretary of State to the court.”

Another problem with the enforcement of our immigration laws is that too few people are being deported, because too few are being made the subject of deportation orders. One reason for that is the fact that a person who is prosecuted and whom the authorities seek to deport has a right of appeal against deportation, with all that that entails. The authorities often do not seek to deport people, preferring to allow them to—in a sense—lie low. There is, indeed, a perverse incentive for people to lie low in our system.

As we know, there are perhaps half a million illegal immigrants in the country at present. That is very much a ballpark figure, but it makes the number of prosecutions and convictions in 2013—72—seems paltry in the extreme. One is entitled to ask the Government, “Can we take you seriously when you are doing so little to deal with people who are here illegally, and thereby to deter others who may be tempted to come here illegally?” I think that we need to introduce a new offence of being in the United Kingdom without legal authority. The prosecution would then not need to prove how a person had come into the United Kingdom, because that person’s mere presence in the United Kingdom without legal authority would make him guilty of an offence.

There is another practical side to the matter. At present, if someone jumps out of the back of a lorry on a motorway, in a layby or at a service station, and members of the public are concerned and call the police, the invariable practice of the police is to say to the potential illegal migrant, “You should not be here; you must go and report to the Home Office in Croydon.” They do not arrest them or initiate a prosecution because, I am told, they do not think that the powers of prosecution in the Immigration Act 1971 are adequate to ensure that it is worth their while. Rather than facing the hassle of arresting someone on, for example, the A31 in my constituency who has come in illegally through the port of Poole and has jumped out of the back of a lorry, and initiating a prosecution, the police tend to say, “You should not be here; be on your way; you should leave the country.”

I witnessed what was almost a similar situation on the island of Kos about a month ago. Members of our Border Force who were on secondment to Frontex were dealing with a large number of migrants who had crossed the water from Turkey, a distance of some 3.5 km. Those migrants were merely being processed. They were not being sent back to Turkey, and they were not being told that they were subject to any sanctions. All that they were being told was that they should not be in Greece, and should leave as soon as possible. That was a farcical situation. It was a waste of resources for our Border Force people to be involved in Frontex, with no powers to do anything about illegal migrants coming into the European Union and the Schengen area, when they would have been better employed protecting our own shores and borders. That is the background to new clause 10, and I hope the Government will start to prosecute more and take the offence of being here in the UK without legal authority much more seriously than seems to be the case at the moment.

We know that another reason people are attracted into the UK illegally is that we do not have any system of identity cards, so people think that once they have got here unlawfully they can lie low, sometimes for many years, and carry on below the radar while still being illegal migrants.

New clause 12 would repeal section 7 of the Immigration Act 1988, which effectively gives EU citizens who are not citizens of the UK rights equivalent to citizens of the UK in relation to residence in this country and goes to the heart of the issue of free movement of people across EU borders. I do not think there is any longer a case to be made for allowing EU citizens to have a special status compared with citizens from other parts of the world who may in our view have a greater entitlement to be in this country and whose presence in this country might be more conducive to the national interest.

This subject was discussed yesterday by the Scottish Affairs Committee when it met in Aberdeen and was examining the subject of post-study work visas. It became apparent that the extraordinary status of students from the EU was making it much more difficult for the fine Scottish universities to recruit people from foreign countries outside the EU, many of whom might make very good undergraduate or graduate students.

This is relevant to the whole issue of free movement of people, and I can understand why my right hon. Friend the Minister would not wish to anticipate the result of the forthcoming referendum and accept new clause 12, but I think this sets out the way in which we would be able to assure people who were already in the UK that they would be able to stay in the UK in the event of the people of the UK deciding to vote to leave the EU.
New clause 12(2) refers to the European Communities Act 1972. Without that subsection the new clause would be nugatory in the same way as the amendment debated in relation to women’s authority or without products and VAT was nugatory because it did not include the provision to exclude the provisions of the 1972 Act.

Subsection (3) states:
“The Secretary of State shall by regulations prescribe the content of application forms for registration certificates and for the grounds on which an application made may be granted or refused and arrangements for appeals and final adjudications.”

Subsection (4) sets out a timescale within which such a registration certificate scheme would become operative. The result of that would be that we knew who was in our country. It is a pretty basic question: who is in our country but not currently a United Kingdom citizen? The Government are in no position to answer it. By the use of registration certificates, we would be able to ensure that we were not burdening UK citizens with an identity card system and that those who are not UK citizens would be able to exercise their privilege of continuing to be in the UK only if they had a registration certificate showing that they had a right of residence in our country.

5 pm

There is no point in having a command without a sanction, so subsection (5) states:
“Any person present in the United Kingdom after 31st December 2016 without legal authority or without having applied on or before 31st December for a registration certificate...shall be guilty of an offence.”

Anybody who after that date enters or attempts to enter the United Kingdom without legal authority would also be guilty of an offence. The new clause then sets out the penalties that would apply and states:
“Any person who is convicted of an offence under subsections (5) and (6) shall be subject to a deportation order”

unless that is certified to be “against the public interest.” That would significantly tighten up our immigration rules and would make life much easier for employers, particularly small employers. If the person was not able to establish that they were a British citizen when they were applying for work, the employer would be able to ask them to produce their registration certificate demonstrating a right of residence—and why not? We would also be able to ensure that people who were not entitled to be here were deported.

Another consequence of having new criminal offences as set out in new clauses 10 and 12 would be that people would often choose to leave voluntarily rather than face those criminal sanctions. I know the Minister is keen to ensure that as many people as possible who are not entitled to be here leave the United Kingdom voluntarily. These two new clauses would give them an extra incentive to go, because they would be able to avoid prosecution if they were to leave the UK—it is almost a type of plea bargain. The measures would reduce the administrative costs, too.

We cannot be complacent about the situation we are in at the moment. We have record levels of net migration, far in excess of what the Government pledged in the Conservative party’s manifesto. We have record numbers of people who are in our country illegally and of people in this country about whom we know nothing. We have a golden opportunity in this Bill to rectify some of those lacunae in our law and to set out a framework within which we can operate in the future and thereby minimise the number of people who are in this country illegally and in breach of our immigration rules.

Yvette Cooper: I wish to speak to new clauses 1 and 11, which focus on the response that we should have to the refugee crisis and the way in which the family reunion rules for refugees are simply not working. The background to this is that the European refugee crisis is showing no signs of easing. Nearly 1 million refugees have travelled to our continent this year. Some 700,000 people have travelled through Greece and, in the final weeks of November, almost 3,000 people were arriving on the tiny island of Lesbos by boat each day—this is even in the November cold. A huge number of refugees are stuck in the Balkans, often in very difficult and increasingly harsh weather conditions; there are refugees camps in Idomeni, on the Greek border, and thousands more refugees are in Serbia, including unaccompanied children. Other countries in Europe are doing considerably more than us, and I continually urge the Government to do more, as we need to do our bit to support the refugees. I am talking about those not just in camps in the regions, but those who have fled to Europe.

Tomorrow the Prime Minister will argue that Britain should not stand back and let other countries shoulder the entire security burden that stems from the events in Syria. That will be a powerful point for him to make, but what follows from that is the fact that we should not stand back and allow other countries to shoulder so much more of the burden of responding to the refugee crisis, especially as we are not doing enough to help.

This year, Britain will take just 1,000 refugees from Syria, and yet 3,000 arrive each day in Lesbos. I was struck by what the Minister said about asylum shopping. Given that we had only 25,000 asylum seekers in Britain last year, compared with 700,000 in Germany, how can he seriously talk about asylum shopping? In fact, what we are talking about are families who have been split up by a terrible refugee crisis and who simply want to be together. Families have been ripped apart by a bloody and brutal civil war in Syria. Parents have been torn apart from their children and brothers apart from their sisters.

I have met Syrian children on their own in refugee camps. There are 11 and 12-year-olds desperate to be reunited with their families. Our current rules make it very hard to reunite families of refugees who have been split up by the crisis. The British Red Cross is currently supporting an Iraqi refugee who hopes to be reunited with his wife and two daughters, one of whom is disabled and has the mental age of a seven-year-old. She is entirely dependent on her mother, but she is over 18 and so is not eligible to come to the UK under the Minister’s family reunion rules for refugees. She is stuck in Iraq, and the strain of being a sole carer is taking its toll on her mother.

Another case of the Red Cross is that of a 15-year-old boy whose parents have both been killed in the war and whose brother has been granted refugee status in the UK. He has not registered an asylum claim anywhere in Europe, but has had his fingerprints taken in Greece. Understandably, his brother wants him to join him in the UK, but he is currently not eligible and has been told to return to Greece where he knows no one and has
no prospects. He is now in Italy, but is getting no support from the state and is living with another Syrian family. His brother is incredibly worried about his safety, as he feels that he is at risk of being exploited by gangs of traffickers, which, as we know, is what happens to many unaccompanied refugee children.

When I was in Calais a few weeks ago, I met a single mother with two small children. She thought that her husband had been killed in an Assad jail. The family were living in a small caravan and tents in the mud in Calais. They had left Syria and been financially supported for a while by her father-in-law, but he can no longer afford to support them. She told me that her own father and brother were here in Britain, and that was why she had paid money to people traffickers to travel across Europe to try to join them, as they were her only remaining family. She said that they could support her here in Britain. [Interruption.] The Minister says what about Dublin. What a good point. What about Dublin III, because, in so many cases, Dublin III should help to reunite families, but it does not do that? It is not working.

Quite a few people I talked to in Calais probably would have a case under the Dublin III arrangement, but there was no process for them to apply to. Those who had looked at it were told that the French procedures and the bureaucracy would not allow it and that it was too difficult. This is why new clause 11 is so important. It urges the Minister to look at the way in which Dublin III is being implemented across Europe. Clearly, there is a huge problem here, and it could be what is driving some of the illegal migration. It could also be driving people to take huge risks at Calais. Why are they trying so desperately hard to get to Britain? Why are they not going to Germany, Sweden or other countries? Many of them told me that it was because they had family in Britain, and they were people who ought to have refugee status. Their claims were not being assessed so they were taking huge risks, causing security risks for the Eurotunnel trains and causing great problems. They were stuck in the mud in the cold winter of northern France. Much of this is to do with what France and other countries need to do, but I urge the Minister to review Dublin III. It is just not working in practice for too many of the refugees who are fleeing terrible conflict.

When many refugee families have been hit by crisis, persecution or war, they may lose their closest family members. They may no longer have the parent or the child that current family reunion rules cover. Their nearest relative may now be a brother or sister or someone who is not covered by the existing rules. That is why it is so important to look at the wider family relationships of refugees.

My intention in drawing up new clause 1 was to make it easier to reunite refugee families and to help refugees whose closest family are already refugees here in Britain to get sanctuary here too. That would cover the case of the 19-year-old in Beirut that I raised with the Minister, and the woman whose disabled child is over 18 but still needs her parents. It is not my objective to rewrite the wider immigration rules for those who are not refugees; that is a different debate. I want to concentrate on those who are refugees. I recognise that new clause 1 is not the simplest way to do this because it is primary legislation when the matter would be dealt with better through immigration rules. Further changes to immigration rules would be needed alongside new clause 1 to ensure that the measure was focused on those fleeing conflict rather than wider family who are not refugees.

The new clause is an attempt to focus the Minister’s attention on the plight of families who are being separated all across Europe and need to be reunited. We should, out of compassion and as part of our support for refugees and for families and the family values that we hold dear, make more attempt to reunite families. It would be the best way for us to increase the number of refugees that we in Britain take. The Prime Minister set a target of 20,000 over the next five years, but we know that only 1,000 of those will be here before Christmas if the Government’s targets are met. They will need to go beyond that. The refugee crisis is not going away, and the most sensible, simple and fair way to provide more support for those who already have family here who could support them is for us in Britain to give them sanctuary.

We cannot make the debate on Syria simply one about security. It has to be about refugees and compassion as well. I know that the Government have done much to help refugees in the region, and I have praised them for doing so many times, but it is not an alternative to doing our bit to reunite families. There are so many ways in which the Government could do this; we have set out a series of ways in new clause 1 and in new clause 11. I have always sought to work on a cross-party basis and to build the biggest possible consensus. I urge the Minister in the same spirit to look carefully at what more he is able to do to help reunite some of the desperate refugee families who really need our help.

Kelly Tolhurst: I am sure that my hon. Friends and Opposition Members who served on the Public Bill Committee will agree that the debates were thoughtful and informative. I was extremely pleased to be a member of the Committee. Like my hon. Friends the Members for Castle Point (Rebecca Harris) and for North Dorset (Simon Hoare), in the past 12 months, as I have knocked on thousands of doors, I have found that immigration has been a big issue for my constituents. It has not been very often that I have knocked on a door and people have not raised this issue with me. I was therefore extremely pleased to be on the Bill Committee and to listen to the debate and hopefully increase my knowledge of certain aspects of the Bill.

5.15 pm

It is evident from the debate today and on previous occasions that we often confuse the various categories of immigration, such as asylum seekers, refugees, non-EU immigration and European immigration. So often I hear Members on both sides of the House talk about them as one, rather than as different categories of immigration requiring different measures to tackle them. That is frustrating for me and for my constituents.

Immigration is not static. It is changed by the various factors affecting world migration, such as the economy and what we have seen this summer, leading to terrible pictures of refugees. It is right that the UK adapts its policies to reflect current pressures and those changeable factors, and it is right for the Government to introduce Bills containing measures to deal with the current situation. The Bill and some of the amendments focus on tackling illegal immigration.
As I have mentioned, I represent Rochester and Strood in Medway in the county of Kent. Over recent months and years we have been on the frontline of attempts to gain entry to the UK by clandestine routes. We have all seen the images of desperate people putting their lives at risk to get into the country. This has caused economic damage to the county and brought significant pressures such as those caused by Operation Stack.

I am pleased to see the Government amendments on unaccompanied minors. As I said on Second Reading, Kent has seen a great increase this summer in the number of unaccompanied children arriving in the UK. This has put pressure on social services at local level. As we all know, it is difficult to recruit social workers and there is great pressure on social care from a domestic point of view. Those pressures have been felt in Kent, in my constituency and across Medway. I very much welcome the Government new clauses.

Unfortunately, I cannot support the family reunion clauses tabled by the Opposition, particularly new clauses 1 and 11. When individuals have followed the correct procedures to obtain entry to this country and to seek asylum, it is right that they are supported. But when those measures have been exhausted, the British taxpayer should not have to pick up the burden of looking after failed asylum seekers. I thank my right hon. Friend for introducing the relevant new clauses. I was interested to hear him say that the cost to the British taxpayer is estimated to be £73 million.

The Opposition new clauses on unaccompanied minors could potentially be seen as a way of jumping the queue. For example, an unaccompanied minor could sponsor their parents to come to the UK. We absolutely do not support this. For example, unaccompanied minors could sponsor their parents to come to the UK. We absolutely do not support this.

The new clause sends the wrong message. People in my constituency will have been troubled by, or have had some concern about, some of the things that have been said—not necessarily in this debate, but during prior discussion. I absolutely support the Government amendments that I have discussed and I look forward to casting my vote later.

Stuart C. McDonald: Like the hon. and learned Member for Holborn and St Pancras (Keir Starmer), we believe that the provisions on support are among the most draconian parts of the Bill; I agree with the Minister to the extent that the disagreement is one of principle.

In our view, provisions that seek to use the further deliberate infliction of destitution, including of children, as a tool of immigration policy must be thoroughly opposed. The provisions fly in the face of evidence, are counterproductive and show a grim lack of compassion. We support all amendments seeking to prevent, or at least limit, the damage. They include amendment 29, which would remove clause 37 and therefore most of the damaging changes, and amendments 30 and 31, which would preserve all rights of appeal against decisions to refuse support. Amendment 40, tabled by Scottish National party Members, would ensure that families with children who are minors received section 95 support until they left the country.

The Minister referred to the pilot carried out by the last Labour Government, and that is still relevant to what is being proposed today. Similar proposals were abandoned because of the results. It is interesting to look at the comments about the project made by the Joint Committee on Human Rights:

“The section 9 pilot has caused considerable hardship and does not appear to have encouraged more refused asylum seeking families to leave the UK... We believe that using both the threats and the actuality of destitution and family separation is incompatible with the principles of common humanity and with international human rights law and that it has no place in a humane society. We recommend that section 9 be repealed at the earliest opportunity.”

We believe that the same should happen to the equivalent provisions in this Bill.

Sadly, the Government have in their sights not only children but those who arrived as children and are now young adults. Rather cruelly, young care leavers will be prime targets. That is why we have tabled amendments 42 to 45, which would ensure that young people leaving local authority care were able to access leaving care support under the Children Act 1989 without discrimination. Amendments 42 and 43 would remove the provisions, added by schedule 9, that would prevent local authorities from providing leaving care support under the 1989 Act to young people who were not asylum seekers and did not have leave to remain when they reached age 18.

Amendment 44 would enable local authorities to provide leaving care support under the 1989 Act to young people who did not have leave to remain and were not asylum seekers. Finally in this group, amendment 45 would provide for the Secretary of State to make funding available to local authorities, as the specialist agency responsible for care leavers, to meet the duties, set out in the 1989 Act, to the latter group of care leavers.

Our amendments 39 and 36 bring us back to what I said about the first group of amendments relating to the broad powers, which we seek to rein in, proposed for immigration officers. Despite what the Minister says, those include powers for detainee custody officers, prison officers and prison custody officers to strip search detained persons for anything that could be evidence of their nationality—a very broadly defined power. The Minister points out that Government amendments 3 and 4 propose changing the name of the search from “strip search” to “full search”, but they do not in any essential way change the extent of the powers, which, to all intents and purposes as far as I still understand them, are basically strip search powers. For that reason, provision on the gender of the persons present during the search is made in clause 25(8). Our amendment 36 would remove the proposed power for custody officers to strip search detainees for documents that “might” establish a person’s nationality or indicate “the place from which the person travelled to the UK or to which a person is proposing to go.”

Going further, we seek to tighten schedule 2(2) of the Immigration Act 1971. This power ostensibly deals with individuals on arrival in the UK for the purposes of determining whether they have or should be given leave to enter or remain. It has been used by the Home Office as justification for conducting speculative, in-country spot checks involving “consensual interviews”. Amendment 39 would expressly limit this power to examination at the point of entry. The Minister argues that our amendment makes the power too tightly drawn, but in our view it is far better for intrusive powers to be tightly drawn than drawn broadly and arbitrarily.
The other atrocious provisions that amendments in this group seek to attack are those which provide that people should leave the UK even before their appeal against a Home Office decision has been heard. Amendment 27, which has support from Labour as well as SNP Members, would remove the offending clause 34, which extends powers of certification introduced by the Immigration Act 2014 to mean no longer just “deport first, appeal later” for those convicted, but “remove first, appeal later” for all. To us, these provisions are madness. They will mean people having to give up jobs, studies and family life while appeals are ongoing. Families could be separated for lengthy and unknown periods until their appeal is finally determined.

All this comes against a background of constant criticism of Home Office decision making, including in a recent ombudsman’s report. We should bear in mind criticism of Home Office decision making, including in a recent ombudsman’s report. We should bear in mind that in 2014-15 42% of managed migration appeals and 42% of entry clearance appeals were successful. In 2013-14, the figures were 49% and 48%. Thousands of people could have to leave for several months because the Home Office got it wrong. The danger is that appeals will not be pursued or will be pursued inadequately given the costs of pursuing an appeal as a privately paying client from overseas.

Joanna Cherry: My hon. Friend will be aware that Home Office statistics state that only 24% of appellants removed under the current “deport first, appeal later” provisions go through with their appeals. Does he agree that this suggests that extending those provisions will make it much harder—in fact, probably impossible—for the majority of these appeals to go ahead? Is it not inherently unfair to hold appeals with the appellants unable to make their own case in person?

Stuart C. McDonald: I am grateful for that intervention and entirely agree with my hon. and learned Friend. The Government seem to be attempting to cut net migration not just by limiting the class of people who can come under the rules but by making it nearly impossible for people to exercise their legitimate rights to stay. This is scraping the barrel of immigration control measures, and I will want to test the House’s opinion on that.

We regard as utterly unnecessary the part 7 provisions on the English language. Our amendment 34 would ensure that part 7 will not come into force in Scotland without the consent of the Scottish Parliament. We have faith that our public authorities, whether reserved or devolved, can determine that a worker has the necessary skills for the job, including speaking fluent English, and that normal complaints procedures would deal with any problems, as with any other complaint about competence. Part 7 creates unnecessary bureaucracy and is a clear example of immigration theatre and tokenism.

A number of other Members have made brave attempts to bring a silver lining to the cloud provided by this grim Bill. New clauses 11 and 1 seek to expand the range of people qualifying for refugee family reunion. I have asked questions, written letters and spoken in this Chamber on this point on several occasions, so I am very happy to provide my backing for such attempts. In the face of the most dreadful refugee crisis since the second world war, surely this is a sensible option that we can all support. Broader family reunion means that people we know should logically be sheltered in the United Kingdom do get to come here. This is the logical place for them because they have family support here and so will have help with accommodation and integration, for example. They will often even pay for their own flight. With little trouble for the Government or the taxpayer, we can extend a hand of friendship to more of those fleeing dreadful war and persecution.

Three amendments in the name of the right hon. Member for Orkney and Shetland (Mr Carmichael) similarly seek to bring some light from the darkness. Amendment 2 would introduce permission to work for those seeking asylum who have been waiting six months for a decision. My colleagues and I recognise that this is a positive step forward, and it has our backing. We also thoroughly welcome new clause 14 as a step forward in overcoming the unduly onerous financial thresholds attached to family visas, which the Children’s Commissioner for England recently reported had created thousands of what she called “Skype families”—British children able to communicate with a parent only over the internet. New clause 15 would improve rules relating to adult dependent relatives by removing unnecessary criteria, and it again has our full support.

Our amendment 37 makes provision for automatic judicial oversight of detention after eight days, then after a further 28 days and again every 28 days for so long as the detention lasts. Such judicial oversight will be particularly necessary if the Government persist in refusing to put a proper time limit on detention. Some of the most vulnerable people are least aware of their rights, including their right to bail, so automatic bail hearings will ensure that they are not detained unnecessarily. Finally, our amendment 38 makes provision for an imppecunious detainee to be furnished with an address to facilitate their applying for bail, as without an address they are unlikely to be granted it. In our view, the Bill as drafted is ambiguous and risks being read as suggesting that a person coming out of detention can be given support only when they have been granted bail. I urge all Members to support these small rays of light.

Gavin Robinson: I appreciate the opportunity to address the House again on Report, Mr Deputy Speaker. It is a pleasure to follow the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), whose stewardship this afternoon has been thoughtful and thought provoking.

There is one amendment in my name, although I cannot entirely take the credit for it, and I may move slightly away from it, given what the Minister said earlier. It relates to part 7 on the requirement on public services to employ English speakers, with some exceptions for jobs outside mainland UK and so on. I had the opportunity to raise this issue on Second Reading. My first observation was that I was amazed it was not already a requirement. I cannot think of any engagement I have had with any public servant in this country who was unable to speak our language fluently. I also said that I hoped in my contributions in the Chamber and elsewhere to speak English just as well as every other resident of Northern Ireland. Yet the Bill specifically excludes the provisions in part 7 from applying to Northern Ireland.
Mr Burrowes: I share the hon. Gentleman’s surprise that there is not already such a requirement. Does he share my surprise that in areas of public life, not least in Enfield, there are councillors who themselves perhaps would not be able to pass the test of being fluent in verbal or indeed written English? [Interruption.] Yes, councillors.

Gavin Robinson: It is a wonderful tenet of our democracy that if people wish to choose an individual to represent them irrespective of their linguistic gymnastics, and are satisfied that that person will do so ably and capably, it should be within their gift to endorse them. However, when it comes to those employed in our public services throughout the UK, I think not only that this should be a requirement, but that it should apply in Northern Ireland as well.

Having made such points, it is fair to recognise what the Minister outlined in his opening speech on this tranche of amendments. He said that there are implications for the devolved Administrations and institutions, and that what has been fairly replicated for the devolved Administration in Scotland should most properly have formed the basis of our amendment 1. I accept that point, so if he considers the amendment defective, I will take that on board. However, the principle is well worth pursuing. He helpfully outlined that the Government intend to look at the issue again in the other place, which I welcome.

James Brokenshire: It may help the hon. Gentleman to say that, as I indicated in my speech, certain drafting issues need further attention to make the provision effective and consistent with those in the other nations of the UK, but we certainly intend to return to it in the Lords.

Gavin Robinson: I am grateful to the Minister for his comments.

While we are on that topic, may I suggest that there is further work to be done in the other place? Schedule 11 relates to maritime enforcement. Reference was made on Second Reading to the failure of the schedule to mention the Belfast harbour police. I think the Minister took on board the fact that it is a properly constituted, legitimate authority that is mandated to operate within the port. It is a private police force, but it looks after the security of the port. I believe that an additional provision relating to the Belfast Harbour Police could be inserted into the Bill in the other place, should the opportunity to do so arise and should such a provision have the Government’s backing. If we are intent on pursuing the thrust of the Bill, and the protections that the maritime provisions will provide, it is important that we give that matter consideration in the other place.

I want to raise a couple of issues that have arisen in recent years that relate to immigration in general and to the UK Border Force in particular. They relate to the new clauses and amendments, so I shall not be straying too far from the subject. Border Force runs a skeleton operation in Northern Ireland. In fact, one could easily be forgiven for thinking that its effective operational role related only to mainland GB.

There are ferry links between my constituency of Belfast East and that of my right hon. Friend the Member for Belfast North (Mr Dodds), and the constituency that Stranraer rests in. I am struggling to remember which one that is, but I think it is Dumfries and Galloway. Stena goes there. UK Border Force will be waiting in Scotland for anyone travelling from our part of the UK to that part of the mainland. Should anyone wish to board the vessel in Belfast in a vehicle, they will not be searched or questioned at all. Foot passengers will go through more invasive security procedures, but the immigration screening does not take place in Belfast. That omission should be looked at.

I want to mention the case of Myriama Yousef. She is a wonderful character who sought asylum in Belfast and received great assistance from the Belfast Central Mission, the Methodist church in the city. I have to be careful about the terminology I use to describe her case. She is either a failed asylum seeker or a refused asylum seeker. She is someone who sought asylum in the United Kingdom and was turned down. She had to spend time in the Larne House detention centre, which is located within the Larne PSNI station. Anyone with any knowledge of security arrangements in Northern Ireland will know that the police stations there are not the most welcoming or inviting places. That is a consequence of our history. Anyone who is detained for immigration reasons in Northern Ireland is held there, in what looks like a military compound, with sangars, high fences, security lighting and security cameras. It is not an acceptable place. Myriama Yousef was deported to the country from which she had entered the UK. She was removed to Dublin, at which point she immediately got on the Ulsterbus, paid her £8.50 fare and was back in Belfast within two hours. Following her subsequent detection, she was brought to Yarl’s Wood.

Another case relates to a point made by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). She talked about a 19-year-old in Beirut who was separated from her family, but this case relates to Johnny Sandhu, an Indian-born solicitor from Northern Ireland who operated in Limavady. He was detected in the serious crime suite inciting a member of the Ulster Volunteer Force to commit murder so that they could evade prosecution. He was subsequently jailed for 10 years and, on his release, he was deported back to India. His family, who relied on him, were left in Northern Ireland. His children, who were going through the education system and doing their GCSEs at the time, were not in a position to up sticks and leave, but their father was never in a position to come back to the United Kingdom.

I would be grateful if the Minister considered cases such as that and the one raised by the right hon. Member for Normanton, Pontefract and Castleford to see how we can be a little more compassionate and recognise that, when someone’s 18th birthday strikes, they do not cut all ties or lose all connection with their family. We should consider how we can be a little more compassionate and see how we can be a little more compassionate and see how we can be a little more compassionate and see how we can be a little more compassionate and see how we can be a little more compassionate.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): On Second Reading, I described the Bill as heinous. My experience as a member of the Bill Committee has not altered that impression. The Bill is divisive and disproportionate, and it ultimately lacks a credible evidence base.

The evidence sessions were embarrassing for the Government because the vast majority of the oral and written evidence the Committee received was damning
of their proposals. Witnesses from the private, public and third sectors sent the underlying message that the Bill lacks a proper evidence base, is not necessary and is merely being brought about to appease the right wing of the Conservative party and UKIP.

I take issue with part 5, which, among other things, proposes to remove support from those whose asylum applications have been refused. That blanket approach does not allow for the consideration of personal circumstances, nor does it protect families with children. We heard evidence from a number of organisations that voiced concern, shock and deep disgust over part 5, particularly in respect of how it might affect the welfare of children.

In giving evidence, Ilona Pinter of the Children’s Society said:

“We think the risks for children from this provision are very serious indeed. Essentially, it would see families becoming destitute— they would no longer have accommodation and financial support under asylum support. That obviously brings with it a whole range of risks, from families being street homeless to families having to move around, potentially for short periods of time, to stay in potentially unsafe accommodation.”—[Official Report, Immigration Public Bill Committee, 20 October 2015; c. 72, Q165.]

Even Lord Green of Deddington from Migrant Watch, with whom I disagree on almost everything else, agreed that asylum seekers with children whose claim has been refused should be treated differently.

Part 1 sets out ambitions to reduce the exploitation of migrants. However, when individuals and, in particular, parents with children are pushed into a vulnerable situation, they are forced into making rash and desperate decisions that only increase their vulnerability and the dangers they face. Most reasonable people would accept that we have a responsibility towards those who have had their asylum application rejected. Amendment 29 seeks to ensure that we continue to uphold that responsibility.

Amendment 29 seeks to omit all the changes to support that have been made by the Government by removing clause 37 and schedule 8. Assuming that the Government are not minded to accept such a wholesale change, amendment 40 would ensure that some protection exists for the children of the families affected.

The Government have attempted to simplify the support that is provided in the immigration system by moving from two sets of regulations whereby asylum seekers can claim support to four sets of regulations dealing with support by local government and central Government. That is not simplification as I understand it. Under the Bill, local authorities will be legally prevented from providing support to families, including those with young children, when there are “reasonable grounds for believing that support will be provided” by Home Office provisions. In practice, that might create dangerous gaps in the system where support is not provided to vulnerable families.

It is worth repeating the horrendous story of the one-year-old boy, EG, who died in 2012, followed two days later by his mother, when they were left in limbo between two different types of support. In responding to that example, the Minister stated that the gap in provision was between support from two different Departments. I accept that, but can he guarantee with absolute certainty that his proposals will result in no gaps whatsoever between the support people receive from central Government and local government?

The changes that are proposed by the Government will create a significant financial and administrative burden for local authorities. The Government claim to have consulted widely, but the Scottish Government and Scottish local authorities were not content with the level of consultation from the Home Office before the introduction of these provisions.

The underlying reason for removing support from failed asylum seekers is to allow the Government to expedite the removal of affected parties.

Margaret Ferrier: As my hon. Friend says, the Bill proposes the removal of support from those who are due to be deported. That will obviously have an impact on the children of the families who are affected. To give some context, is it not the case that this support amounts to just over £5 per day? Removing that bare minimum amount of support will not lead to refused applicants being removed from the UK any quicker. We should support families until they are deported from the UK.

Gavin Newlands: I could not agree more with my hon. Friend. In Committee we tabled an amendment to try to ensure that support was pegged at 60% of income support, which would have increased support by just over £1 a day. It is not a massive amount of money—I am not sure that many Members of the House could survive on just over £6 a day.

5.45 pm

Evidence suggests that removing support from refused asylum seekers does nothing to make it easier or quicker to deport families from the UK. The 2005 Home Office pilot study attempted to remove support from refused asylum seekers—the hon. and learned Member for Holborn and St Pancras (Keir Starmer) touched on that point. It concluded that ending support for asylum-seeking families had no influence in encouraging people to be removed from the UK. That view was echoed by Peter Grady from the Office of the United Nations High Commissioner for Refugees, who stated that “it was noted in our evidence that we had concerns whether removing support would meet the objective of encouraging return, or disincentivising staying, particularly for families of refused asylum seekers.”—[Official Report, Immigration Public Bill Committee, 22 October 2015; c. 134, Q284.]

The Government’s new approach to removing support allegedly differs in three respects from the 2005 pilot study, but aside from moving the onus to prove that a genuine obstacle to their departure exists from the Home Office to the claimant, and hollow promises to work more closely with refused asylum seekers, nothing has really changed. The Government are not learning the lessons from previous pilot studies, and they are bound to repeat the mistakes of the past, with families being forced into a vulnerable and difficult situation as a result.

Amendment 29 seeks to ensure that a right of appeal—surely a basic human right—continues to exist for those whose claim for asylum has been unsuccessful, or whose support has been discontinued. Surely the measure of any society is how we treat the most vulnerable, and it is right that we retain some support for those youngsters who are leaving institutional care. I stated in Committee
that other Departments are calling for more support as part of a leaving care strategy. The Minister for Children and Families described that group as “highly vulnerable”, and as recently as July he stated that it was time to do more for vulnerable youngsters leaving care. It seems that our commitment to providing more care to that vulnerable group depends on where they were born. Amendments 42 to 45 would ensure that the Bill does not fly in the face of that leaving care strategy, and I hope that the Minister will stand by his rhetoric and lobby his ministerial colleague to accept them.

When introducing this Bill, the Home Secretary stated as fact that our public services were being abused by illegal migrants. I accept that some people might be living here illegally, and the authorities should deal with them appropriately. However, the people I have spoken about today are not “abusing” the system. I have spoken about children of asylum-seeking families and youngsters leaving care. Those groups are not abusing the system; those are people who the system is designed to protect. They are vulnerable youngsters who are just looking for the best start in life, and I call on the Government to drop their harmful proposals.

**Paul Blomfield:** In view of the time and our keenness to hear the Minister respond, I will just raise a couple of brief points. Amendment 7 has not been discussed so far this afternoon, and it is unfortunate that it is being brought forward that was not addressed in Committee. Those include fundamental principles about the removal of access to higher education for a significant cohort of young people. The amendment will prevent local authorities from providing funding to facilitate access to higher education for care leavers whom they are supporting but who have limited leave to remain.

In the explanatory notes, the Government say that that measure will be replaced by a requirement to qualify under student support regulations, which implies that that is an easy alternative route. However, they know that that is disingenuous, because under those regulations young people who have not been recognised as refugees qualify for such a loan only if they have had leave to remain for three years, or if they have lived in the UK for more than half their life. In effect, that measure cuts off access to higher education for a significant proportion of young people who will, in many cases, gain leave to remain in the UK and build their lives here. That is not only discriminatory, but it prevents young people at a crucial point in their life from developing the skills that will provide them with productive careers and an opportunity to give back to society.

The Government have also said that they are concerned about an undue burden on local authorities because people in that situation are required to pay overseas student fees. It would be easy to legislate to give them home fees student status, which would be another option for alleviating the burden on local authorities, and one that I am sure universities would be keen to embrace. I raise the point only because I hope that, when the Bill reaches the other place, this issue will be given proper consideration.

The removal of support from refused asylum seekers with families says a lot about the Bill as a good example of bad law making, with measures brought forward that fly in the face of evidence. As other hon. Members have made clear, all the evidence is that not only is it a harsh measure, but it will be counterproductive to the Government’s objectives. If we want to reduce expenditure on support for asylum seekers, the best way to do so is to conclude cases as quickly as possible. That does not require legislation: it just needs better resourcing and decision making in the Home Office.

In Committee, the Minister argued that asylum support rates are a pull factor for asylum seekers coming to the UK, despite the fact that our rates are significantly lower than those of most other countries in Europe. I challenged him to provide evidence that they were a pull factor, but he was unable to do so. I hope that now, having had the opportunity to consider the issue and to draw on the substantial support that he has, he might be able to provide the evidence that justifies the removal of that support. All the evidence that we received as a Committee suggests that it will drive the issue in the opposite direction to the Government’s objectives. It will make it more difficult for the Home Office to remain in contact with the people liable to removal and, ultimately, undermine efforts to promote voluntary departures. It will not tackle the issue: it will create destitution that will then have to be addressed by local authorities; it will create pressure on mental health services; it might be something that we also heard; and it could leave people vulnerable to labour exploitation by pushing them into the hands of exploitative employers. For all those reasons, I urge the Government to think again on this issue.

**James Brokenshire:** Again, we have touched on several important themes in the Bill that were debated and examined in detail in Committee. We have also had additional items in new clauses that were not addressed in Committee, including those tabled by the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper). We understand the depth of feeling about the human suffering in Syria and the UK and we are obviously taking several steps to respond to that crisis. I recognise the contribution that she has made to the issue of resettlement, including those tabled by the right hon. Lady as part of a leaving care strategy. The Minister for Children and Families described that group as “highly vulnerable”, and as recently as July he stated that it was time to do more for vulnerable youngsters leaving care. It seems that our commitment to providing more care to that vulnerable group depends on where they were born. Amendments 42 to 45 would ensure that the Bill does not fly in the face of that leaving care strategy, and I hope that the Minister will stand by his rhetoric and lobby his ministerial colleague to accept them.

When introducing this Bill, the Home Secretary stated as fact that our public services were being abused by illegal immigrants. I accept that some people might be living here illegally, and the authorities should deal with them appropriately. However, the people I have spoken about today are not “abusing” the system. I have spoken about children of asylum-seeking families and youngsters leaving care. Those groups are not abusing the system; those are people who the system is designed to protect. They are vulnerable youngsters who are just looking for the best start in life, and I call on the Government to drop their harmful proposals.

**Paul Blomfield:** In view of the time and our keenness to hear the Minister respond, I will just raise a couple of brief points. Amendment 7 has not been discussed so far this afternoon, and it is unfortunate that it is being introduced at this stage, because we did not get the opportunity to consider the principles behind it in Committee. Those include fundamental principles about the removal of access to higher education for a significant cohort of young people. The amendment will prevent local authorities from providing funding to facilitate access to higher education for care leavers whom they are supporting but who have limited leave to remain.

In the explanatory notes, the Government say that that measure will be replaced by a requirement to qualify under student support regulations, which implies that that is an easy alternative route. However, they know that that is disingenuous, because under those regulations young people who have not been recognised as refugees qualify for such a loan only if they have had leave to remain for three years, or if they have lived in the UK for more than half their life. In effect, that measure cuts off access to higher education for a significant proportion of young people who will, in many cases, gain leave to remain in the UK and build their lives here. That is not only discriminatory, but it prevents young people at a crucial point in their life from developing the skills that will provide them with productive careers and an opportunity to give back to society.

The Government have also said that they are concerned about an undue burden on local authorities because people in that situation are required to pay overseas student fees. It would be easy to legislate to give them home fees student status, which would be another option for alleviating the burden on local authorities, and one that I am sure universities would be keen to embrace. I raise the point only because I hope that, when the Bill reaches the other place, this issue will be given proper consideration.

The removal of support from refused asylum seekers with families says a lot about the Bill as a good example of bad law making, with measures brought forward that fly in the face of evidence. As other hon. Members have made clear, all the evidence is that not only is it a harsh measure, but it will be counterproductive to the Government’s objectives. If we want to reduce expenditure on support for asylum seekers, the best way to do so is to conclude cases as quickly as possible. That does not require legislation: it just needs better resourcing and decision making in the Home Office.

In Committee, the Minister argued that asylum support rates are a pull factor for asylum seekers coming to the UK, despite the fact that our rates are significantly lower than those of most other countries in Europe. I challenged him to provide evidence that they were a pull factor, but he was unable to do so. I hope that now, having had the opportunity to consider the issue and to draw on the substantial support that he has, he might be able to provide the evidence that justifies the removal of that support. All the evidence that we received as a Committee suggests that it will drive the issue in the opposite direction to the Government’s objectives. It will make it more difficult for the Home Office to remain in contact with the people liable to removal and, ultimately, undermine efforts to promote voluntary departures. It will not tackle the issue: it will create destitution that will then have to be addressed by local authorities; it will create pressure on mental health services; something that we also heard; and it could leave people vulnerable to labour exploitation by pushing them into the hands of exploitative employers. For all those reasons, I urge the Government to think again on this issue.
It is also worth underlining that our family reunion policy is more generous than our international obligations require. As I hinted at, other EU countries impose additional restrictions in their lawful residence requirements. Countries such as Denmark, Sweden and Austria have recently announced they are amending their family reunion policies, while Germany has indicated it will review its policy.

The right hon. Lady asked me about compelling humanitarian cases, and indeed the hon. Member for Belfast East (Gavin Robinson) gave another example. Where a family reunion application fails under the immigration rules, such as in the case of an 18 or 19-year-old applying to join their refugee parents in the UK, the entry clearance officer must consider whether there are exceptional circumstances or compassionate reasons to justify granting a visa outside the rules. I gave another example in relation to elderly parents, so there is that obligation on entry clearance officers. The hon. Gentleman is no longer in his place, but he also highlighted the specific issue of the Belfast harbour police. I am happy to reflect on his point, while recognising that it was established under separate legislation: the Harbours, Docks and Piers Clauses Act 1847.

Information-sharing powers exist, but I am happy to look at that in further detail.

My hon. Friend the Member for Christchurch (Mr Chope) highlighted deportation. Our primary sanctions for immigration non-compliance are removal and civil penalties, which is why, in many respects, prosecution numbers are relatively low. Our focus is on removal, therefore, rather than prosecution, which can delay removal and is obviously costly. That is why we have taken this approach.

Mr Chope: Will my right hon. Friend accept that to remove somebody one first has to apprehend them, and that means to arrest them, which is what my amendment was about?

James Brokenshire: Obviously, powers of arrest do reside. Issues of detention came up in the previous debate, and I do not cut across the need to uphold the law and ensure that people are appropriately identified, and I think that removal or a civil penalty for those unlawfully employing them are appropriate measures.

The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald), speaking for the SNP, highlighted an issue to do with the minimum income threshold. A migrant partner with an appropriate job offer in the UK can apply under tier 2 of the points-based system, but overseas employment is no guarantee of finding work in the UK.

In highlighting the issue of destitution, the hon. and learned Member for Holborn and St Pancras (Keir Starmer), who speaks for the official Opposition, said that our arrangements would not work, based on the 2005 pilot. I gave some explanation when I opened the debate, but I would add that there will be focused and targeted engagement with appeal rights-exhausted families together with local authorities. That close engagement with families is in contrast with what happened before. The Local Government Association acknowledges the need for focused efforts to engage with families and adults to promote returns, and that is precisely what we intend to do.

We are working with local authorities to close the gaps that some have suggested might apply, and, in many ways, the LGA welcomes the steps we have taken to ensure that gaps are closed. On the issue of overseas appeals, obviously this matter has been tested by the Court of Appeal, which recently confirmed that the Government were generally entitled to proceed on the basis that an out-of-country appeal is fair and effective remedy. On access to higher education, we want equality of treatment in respect of the relevant student support regulations.

Again, there was comment about safeguards for children. I want to underline the duty we have under section 55 of the Borders, Citizenship and Immigration Act 2009 to safeguard and promote the welfare of children. That is something we have carefully considered throughout our consideration of these provisions and that we judge provides the necessary support and protection mechanism for children under the Bill.

6 pm
Debate interrupted (Programme Orders, this day).

The Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

Question agreed to.

New clause 3 accordingly read a Second time, and added to the Bill.

The Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 4

Duty to provide information for the purposes of transfers of responsibility

(1) The Secretary of State may direct a local authority in England to provide information of the kind specified in subsection (2) to the Secretary of State for the purposes of enabling—

(a) arrangements to be made under section (Transfer of responsibility for relevant children), or

(b) the Secretary of State to exercise functions under section (Scheme for transfer of responsibility for relevant children).

(2) The information mentioned in subsection (1) is—

(a) information about the support or accommodation provided to children who are looked after by the local authority within the meaning of the Children Act 1989;

(b) such other information as may be specified in regulations made by the Secretary of State.

(3) A local authority which is directed to provide information under this section must provide it—

(a) in such form and manner as the Secretary of State may direct, and

(b) before such time or before the end of such period as the Secretary of State may direct.

(4) In this section “local authority” has the same meaning as in section (Transfer of responsibility for relevant children).”

(James Brokenshire.)
This new clause enables the Secretary of State to direct local authorities in England to provide information about the support and accommodation provided to children in their care. This will inform arrangements made for the transfer of particular categories of unaccompanied migrant children from one local authority to another.

Brought up, and added to the Bill.

New Clause 5

REQUEST FOR TRANSFER OF RESPONSIBILITY FOR RELEVANT CHILDREN

'(1) Subsection (2) applies if—

(a) a local authority in England ("the first authority") requests another local authority in England ("the second authority") to enter into arrangements under section (Transfer of responsibility for relevant children), and

(b) the second authority does not comply with the first authority's request.

(2) The Secretary of State may direct the second authority to provide the first authority and the Secretary of State with written reasons for its failure to comply with the request.

(3) In this section "local authority" has the same meaning as in section (Transfer of responsibility for relevant children).”—(James Brokenshire.)

This new clause enables the Secretary of State to direct the second authority to comply with the request for reasons given by the first authority.

Brought up, and added to the Bill.

New Clause 6

SCHEME FOR TRANSFER OF RESPONSIBILITY FOR RELEVANT CHILDREN

'(1) The Secretary of State may prepare a scheme for functions of, or which may be conferred on, a local authority in England ("the first authority") to become functions of, or functions which may be conferred on, another local authority in England ("the second authority") in accordance with arrangements under section (Transfer of responsibility for relevant children).

(2) The scheme—

(a) must specify the local authorities to which it relates, and

(b) unless it relates to all relevant children who may be the subject of arrangements under that section between those authorities, must specify the relevant child or children, or descriptions of relevant children, to which it relates.

(3) The Secretary of State may direct the first authority and the second authority to comply with the scheme.

(4) A direction may not be given under subsection (3) unless the Secretary of State is satisfied that compliance with the direction will not unduly prejudice the discharge by the second authority of any of its functions.

(5) Before giving a direction under subsection (3) to a local authority, the Secretary of State must give the authority notice in writing of the proposed direction.

(6) The Secretary of State may not give a direction to a local authority before the end of the period of 14 days beginning with the day on which notice under subsection (5) was given to it.

(7) The local authority may make written representations to the Secretary of State about the proposed direction within that period.

(8) The Secretary of State may modify or withdraw a direction under subsection (3) by notice in writing to the local authorities to which it was given.

(9) A modification or withdrawal of a direction does not affect any arrangements made under section (Transfer of responsibility for relevant children) pursuant to the direction before it was modified or withdrawn.

(10) Subsections (5) to (7) apply to the modification or withdrawal of a direction as they apply to the giving of a direction, but as if—

(a) the reference to the proposed direction were to the proposed modification or proposal to withdraw the direction, and

(b) subsection (6) permitted the Secretary of State to withdraw the direction before the end of the 14 day period with the agreement of the local authorities to which it applies.

(11) In this section "local authority" and "relevant child" have the same meanings as in section (Transfer of responsibility for relevant children).”—(James Brokenshire.)

This new clause creates a mechanism for the Secretary of State to direct local authorities in England to co-operate in the transfer of particular categories of unaccompanied migrant children from one local authority to another.

Brought up, and added to the Bill.

New Clause 7

EXTENSION TO WALES, SCOTLAND AND NORTHERN IRELAND

'(1) The Secretary of State may by regulations make such provision as the Secretary of State considers appropriate for enabling any of the provisions of sections (Transfer of responsibility for relevant children) to (Scheme for transfer of responsibility for relevant children) to apply in relation to Wales, Scotland or Northern Ireland.

(2) The Secretary of State may by regulations make provision which—

(a) has a similar effect to any of the provisions mentioned in subsection (1), and

(b) applies in relation to Wales, Scotland or Northern Ireland.

(3) Regulations under subsection (1) or (2) may—

(a) amend, repeal or revoke any enactment (including an enactment contained in this Act);

(b) confer functions on any person (including a power to make regulations).

(4) Regulations under subsection (1) or (2) may not confer functions on—

(a) the Welsh Ministers,

(b) the Scottish Ministers,

(c) the First Minister and deputy First Minister in Northern Ireland,

(d) a Northern Ireland Minister, or

(e) a Northern Ireland department.

(5) In this section "enactment" includes—

(a) an enactment contained in subordinate legislation within the meaning of the Interpretation Act 1978;

(b) an enactment contained in, or in an instrument made under, an Act or Measure of the National Assembly for Wales;

(c) an enactment contained in, or in an instrument made under, an Act of the Scottish Parliament;

(d) an enactment contained in, or in an instrument made under, Northern Ireland legislation.””—(James Brokenshire.)

This new clause enables the Secretary of State to make regulations to extend any of the provisions made by NC1 to NC6 to Wales, Scotland and Northern Ireland. By virtue of amendment 5, such regulations will be subject to the draft affirmative procedure.

Brought up, and added to the Bill.
Amendment proposed: 29, page 40, line 14, leave out clause 37.—(Keir Starmer.)

Question put, That the amendment be made.

The House divided: Ayes 259, Noes 313.

Division No. 135] [6.1 pm

**AYES**

Abbott, Ms Diane
Ahmed-Sheikh, Ms Tasmina
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Arkless, Richard
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Boswell, Philip
Bradshaw, rh Mr Ben
Brahe, rh Tom
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Byrne, rh Liam
Caufield, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Cowan, Ronnie
Cox, Jo
Coyle, Neil
Crabsby, Mr David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Crudzard, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Cunningham, Mr Jim

Irранca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Kane, Mike
Kaufman, rh Sir Gerald
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinnock, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holy
MacNeil, Mr Angus Brendan
MacTaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marrs, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCaughey, Callum
McCarthy, Kerry
McDonald, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Dr Alasdair
McDonald, Stuart C.
McDonnell, Dr Alasdair
McDonnell, John
McFadden, rh Mr Pat
McGarry, Natalie
McGinn, Conor
McGovern, Alison
McIlne, Liz
McKinnell, Catherine
McLaughlin, Anne
Meale, Sir Alan
Mears, Ian
Milliband, rh Edward
Monaghan, Carol
Monaghan, Dr Paul
Moon, Mrs Madeleine
Morden, Jessica
Morris, Grahame M.
Mulholland, Greg
Mullin, Roger
Murray, Ian
Newlands, Gavin
Nicolson, John
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Paterson, Steven
Pearce, Teresa

Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Powell, Lucy
Pugh, John
Reed, Mr Steve
Rees, Christina
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Salmond, rh Alex
Saville Roberts, Liz
Shah, Naz
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaugher, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Angela
Smith, Cat
Smith, Nick
Smith, Owen
Smyth, Karin
Spellar, rh Mr John
Starmer, Keir
Stephens, Chris
Stevens, Jo
Streeting, Wes
Stuart, rh Ms Gisela
Tami, Mark
Thewliss, Alison
Thomas, Mr Gareth
Thompson, Owen
Thompson, Michelle
Thomberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Weir, Mike
West, Catherine
Whiteford, Dr Eilidh
Whitehead, Dr Alan
Whitford, Dr Philippa
Williams, Hywel
Williams, Mr Mark
Wilson, Corri
Wilson, Phil
Winnieck, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Woodcock, John
Wright, Mr lain
Zeichner, Daniel

Tellers for the Ayes: Sue Hayman and Jeff Smith
NOES

Adams, Nigel
Afrinie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Borwick, Victoria
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Caims, Alun
Cameron, rh Mr David
Campbell, Mr Gregory
Carmichael, Neil
Cartidge, James
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Costa, Alberto
Cox, Mr Geoffrey
Crabb, rh Stephen
Davies, Byron
Davies, David T. C.
Davies, Glynn
Davies, Dr James
Davies, Mims
Davies, Philip
Dinenage, Caroline
Djany, Mr Jonathan
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffery M.
Donelan, Michelle

Huston, Nigel
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jenrick, Robert
Johnson, Boris
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczyński, Daniel
Kennedy, Seema
Kinahan, Danny
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Liddell-Grainger, Mr Ian
Lilley, rh Mr Peter
Lopresti, Jack
Lord, Jonathan
Loughton, Tim
Lumley, Karen
Mackinlay, Craig
Mackintosh, David
Main, Mrs Anne
Mak, Mr Alan
Malthouse, Kit
Mann, Scott
Mathias, Dr Tania
May, rh Mrs Theresa
Maynard, Paul
McCabe, Patrick
McCartney, Jason
McCartney, Karl
McLoughlin, rh Mr Patrick
McPartland, Stephen
Menzies, Mark
Merton, Wendy
Mowat, David
Murray, Mrs Sheryll
Morrison, Dr Andrew
Neill, Robert
Nokes, Caroline
Norman, Jesse
Nutall, Sir Gerald
Offord, Dr Matthew
Opperman, Guy

Paisley, Ian
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Philp, Chris
Pickle, rh Sir Eric
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Mr Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shannon, Jim
Sharma, Alok
Shelbooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, lain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuur, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tohusurt, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevanion, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
This amendment prevents local authorities in England from paying the higher education tuition fees of adult migrant care leavers deemed to be overseas students because of their immigration status. Instead, to obtain such support, the person will be required to qualify under the Student Support Regulations.

Amendment 8, page 123, leave out lines 10 and 11 and insert—

“(c) who is not a relevant failed asylum seeker, and”.

This amendment and amendment 9 define those who are or may be supported under section 95A of the Immigration and Asylum Act 1999 and who therefore may not be supported under the regulations made under paragraph 10A of Schedule 3 to the Nationality, Immigration and Asylum Act 2002.

Amendment 9, page 123, line 12, at end insert—

“( ) A person is a “relevant failed asylum seeker” for the purposes of sub-paragraph (1)(c) if the person is a failed asylum seeker within the meaning of Part 6 of the Immigration and Asylum Act 1999 and—

(a) the person is receiving support under section 95A of that Act,

(b) the person has made an application for such support which has not been refused, or

(c) there are reasonable grounds for believing such support would be provided to the person if an application by the person for such support were made.”

See the explanatory statement for amendment 8.

Amendment 10, page 123, line 23, after “82(1),” insert—

“( ) the appeal is not one that, by virtue of section 92(6), must be continued from outside the United Kingdom.”.

This amendment excludes appeals which must be pursued from outside the UK under section 92(6) of the 2002 Act from the reference in paragraph 10A(3)(b) to an appeal pending within the meaning of section 104 of that Act.

Amendment 11, page 123, line 29, after “that” insert “a person specified in regulations under this paragraph is satisfied that”.

This amendment clarifies that the local authority or another person specified in the regulations is to be satisfied that condition D in sub-paragraph (1)(b) if the person is a failed asylum seeker within the meaning of Part 6 of the Immigration and Asylum Act 1999 and—

(a) factors which a person specified by virtue of sub-paragraph (5) may or must take into account in making a determination under that sub-paragraph;

(b) factors which a person must not take into account in making such a determination.”

This amendment provides that the regulations made under paragraph 10A of Schedule 3 to the 2002 Act may specify factors which a local authority or another person may or must, or must not, take into account in determining whether condition D in sub-paragraph 10A(5) is met.

Amendment 13, page 124, leave out lines 16 and 17 and insert—

“(b) who is not a relevant failed asylum seeker, and”.

This amendment and amendment 14 define those who are or may be supported under section 95A of the Immigration and Asylum Act 1999 and who therefore may not be supported under the regulations made under paragraph 10B of Schedule 3 to the Nationality, Immigration and Asylum Act 2002.

Amendment 14, page 124, line 18, at end insert—

“( ) A person is a “relevant failed asylum seeker” for the purposes of sub-paragraph (1)(b) if the person is a failed asylum seeker within the meaning of Part 6 of the Immigration and Asylum Act 1999 and—
Clause 34

APPEALS WITHIN THE UNITED KINGDOM: CERTIFICATION OF HUMAN RIGHTS CLAIMS

Amendment proposed: 27, page 39, line 6, leave out clause 34.-(Stuart C. McDonald.)

The House divided: Ayes 260, Noes 304.  

Division No. 136] [6.16 pm  

AYES

Abbott, Ms Diane  David, Wayne
Ahmed-Sheikh, Ms Tasmina  Davies, Geraint
Ali, Rushanara  Day, Martyn
Allen, Mr Graham  De Piero, Gloria
Anderson, Mr David  Docherty, Martin John
Arkless, Richard  Dodds, rh Mr Nigel
Ashworth, Jonathan  Donaldson, rh Mr Jeffrey M.
Bailey, Mr Adrian  Donaldson, Stuart Blair
Bardell, Hannah  Doughty, Stephen
Barron, rh Kevin  Dowd, Jim
Beckett, rh Margaret  Dowd, Peter
Benn, rh Hilary  Dromey, Jack
Berger, Luciana  Dugher, Michael
Black, Mhairi  Durkan, Mark
Blackford, Ian  Eagle, Maria
Blackman, Kirsty  Edwards, Jonathan
Blackman-Woods, Dr Roberta  Efford, Clive
Blenkinsop, Tom  Elliott, Julie
Blomfield, Paul  Ellman, Mrs Louise
Boswell, Philip  Esterson, Bill
Bradshaw, rh Mr Ben  Evans, Chris
Brennan, Kevin  Farrell, Paul
Brock, Deidre  Ferrer, Margaret
Brown, Alan  Fitzpatrick, Jim
Brown, Lyn  Fiello, Robert
Brown, rh Mr Nicholas  Fletcher, Colleen
Bryant, Chris  Flint, rh Caroline
Buck, Ms Karen  Flynn, Paul
Burden, Richard  Fovargue, Yvonne
Burton, Richard  Foxcroft, Vicky
Burnham, rh Andy  Gardiner, Barry
Butler, Dawn  Gethins, Stephen
Byrne, rh Liam  Gibson, Patricia
Cadbury, Ruth  Glass, Pat
Cameron, Dr Lisa  Glindon, Mary
Campbell, rh Mr Alan  Goddiss, Mr Roger
Campbell, Mr Gregory  Grady, Patrick
Campbell, Mr Ronnie  Grant, Peter
Champion, Sarah  Gray, Neil
Chapman, Douglas  Green, Kate
Chapman, Jenny  Greenwood, Lilian
Cherry, Joanna  Greenwood, Margaret
Coaker, Vernon  Haigh, Louise
Coffey, Ann  Hamilton, Fabian
Cooper, Julie  Hanson, rh Mr David
Cooper, rh Yvette  Harman, rh Ms Harriet
Cowan, Ronnie  Harpham, Harry
Cox, Jo  Harris, Carolyn
Coyle, Neil  Hayes, Helen
Crausby, Mr David  Hayman, Sue
Crawley, Angela  Healey, rh John
Creagh, Mary  Hendrick, Mr Mark
Creasy, Stella  Hendry, Drew
Cruddas, Jon  Hepburn, Mr Stephen
Cryer, John  Hermon, Lady
Cummins, Judith  Hillier, Meg
Cunningham, Alex  Hodgson, Mrs Sharon
Cunningham, Mr Jim  Hosie, Stewart
Dakin, Nic  Hunt, Tristram
Danczuk, Simon  Huq, Dr Rupa

SEARCH FOR NATIONALITY DOCUMENTS BY DETAINEE

Amendments made: 3, page 32, line 20, leave out “strip” and insert “full”.  

This amendment and amendment 4 replace the term “strip” search with “full” search to reflect more appropriately the nature of the power.

Clause 25

Amendments made: 3, page 32, line 20, leave out “strip” and insert “full”.  

This amendment and amendment 4 replace the term “strip” search with “full” search to reflect more appropriately the nature of the power.

See the explanatory statement for amendment 3.
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinnock, Stephen
Kyle, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCaig, Callum
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, Dr Alasdair
McDonnell, John
McFadden, rh Mr Pat
McGarry, Natalie
McGinn, Conor
McGovern, Alison
McInnes, Liz
Mckinnell, Catherine
McLaughlin, Anne
Meale, Sir Alan
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Monaghan, Dr Paul
Moon, Mrs Madeleine
Morden, Jessica
Morris, Grahame M.
Mullin, Roger
Murray, Ian
Newlands, Gavin
Nicholson, John
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Paisley, Ian
Paterson, Steven
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Powell, Lucy
Pugh, John
Reed, Mr Steve
Rees, Christina
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robinson, Gavin
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joan
Salmond, Mr Alex
Saville Roberts, Liz
Shah, Naz
Shannon, Jim
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Sidqiq, Taimur
Simpson, David
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Angela
Smith, Cat
Smith, Jeff
Smith, Nick
Smith, Owen
 Smyth, Karin
Spellar, rh Mr John
Starmer, Keir
Stephens, Chris
Stevens, Jo
Streeting, Wes
Stuart, rh Ms Gisela
Tami, Mark
Thewlis, Alison
Thomson, Michelle
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Urmnna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Weir, Mike
West, Catherine
Whiteford, Dr Eilidh
Whitehead, Dr Alan
Whitford, Dr Philippa
Williams, Hywel
Wilson, Corri
Wilson, Phil
Wilson, Sammy
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Marion Fellows and
Owen Thompson

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Borwick, Victoria
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Brookfield, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Cairns, Alun
Cameron, rh Mr David
Carmichael, Neil
Cartledge, James
Caufield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Costa, Alberto
Cox, Mr Geoffrey
Crabb, rh Stephen
Davies, Byron
Davies, David T. C.
Davies, Glyn
Davies, Dr James
Davies, Mims
Davies, Philip
Dinenage, Caroline
Dj.production, Mr Jonathan
Donelan, Michelle
Donnelly, Nadine
Double, Steve
Downen, Oliver

NOES

Doyel-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Elliott, Tom
Ellis, Michael
Ellison, Jane
Elwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
Evennett, rh Mr David
Fabricant, Michael
Fallon, rh Michael
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy
Frer, Mike
Fysh, Marcus
Gale, Sir Roger
Garner, rh Sir Edward
Garner, Mark
Gauke, Mr David
Ghani, Nusrat
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Gray, Mr James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Hasehurt, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Hinds, Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Holloboone, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
This Bill will ensure that we can go further in bringing clarity, fairness and integrity to the immigration system. I would like to thank right hon. and hon. Members on both sides of the House for their constructive contributions in shaping this Bill during its parliamentary stages, and all those who have been involved in working on it: the members of the Committee, the House authorities, the organisations who gave evidence to the Bill Committee, and those who responded to all the consultations and provided briefing on the Bill. I thank and commend my right hon. Friend the Minister for Immigration for the thoughtful way in which he has steered the Bill through the House. It has been important and substantial work. I want to highlight briefly some of the measures in the Bill.

The exploitation of vulnerable people by unscrupulous employers is an issue that has been raised by victims’ campaign groups, charitable organisations and Members...
in this House many times before. We know that labour market exploitation can be committed by organised criminal gangs, and it is clear that workers’ rights need to be enforced more effectively, and that the current regulatory framework needs improvement. This Bill will create a new statutory director of labour market enforcement to oversee and co-ordinate the drive for more effective enforcement across the spectrum of non-compliance.

The House will appreciate that illegal working remains one of the principal pull factors for people coming to live in the UK illegally, so we are taking the necessary step of making illegal working a criminal offence. This addresses a genuine gap in our ability to use proceeds of crime powers to seize and confiscate the profits made by those who choose to break our immigration laws. But we should be clear that this measure is not intended to—nor will it—punish the vulnerable, such as those who are trafficked here and forced to work illegally. The safeguards provided in the Modern Slavery Act 2015 will continue to protect people in those circumstances.

Instead, we want to deal with those illegal migrants who choose to work here illegally when they should, and could, leave the UK. But we must also target the employers who facilitate illegal working. The Bill will allow us to strengthen sanctions for employers who knowingly turn a blind eye to the fact that they are employing illegal workers.

We also know that a great deal of illegal working happens in licensed sectors. The Bill will ensure that those working illegally or employing illegal workers cannot obtain licences to sell alcohol or run late night take-away premises. Similarly, we will be requiring licensing authorities to check the immigration status of taxi or private hire vehicle drivers. The message is simple—illegal working is wrong, and it will not be tolerated.

Too often, illegal migrants ignore the law, remain illegally in this country and take advantage of our very generous public services. That cannot be allowed to continue, so we will further restrict access to services. We will make it easier for landlords to evict illegal migrants while also introducing new offences for rogue landlords who repeatedly rent to illegal migrants. We will crack down on those driving while in the UK illegally by ensuring that, if they hold UK driving licences, their licences can be seized and taken out of circulation. We will also strengthen the consequences for those continuing to drive without lawful immigration status, including powers to detain their vehicle.

We will create a duty on banks and building societies periodically to check the immigration status of existing current account holders so that accounts held by illegal migrants can be closed or frozen following a court order.

It is right that we address the appeals issue so that we can remove people with no right to be in the UK. In 2014 we introduced our deport now, appeal later scheme, which has helped us to deport over 230 foreign national offenders. In our manifesto, we committed to extending that to all human rights cases, provided it does not breach human rights. The Bill allows us to do just that, to ensure that illegal migrants who have not been offered leave to remain cannot frustrate the removal process.

We will also ensure as a result of the Bill that when foreign criminals are released on bail we can place a satellite tag on them so that we know their whereabouts and can improve public protection.

The Government are clear that we have a duty to offer support to those who come to the UK and seek our protection while their claim is being assessed. But it cannot be right for that support to continue once it has been established and confirmed by the courts that an individual has no need of our protection and could, and should, leave the UK. Such individuals are illegal migrants, and to support them further would be unfair on those who do need our protection and our support to establish a new life here. The Bill redresses that balance and removes incentives to remain here illegally.

Two other aspects are important. Controlling our borders is vital in protecting national security. It is imperative that we know who is seeking to enter the UK and that we are able to stop them if they seek to do us harm. The Bill gives Border Force officers more powers to intercept vessels at sea, increase penalties for airline and port operators who fail to present passengers to immigration control, and automatically apply UN or EU travel bans to stop dangerous individuals coming to the UK.

Secondly, in line with our manifesto, we will ensure that customer-facing public sector workers are able to speak English. Where communicating with the British public is a vital part of the job, fluent English should be a prerequisite, and through this Bill we will legislate to ensure that this becomes a reality.

When the Government first came to power in 2010, the immigration system that we inherited was chaotic and uncontrolled. Over the past five years we have taken great strides forward in reforming it. We have tightened immigration routes where abuse was rife, shut down more than 920 bogus colleges, capped the number of non-EEA migrant workers admitted to the UK, reformed family visas, and protected our public services from abuse. These reforms are working, but we must go further. This Bill will build on our achievements and ensure that we have an immigration system that is firm and effective, fair on the British public and on those who come here legitimately, and, most importantly, serves the national interest. I commend this Bill to the House.

6.37 pm

Andy Burnham (Leigh) (Lab): As the Home Secretary said, we have had a lively and thorough debate, if not a genuine dialogue, as the movement from the Government has been minimal. We have not won many amendments but we have certainly won the argument. For that, I thank my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) for the assured and expert way he led for the Opposition on the Bill. He was, of course, our star summer signing and, like one of Mr Wenger’s best from the old days, he has managed to outshine his considerable reputation already, with more to come.

I would also like to thank my hon. Friend the Member for Rotherham (Sarah Champion), who brought an invaluable insight from her outstanding work on tackling the exploitation of children, and my hon. Friends the Members for South Shields (Mrs Lewell-Buck), for
Workington (Sue Hayman), for Sheffield Central (Paul Blomfield) and for Blackburn (Kate Hollern) who served on the Committee. Our thanks go too to the co-Chairs of the Committee, my hon. Friend the Member for Ynys Môn (Albert Owen) and the hon. Member for Wellingborough (Mr Bone), and to the third-party organisations that the Home Secretary referred to, which made a very important contribution.

Figures were published last week that I believe set the context for this Third Reading debate. The ONS reports that net migration has reached a record high of 336,000—up 82,000 from last year and 101,000 higher than the level it was when the Prime Minister came to office. I heard the Home Secretary’s comments about the record of the previous Government. She needs to have a look at her own record before she comes to this House and points the finger in this direction. That is the record of her Government. Let us set it against what they promised.

The Conservatives’ 2010 manifesto made a solemn pledge to reduce net migration to “tens of thousands”. “If we don’t meet it, boot us out,” said the Prime Minister. The 2015 manifesto made the same pledge—and we now know that, rather than reducing net migration, the Government are increasing it by tens of thousands. That is the Home Secretary’s record, and it is lamentable even by the standards of the Government. The Home Secretary likes to go to the Conservative party conference and talk a tough game, but the truth is that she cannot escape her own record. The very scale of the gap between her rhetoric and the reality continues to erode public trust on this most important and sensitive of issues.

As I made clear on Second Reading, I will always support practical measures to deal with the public’s legitimate concerns about immigration, and there are some measures in the Bill that we support—particularly the emphasis on labour market enforcement and English language requirements in public services. What I will not do, however, is lend our name to desperate attempts to legislate in haste and to half-baked measures that will not do, however, is lend our name to desperate attempts to legislate in haste and to half-baked measures that exist in the construction industry—will feel emboldened by the Bill. They will know that exploited people on building sites will no longer have the courage to report them to the authorities. The Home Secretary says that is “desperate”, but those people are desperate and she is putting them in a worse position. She needs to think about that before she puts the Bill into law.

Another concern is about clause 34, which removes support from families—a power that the Home Office has long sought; the proposal was put to me as a Minister and piloted under the last Labour Government. The official evaluation of that pilot found no evidence of increased removals but plenty of families going underground and losing touch with the authorities. As my hon. Friend the Member for Sheffield Central said in the debate, there is also the shunting of costs from the Home Office to local authorities.

In the end, however, the question we need to ask ourselves is much more fundamental: should any child—whomever they are, wherever they come from—be denied food and clothes while they are on British soil? I do not think so and I would venture to say that most Members on both sides would, in their heart of hearts, think the same. The great irony is that it was the then Conservative Opposition—specifically, the shadow Home Office team—in the last but one Parliament who led the charge against what was then known as clause 9. They were right to force the then Government to pilot this change, and we were right to drop the whole idea once the results of the pilot were clear. If what they said was right then, why is it not right now?

I congratulate my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) on raising widely held concerns about the need for
immigration rules that allow for the reunification of refugee families. She spoke powerfully about that. I hope that the Government will continue to look at this, particularly at new clause 11, which calls for a review of the rules.

Finally, I turn to the concern about the potential of the Bill to increase discrimination and erode basic rights and liberties. We live in the most challenging of times when there is no shortage of people with extreme views who seek to set race against race and religion against religion. We are legislating in a febrile climate in which discrimination can easily flourish, and this House must take great care that nothing we do adds to that. The right response to these challenges is not to erode important rights and liberties but to do the exact opposite—to protect and champion them. Given the huge backlog in the Home Office and its consistently poor record on initial decisions, the deport first, appeal later approach could undermine Britain's position in the world as a bastion of fair play and higher ideals. Despite the evidence published by the Government, I remain concerned that the threat of imprisonment to landlords who rent flats or houses to people without immigration status could lead to discrimination in the housing market, and a greater sense among black and Asian young people that they are being victimised.

Let me end on a more positive note that gives us a glimmer of hope for the Bill's onward passage to another place. I am pleased that the Minister, whom Labour Members have time for, has conceded significant ground on immigration detention. That has had strong support from Members on both sides, including the hon. Member for Bedford (Richard Fuller), who has Yarl's Wood detention centre in his constituency and has long called for a more humane system.

Paula Sherriff (Dewsbury) (Lab): Last Thursday, I attended Yarl's Wood having spoken to a number of women, and victims of rape and torture. The Minister acknowledged the issue of minimising the time spent on administrative detention, and the effectiveness of administrative detention, and we are grateful for his recognition of that.

Andy Burnham: I do agree with my hon. Friend, who puts her point very well. There are obviously concerns about the case she mentions given the question of the inappropriateness of detention for children, pregnant women, and victims of rape and torture. The Minister acknowledged the issue of minimising the time spent on administrative detention, and the effectiveness of administrative detention, and we are grateful for his recognition of that.

It is reassuring that on this issue, at least, the Government have shown a willingness to listen, but that is only the start of what they need to do. They will need to do a lot more listening, particularly to their lordships, before this Bill is in a fit state to reach the statute book.

6.48 pm

Stuart C. McDonald: I, too, place on record my thanks to all the organisations that have supported and advised MPs during the passage of this Bill. We have had a passionate and thoughtful debate and we have one final, brief chance to debate further, so I intend to take it.

Some would wish to criticise the Immigration Minister in the light of the latest abject failure to make any progress on the net migration target, but not us: we are critical of the net migration target itself, which long precedes the Minister. On Second Reading, I described the net migration target as unhelpful and unachievable. Last week’s announcement suggests that my description was far too understated. The immigration target is, frankly, total bunkum, complete baloney, and utterly bogus. There is no research or plan that explains why tens of thousands is the right target or an achievable target. Indeed, we learned today that the Chancellor’s spending plans appear to depend entirely on the net migration target being spectacularly missed. Without forecast inward migration, we will not be able to see through the spending plans that he set out last week. It is time for an honest debate on immigration about what is desirable and what is achievable.

Patrick Grady (Glasgow North) (SNP): Week after week at my constituency surgeries, I am left speechless as I try to explain to people coming from the most difficult of circumstances and wanting to seek a fresh home, make a fresh start and contribute to our society and economy, why this Government refuse to let them in. Does my hon. Friend agree that the net migration target is completely ideological and has nothing to do with what is actually good for the country?

Mr Speaker: I could never imagine the adjective “speechless” being applied to the hon. Gentleman.

Stuart C. McDonald: I agree with my hon. Friend. Such an honest debate must include discussion of how we assist communities that face challenges because of significant levels of migration. It must be about how we incentivise migrants to live in the parts of the United Kingdom that most need them and can most easily accommodate them. It should be about whether and how we can properly count those coming in and out, and how we can enforce the rules we already have, rather than create endless new rules. The debate must no longer proceed on the basis of the vicious climate of hostility policy that the Government pursue, and which affects all of us. We need a better approach to migration than the ludicrous one-size-fits-all target, which actually incentivises—my hon. Friend alluded to this—the exclusion of husbands and wives, the persecuted and the bright young students who will be the leaders of tomorrow.

We should reject this flawed Bill, which is designed to pursue a flawed target. Indeed, saying that it seeks to pursue that flawed target is in itself almost certainly being too kind, because it has zero chance of getting us anywhere near the target. This is not pursuit, but pretence. The Bill has been well described as “immigration theatre”. That is the fundamental flaw at the heart of the Bill, but there are so many problems with its pernicious clauses that it is not possible to do them all justice in the time available.
The Government may feel compelled to be seen to do something about net migration, but in reality the Bill will do nothing to resolve the challenges of migration, nor to maximise its benefits, and it will not certainly achieve the bogus target. However we look at it—from the perspective of the rule of law, human rights, the best interests of children, or just simple common decency—the Bill is pretty desperate stuff. I encourage Members to vote against it on Third Reading.

6.52 pm

Keith Vaz (Leicester East) (Lab): I will speak only very briefly. Unfortunately, the Home Affairs Committee sitting has prevented me and other members of it from being in the Chamber, though the hon. Gentleman for Cumbernauld and the rest of the places he represents—Mr Speaker: The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald).

Keith Vaz: I knew you would remember, Mr Speaker. The hon. Gentleman did tell me that he would be in the House to speak on behalf of his party, which of course he does so very eloquently.

I join the shadow Home Secretary and the Home Secretary in welcoming all the good work done by Members on both sides of the House in scrutinising the Bill, particularly the new shadow Minister for Immigration. The shadow Home Secretary has stolen him from the Home Affairs Committee. He says he is the star striker—he is not yet the Jamie Vardy of the team, but he is going that way. Sorry, I could not think of an Arsenal player; otherwise I would have mentioned him.

I think that I have served longer than any other Member in the Chamber at the moment, with the exception of the right hon. Member for Gordon (Alex Salmond), who had a short gap to be the First Minister of Scotland. In the 28 years I have been in the House, we have had about 20 immigration Bills. Every time we have one, the Home Secretary in successive Governments has got up at the Dispatch Box and said that, as a result of passing the Bill, immigration will be kept under control, the system will be much better, illegal migration will be reduced and that is the end of the show as far as such matters are concerned. Unfortunately, it never ends up like that: we pass legislation, and I am afraid that at the end of the day we have to come back again to pass another Bill.

I hope that that will not be the case with this Immigration Bill, because during the next four years until the next election I do not want the Home Secretary—either the right hon. Lady or her successor, although I am sure she will be in office for a long while—to have to come back and tell the House, “Well, it didn’t quite work, so we’re going to try something new.” My concern is not with passing legislation, although that is of course what the House is for, but with the way in which we administer the legislation. As reflected in the reports of the Home Affairs Committee, my concern has always been with the administration of the Home Office.

The Home Secretary has taken great strides. She has abolished the UK Border Agency and replaced it with a much more effective organisation. Sarah Rapson and her team are doing a much better job than their predecessors. However, there are always examples of situations in which illegal migration is not under control.

Only yesterday, as a result of work done by the BBC in the south-west, undercover reporters posing as illegal immigrants went to various places in Kent and Sussex and offered themselves as employees—[Interruption.] I can send the Home Secretary the video. They offered themselves as employees to work illegally in those two counties, and they were offered jobs at £2.80 an hour. They were also given advice by the employers on how to evade enforcement officers.

So no matter what legislation we pass here, at the end of the day we need an administration that is fit for purpose. I hope that, as a result of passing this legislation, we will get more focus on how we enforce the law, to ensure that those who wish to come to this country legally—students and others who genuinely want to study and work here—can do so, and that those who want to come here illegally will not be allowed to do so and will not be allowed to offer themselves for employment and to be put at risk by unscrupulous employers. There is a huge job of work to be done on the way in which we deal with enforcement, and if we can get the enforcement section of UK Visas and Immigration up to the same standard as the other parts of the organisation, it will make a huge difference. I hope that the Home Secretary will take that message with her as she continues her long journey running the Home Office.

The Select Committee heard today from the head of the UK Border Force, Sir Charles Montgomery, that he had not yet been told what his allocation was to be following the cuts—or should I say the austerity measures—at the Home Office. The Home Secretary fought a good fight with the Chancellor to protect the budget for counter-terrorism and policing, but she obviously did not win the fight in respect of the Home Office’s other functions. I hope that Sir Charles will be given that information as soon as possible, because protecting our borders, especially in the current climate, is one of the key concerns of the House and, I know, of the Government.

6.57 pm

Richard Fuller: I am grateful to you for calling me to speak, Mr Speaker, particularly as it was not possible for me to be here for the majority of the Front-Bench speeches. I want to follow on from some of the comments of the Chair of the Select Committee, the right hon. Member for Leicester East (Keith Vaz), about the passage of the Bill.

To be honest, I am interested not so much in what is in the Bill as in two important things that have been revealed by our discussions. The first is that there exists across Parliament a wish to see fundamental reform of the way in which we manage immigration and detention, and that wish is shared by people of all political views, from those who take a hard line on immigration to those who take a more lenient view. Secondly, there are indications—the early green shoots of spring—that the Home Office recognises the existence of that cross-party consensus. This is a tribute not only to Members of the House but to the all-party group and to Sarah Teather, the former Member for Brent Central, who instigated it. I appreciate being able to put this on record.

6.58 pm

Christopher Pincher (Tamworth) (Con): I am grateful to you, Mr Speaker, for allowing me to speak briefly in this important debate.
My hon. Friend the Member for Bedford (Richard Fuller) said that it is important that this House reaches a consensus on immigration and on this Bill. It is also vital that the country recognises that there is a consensus about dealing with the immigration challenge. When all of us, a few months ago, stood on the doorsteps talking to our constituents, many of them said, “First and foremost, you must deal with the challenge of immigration.”

The right hon. Member for Leicester East (Keith Vaz) says that we must not keep legislating and I suppose foremost, you must deal with the challenge of immigration.”

Of us, a few months ago, stood on the doorsteps talking about dealing with the immigration challenge. When all a consensus on immigration and on this Bill. It is also Fuller) said that it is important that this House reaches
Immigration Bill

NOES

Cameron, Dr Lisa
Campbell, r Mr Alan
Campbell, r Mr Ronnie
Carmichael, r Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, r Yvette
Cowan, Ronnie
Cox, Jo
Crawsby, Mr David
Crawley, Angela
Creagh, Mary
Creagh, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
Day, Martyn
De Piero, Gloria
Docherty, Martin John
Donaldson, Stuart Blair
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Dromey, Jack
Dugher, Michael
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliot, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrell, Paul
Fellows, Marion
Ferrier, Margaret
Field, r Frank
Fitzpatrick, Jim
Fiello, Robert
Fletcher, Colleen
Flint, r Carolyn
Flynn, Paul
Fovargue, Yvonne
Foxcroft, Vicky
Gardiner, Barry
Gethins, Stephen
Gibson, Patricia
Glass, Pat
Glindon, Mary
Godsiff, Mr Roger
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Haigh, Louise
Hamilton, Fabian
Hanson, r Mr David
Harman, r Ms Harriet
Harpham, Harry
Harris, Carolyn
Hayes, Helen
Healey, r John
Hendrick, Mr Mark
Hendry, Drew
Hiller, Meg
Hodgson, Mrs Sharon
Hosie, Stewart
Hunt, Tristram
Hug, Dr Rupa
Hussain, Imran
Irранa-Davies, Huw
Jarvis, Dan
Johnson, r Alan
Johnson, Diana
Jones, Gerald
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, r Sir Gerald
Kerevan, George
Kerr, Calum
Khan, r Sadiq
Kinnock, Stephen
Kyle, Peter
Lavery, Ian
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Long Bailey, Rebecca

Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
MacTaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Mahboub, Seema
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
McCaig, Callum
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, Dr Alasdair
McDonnell, John
McFadden, r Mr Pat
McGarry, Natalie
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McLaughlin, Anne
Meale, Sir Alan
Mears, Ian
Milliband, r Edward
Monaghan, Carol
Monaghan, Dr Paul
Moon, r Mrs Madeleine
Morden, Jessica
Morris, Grahame M.
Mulholland, Greg
Mullin, Roger
Murray, Ian
Newlands, Gavin
Nicolson, John
Orr, Melanie
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Paterson, Steven
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Powell, Lucy
Reed, Mr Steve
Rees, Christina
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Roberson, r Angus
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, r Joan
Salmond, r Alex
Saville Roberts, Liz
Shah, Naz
Sheppard, Tommy
Sherriff, Paula
Shuker, Mr Gavin
Sidique, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeth, Ruth
Question accordingly agreed to.
Bill read the Third time and passed.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith (Standing Orders No. 15(2)(a) and No. 41A(3)).
That, at this day's sitting, the Motion in the name of Chris Grayling relating to sittings of the House may be proceeded with, though opposed, until any hour, and Standing Order No. 41A relating to Deferred Divisions shall not apply.—(Stephen Barclay.)

Question agreed to.

DEFERRED DIVISIONS

Motion made, and Question put forthwith (Standing Order No. 41A(3)).
That, at this day's sitting, Standing Order No. 41A (Deferred divisions) shall not apply to the Motion in the name of Priti Patel relating to Social Security.—(Stephen Barclay.)

Question agreed to.

Social Security

7.13 pm

The Minister for Employment (Priti Patel): I beg to move,

That the draft Welfare Reform (Northern Ireland) Order 2015, which was laid before this House on 26 November, be approved.

The order will ensure that the people of Northern Ireland can benefit from the radical programme of welfare reforms enabled by the Welfare Reform Act 2012 in Great Britain. That landmark act ushered in a new welfare contract with the British people. It said to those who are able to work, “Work will always pay.” It said to the most vulnerable in society, “We will continue to provide you with the support you need”, and it said to the taxpayer, “Your hard-earned money will be spent responsibly.”

This new contract reflects principles which continue to guide our welfare reform programme—that work is the best route out of poverty, that spending on welfare should be sustainable, that people on benefits should face the same choices as those in work, and that the most vulnerable should be protected. Those are the principles that underpin the Welfare Reform Act 2012, and they are the principles that underpin the Order in Council before the House today.

Before I turn to the specifics of the order, I want to remind the House of the desperate need for welfare reform in Great Britain and Northern Ireland. When we took office in 2010 nearly 1 in 5 households had no one working, the number of households in which no one had ever worked had nearly doubled, and nearly 1.5 million people had been on benefits for most of the previous decade. The welfare system, with its byzantine complexity and perverse incentives, had allowed people to become detached from the rest of society, trapped in worklessness and dependency.

Over the past five years, we have stuck to our economic plan, delivered welfare reform and seen great progress: employment is up over 2 million; there are over 680,000 fewer workless households; and the number of people claiming the main out-of-work benefits has fallen by 1 million. In Northern Ireland, too, there have been improvements in the labour market, with 33,000 more people in employment than in 2010 and the claimant count down nearly 30% over the same period, but there is still much more to do. Northern Ireland has a lower proportion of its working age population in work than any other country or region of the UK; 130,000 households have no one in work; and 5% of those claiming the main out-of-work benefits across the UK as a whole are in Northern Ireland, which is well above its share of the UK working-age population.

In rebalancing Northern Ireland’s economy to meet the challenges of today’s global economy, we are tackling these challenges and creating jobs. Economic reforms, such as the proposed corporation tax reduction, will be vital, but economic reforms alone will not create a more prosperous society or improve the life chances of people trapped in dependency. As my right hon. Friend the Secretary of State for Work and Pensions has said many times in this House, economic reform must be complemented by social reform. We must ensure that people are supported and incentivised to take advantage of the opportunities that economic growth can create, and that is what the order does.
Improved incentives are at the heart of universal credit. The single taper rate ensures that work will always pay; and the stronger conditionality framework encourages claimants to do everything they reasonably can to find or prepare for work.

Lady Hermon (North Down) (Ind): The Minister will know that the Belfast agreement created two statutory organisations: the Northern Ireland Human Rights Commission and the Equality Commission for Northern Ireland. What consultation have the Government conducted with them on these welfare reforms?

Priti Patel: Full and public consultation has taken place, and all the information has been made available repeatedly.

Early evidence suggests that universal credit is making a difference. Compared to current jobseeker’s allowance claimants, universal credit claimants look for work more, enter work faster and earn more. The benefit cap is also having a positive impact in Great Britain, with capped households 41% more likely to go into work than similar uncapped households. It must be right that the people of Northern Ireland benefit from these reforms, so the order provides the legislative framework to implement them in Northern Ireland, as well as replacing disability living allowance with the personal independence payment, which helps towards additional living costs associated with a long-term health condition or disability and is based on how a person’s condition affects them, not on the condition they have; reforming contributory benefits so that they align with universal credit conditionality, including through the introduction of a claimant commitment as a condition of entitlement; time limiting employment support allowance to underline the principle that with the right support claimants are expected to return to work; and introducing tougher penalties for benefit fraud.

The transitional provisions in the order allow the Secretary of State to exercise the vast majority of regulation-making powers in the first instance, and our intention is to introduce the regulations in the early new year, working with colleagues in Northern Ireland. It will be for the Northern Ireland Executive, however, to implement the changes, and regulations relating to the top-ups outlined in the Stormont House and fresh start agreements will be taken forward by the relevant Northern Ireland Department in the Assembly.

It is important to remember what the order is about and what it is not about. It is not intended to diminish Northern Ireland’s devolution settlement. As my right hon. Friend the Secretary of State for Northern Ireland has made clear, the legislative approach we are taking has arisen at the request of the Northern Ireland parties, and the Assembly has given its consent. The order also reflects the draft Northern Ireland Welfare Reform Bill, which has been debated at great length in the Assembly over the past three years. Accordingly, the order includes a number of amendments that reflect the will of the Assembly, including an 18-month limit for higher level sanctions and discretionary payments.

This order is about building and delivering the fresh start agreement. It is about supporting hard work and aspiration, and creating the right incentives for people to fulfil their potential and create a safe, secure and self-sufficient life, supported by, but independent from, the state. It is about making sure that spending on welfare is sustainable and fair to the taxpayer, while at the same time protecting the most vulnerable. Building an economy based on higher pay, lower taxes and lower welfare is both right for the UK and right for Northern Ireland. I commend the order to the House.

Emily Thornberry (Islington South and Finsbury) (Lab): It is important to be mindful throughout today’s debate of the events that have led us to this point. It is now almost a full year since the Stormont House agreement was finalised, after months of negotiation between five Northern Irish political parties, involving representatives of the UK, US and Irish Governments. Those negotiations sought to reach a lasting solution to some of the problems that have afflicted Northern Ireland not just in recent years, but throughout its history. The agreement made a substantial amount of progress on some of the most contentious issues, including flags, parades and dealing with the past, while also seeking a way forward on issues such as welfare reform and the devolution of corporation tax.

The Stormont House agreement marked a turning point, but in the longer term it has not provided a conclusive resolution to most of the issues that the parties sought to address. Divisions have remained in the 12 months since and have escalated at frequent intervals. On more than one occasion this year, it appeared that there was a genuine risk not just that the devolution settlement might collapse, but that we might see a return to direct rule for the first time in almost a decade. Whatever their disagreements, it has always been clear that none of the parties wanted that. Neither, of course, did hon. Members on either side of this Chamber.

My hope is that today marks the end of a difficult process that none of us wants to see repeated. The Northern Ireland (Welfare Reform) Act 2015, which received Royal Assent this week—together with this order, which it enabled—takes an important step towards bringing the events of the last 12 months to a close. I suspect that no one will see this order as a perfect solution. Most will nevertheless regard it as necessary at least, in so far as it paves the way for an end to financial penalties and a return to stable government. The Opposition will not, therefore, be voting against the order today, just as we did not vote against the enabling Bill, which became law last week.

We have serious concerns about many of the Government’s welfare reforms and, as the Minister knows, we have not held back from expressing them at the appropriate time. We have also, however, been consistent in our view that these debates are not the right forum for rehearsing the arguments we have been making elsewhere. We sincerely hope that, in bringing recent disagreements over welfare reform in Northern Ireland to a close, this legislation will mark the beginning of a new chapter in its history. It is hoped by many that it will pave the way for progress on long stalled issues, including the devolution of corporation tax, as I mentioned, as well as a voluntary redundancy scheme to mitigate the impact of recent civil service cuts on Northern Ireland’s workforce.

We particularly welcome the provisions made for transitional protections, extending over a number of years, to help to mitigate the impact of some of the
most significant changes. These include important protections for existing claimants affected by the bedroom tax and the transition from disability living allowance to the personal independence payment. I understand that agreement has also been reached for a number of changes to be made to the way that universal credit will be implemented in Northern Ireland, which include exemptions from the requirement for single household payments, provisions to allow the housing costs element to be paid directly to landlords and protections in the sanctions regime for lone parents seeking work.

These are all welcome compromises on the part of the Department for Work and Pensions. Although they may not address all the concerns that have been raised about welfare reform in Northern Ireland, they will nevertheless go some way towards mitigating the impact on some of the most vulnerable among those affected.

Mr Gregory Campbell (East Londonderry) (DUP): The hon. Lady is rightly outlining some of the beneficial mitigating measures that will come into effect in Northern Ireland. As a Member of Parliament in this part of the United Kingdom, does she perhaps look on the package in Northern Ireland with some shades of envy for her own constituents?

Emily Thornberry: I appreciate that some of the compromises that the DUP have reached for Northern Ireland are not outcomes that we have managed to achieve on the mainland. Many of the policies that I see in front of me are certainly things that the Labour party has called for; so I congratulate DUP Members. Let us call a spade a spade. These are all welcome compromises on the DUP’s part. Although they may not address all the concerns, they nevertheless go some way towards mitigating the impacts on some of the most vulnerable among those affected.

We must remember that the divisions that recent negotiations have sought to heal go far beyond welfare reform alone. As such, finalising this agreement will allow progress to be made in other areas, making available reform alone. As such, finalising this agreement will allow progress to be made in other areas, making available

7.26 pm

Dr Alasdair McDonnell (Belfast South) (SDLP): I rise to speak briefly on this vexed issue because, quite simply, all that has to be said and can be said on the issue has been said. My hon. Friends and I have made our position abundantly clear on many occasions, but I could not let this statutory order pass without expressing my regrets. It is entirely regrettable that the role and responsibility of the Northern Ireland Assembly has been eroded and undermined as it has by the Government, by the DUP and by Sinn Féin.

It is not clear to me whether Sinn Féin and the DUP did not realise the implications of locking into the Welfare Reform and Work Bill in the legislative consent motion, or whether they did not care. That is the situation we are in. It is particularly odd when the DUP actually voted against the Bill in this House, but then signed up to it in the Assembly.

Jim Shannon (Strangford) (DUP): I have listened with some incredulity to what the hon. Gentleman has said. Does he not accept that the Welfare Reform and Work Bill and the agreement for Northern Ireland represent a better deal for Northern Ireland than any other part of the UK has received? Indeed, the Labour party has already indicated its envy of the Northern Ireland deal, so will he not accept the good deal that we have—one that beats anywhere else in the United Kingdom?

Dr McDonnell: The hon. Gentleman makes a very good point. The difficulty about it is that the DUP would have settled for a lot less. DUP Members argued for less time and again. Quite simply, I agree. The SDLP feels that, although the deal has its merits in some places, there are big gaps in it in others. Quite frankly, what we need to ensure is that those gaps are filled.

Ms Margaret Ritchie (South Down) (SDLP): Does my hon. Friend recall meetings we had with the noble Lord Freud in the other place back in February 2012 and in November 2012, when he indicated to our party delegation that those mitigations were then in place? Does my hon. Friend agree that it took some time for the then Minister for Social Development to come to his senses and realise that those mitigation measures would be in place?

Dr McDonnell: I thank my hon. Friend for her comments. I agree. I recall the meeting she mentions. In my opinion, what she is reflecting is the fact that it was a complex issue and it still is a complex issue. What comes to mind immediately—and I am glad that the hon. Member for Strangford (Jim Shannon) drew my attention to it—is that the negotiation skills of Sinn Féin and the DUP have been very flawed. Quite simply, they were prepared to settle for a very bad deal, and now they are settling for just a bad deal.

I believe that we in the SDLP were right to argue that the Chancellor would have to introduce mitigation in relation to tax credits, and in due course he did, thus making that part of the debate redundant. Indeed, the £60 million top-ups are not only redundant but unnecessary. There must now be a debate about exactly where the money will be reallocated, because that is not clear. The SDLP believes that, instead of carving up poverty, we must establish a clear strategy that will relieve our present situation and enable us to concentrate on prosperity rather than welfare. However, that is a discussion for another time and another place.

Our party has argued for legislation in the Assembly but, failing that, while we have a high regard for the Secretary of State in many respects, we have been honest and open about the fact that, in this instance, we want to curb her influence and the undermining of the spirit of devolution. It is just a pity that Sinn Féin Members are not present to vote either with or against the Conservative Government. I do not know how they...
would vote on this occasion, but it is disappointing for us that DUP Members are being gung-ho here and voting in favour of these measures.

**Mr Laurence Robertson** (Tewkesbury) (Con): The hon. Gentleman is an extremely valuable member of the Select Committee. Does he accept that, in the spirit of devolution, which involves a power-sharing rather than a straight democratic arrangement, it is necessary for parties to make compromises? Yes, they can state what they really believe in, but at the end of the day they must make compromises in the spirit of devolution, because failing to do so could risk bringing down the devolution settlement itself. Indeed, that nearly happened.

**Dr McDonnell:** I fully respect our learned and hon. Friend and the issue that he has raised, but I put it to him that no party has been more willing to compromise on a whole range of issues than the SDLP. We were there at the beginning, we are there in the middle, and we will be there at the end, working to create consensus and partnership.

7.32 pm

**Sammy Wilson** (East Antrim) (DUP): I want to make it clear that the responsibility for this matter being debated in the House today lies fully with the SDLP and with Sinn Féin—and the Greens: the wee Green man in the Assembly. They used the powers that were available to block the legislation, created a constitutional and financial crisis in the Assembly, and hurt the many hundreds of thousands of people who found that for the last year the budget of the Assembly had been in disarray. The only way out of the impasse that had been created by the SDLP and Sinn Féin was to bring the legislation here. At the end of the day, common sense prevailed, and that is why we are in our present position.

**Mr Gregory Campbell:** Does my hon. Friend recognise that, on top of the problems that have been caused by the SDLP and Sinn Féin, more than £100 million-worth of fines were levied on the Assembly as a result of that intransigence?

**Sammy Wilson:** Of course, that £100 million-plus could have been used to deal with many of the pressing problems faced by my hon. Friend’s constituents and mine, and, indeed, the constituents of all of us in the House tonight. They could not benefit from hip operations, eye operations or special needs provision in schools because money had been drained from the Northern Ireland budget unnecessarily. Let us be clear about this. The responsibility for the legislation being brought here rests with those who took the view that they did, even after concessions had been made. I want to thank the Ministers on the Treasury Bench who listened to the special case in Northern Ireland, albeit that they made us pay for the changes ourselves. Nevertheless, they recognised that there were special conditions in Northern Ireland and they were prepared to be flexible. I suspect that caused some difficulty for them with their constituents, because the same arrangements were not available here on the mainland. Nevertheless, they were made available in Northern Ireland—although, as I said, the Northern Ireland Executive had to pay for the changes made.

This was always going to be a difficult issue because of the parity principle. It is one of the reasons why at the very beginning when devolution was being set up we questioned whether welfare should ever be devolved; departure from the parity principle was always going to be very difficult. The arrangement was that, so long as Northern Ireland stayed in line with tax changes and benefit changes in the rest of the UK, through the annually managed expenditure, whatever the cost of welfare would be, it would be met by the Exchequer; it would not have to be found locally, but would be met by the Exchequer. It was perfectly legitimate to say, “We’re not going to allow you to go and do your own thing and then expect the Treasury to pick up the bill.” We expect there to be that parity principle and, that being the case, the devolution of welfare to the Northern Ireland Assembly was always going to create difficulties if parties decided to dig their heels in and ask for radically different arrangements.

It has been mentioned that my party voted against some of the things contained in the Bill at Westminster. That is true, but there are many things we voted for. We supported the benefit cap. We supported the move to universal credit and the simplification of benefit arrangements. We supported the principle that benefits should be set at a level to make work pay, and not to penalise people who went out and worked. We supported all those things, but there were things we were not happy with. We voted against them here. In some cases we were able to negotiate differences in Northern Ireland, and in some cases we were not, but we faced up to the reality that once the legislation had passed through Westminster the Northern Ireland budget was not going to be able to bear the cost of not implementing it in Northern Ireland.

It is ironic, however, that the SDLP should say that Sinn Féin and the DUP rolled over to the Government on welfare reform. Let me give one example. When the hon. Member for South Down (Ms Ritchie) was Minister for Social Development, she put through a lot of statutory instruments that simply reflected welfare changes here and were introduced in Northern Ireland, very often without any debate. Indeed, it was her successor who introduced in Northern Ireland the removal of the spare room subsidy for the private rented sector, and then railed against it when it was introduced for tenants in the public rented sector. There was not a word about it in the Northern Ireland Assembly when her colleague Mr Attwood introduced that. So we can see a certain amount of conflict between the anti-welfare rhetoric of the SDLP and its willingness on many occasions to introduce welfare changes through the Assembly.

**Lady Hermon:** Instead of concentrating only on the SDLP, I would be intrigued to find out what persuaded Sinn Féin, after months and months of saying no to welfare reform, to agree with the DUP—and do not tell me it was the charm of the DUP; just explain why they changed their mind.

**Sammy Wilson:** As I have mentioned to the hon. Lady before, because she has asked me this previously, Sinn Féin has on many occasions adopted an intransigent attitude. It said it would never turn its back on the IRA, but at St Andrews we insisted that it had to turn its back on associations with all those who were involved in criminality before we were—
Mr Deputy Speaker (Mr Lindsay Hoyle): Order. Obviously, we are broadening the debate into other areas we are not expected to deal with, and I do believe we could have quite a bit more business to come.

Sammy Wilson: Thank you, Mr Deputy Speaker. The hon. Member for North Down (Lady Hermon) is now going to have to do without an answer to that question because you have made it clear—

Mr Deputy Speaker: I am sure you can have a cup of tea later in order to answer it.

Sammy Wilson: Mr Deputy Speaker, you have made it clear to the hon. Lady that I would be digressing if I went down that route. The good thing is that Sinn Féin did face up to the reality that we could not go along a route where we did not have a sustainable budget and could not deliver services in Northern Ireland, we were going to hit a constitutional crisis and the devolution settlement was going to be under threat if we did not deal with this issue. I do not see what happened as a cop-out on our part, because we had always advocated that, if this matter could not be dealt with in the Assembly, it should be dealt with here—my only regret was that the Secretary of State did not take the powers earlier. Perhaps it is better that the powers were handed to her by the Northern Ireland Assembly and therefore we have this order tonight.

Ms Ritchie: Does the hon. Gentleman not recall that, when I was Minister for Social Development, I facilitated the request by the Social Development Committee, under the chairmanship of the hon. Member for East Londonderry (Mr Campbell)? He and others asked me whether it would be possible for money to be paid directly to the landlord rather than the tenant as part of housing allowance, in order to ensure the protection of tenants, and I was very glad to do it. Does the hon. Member for East Antrim (Sammy Wilson) also agree that the whole purpose of those statutory instruments was to ensure that money was given to people as quickly as possible, in order to take them out of poverty and into a situation where they had money?

Sammy Wilson: The whole point of the order before us is that it allows for those changes to be made in Northern Ireland. The range of the changes has been highlighted here tonight: the exemption from the spare room subsidy changes; the direct payments to landlords; the split payments to households; and additional funding for those who would be affected by housing benefit changes to their rates. All those have been facilitated as a result of the negotiations that took place—under the auspices of a Democratic Unionist party Minister; the DUP negotiated many of those changes. As I say, we were pleased that the Government were prepared to be flexible, albeit that their largesse did not extend to funding those changes and those had to be funded from the Northern Ireland budget.

The good thing about this order is that it removes something that was toxic in the Assembly. Until December next year, any welfare changes will be done through this House and therefore the kind of impasse that we have experienced before will be removed. That is good for the stability of the Assembly. It is good that we have an order that reflects some of the changes that we believe were necessary and some of the amendments we wish to have in the legislation. Overall, it is a good part of the package. We are not ashamed of it. We do not believe it dilutes devolution. It is a recognition that the current blocking arrangements in the Assembly created problems that we had to find a way around.

Lady Hermon: I am very grateful to the hon. Gentleman for allowing me to intervene again. I am sure that he would like to correct the record. Instead of describing an Assembly Member as a “little Green man”, perhaps he could explain that that Member of the Legislative Assembly is in fact a member of the Green party, and one of the six MLAs in North Down. I am sure that he would like to correct the record.

Sammy Wilson: The MLA is a man. He is quite small, and he sits in the corner of the Assembly, and he is also a member of the Green party. Members can take from that what they wish. He and I have a long record of conflict in the Assembly.

I welcome the order before us tonight. There is other welfare legislation that will have to come before this House. I look forward to it going through, so that the problems that welfare was causing in the Northern Ireland Assembly should not cause an impasse in the future.

7.45 pm

Ms Margaret Ritchie (South Down) (SDLP): Tonight we are dealing with the Welfare Reform (Northern Ireland) Order, which implements provisions contained in the Welfare Reform Act 2012. Specific changes include top-up powers and a different sanctions regime.

Unfortunately, owing to the actions of the Democratic Unionist party and Sinn Féin, we see the surrender and return of these welfare reform powers to Westminster, and the reintroduction of the undemocratic Orders in Council, which we thought we had consigned to the legislative dustbin when devolution returned on 7 May 2007. Orders in Council are undemocratic, because no provision is made to allow amendments. I do not think that anyone would deny that.

As Members are aware, last week the SDLP tabled a number of amendments to the enabling Bill at Committee stage which dealt with the detail of this Order. Although I do not intend to reiterate our rationale, I will say this: the amendments would have restricted the Secretary of State’s powers to interfere with Northern Ireland’s welfare system.

On one amendment in particular, namely the sunset clause, the Secretary of State for Northern Ireland and the Minister made no attempt to justify voting it down. That sunset clause was set at 31 December 2016—

David Simpson (Upper Bann) (DUP): Will the hon. Lady give way?

Ms Ritchie: If the hon. Gentleman will let me complete my point, I will come back to him.

There was no response to the point made by my hon. Friend the Member for Foyle (Mark Durkan) when he asked why the sunset clause should not be made more temporary, and set at 1 June 2016. That would have reflected the new mandate following the elections in May.
The arbitrary date seems to have been chosen more for neatness than for any consideration of the processes and structures in the Assembly.

David Simpson: I have the greatest respect for the hon. Lady. I wish to give her an opportunity to express her regrets—or does she, along with her party, in fact express any regrets?—that £100 million was sent back to the Treasury, which could have been used for the benefit of the people of Northern Ireland. Will she express that regret?

Ms Ritchie: On that point, I can well recall that there was robust opposition to those fines by my colleagues in the Assembly. Let me ask the hon. Gentleman this: do he and his colleagues regret the fact that there was an in-and-out approach to ministerial office by the DUP back in September, which resulted in very long waiting lists for health and in many people still having to wait for surgical procedures?

This debate and this order reflect the Government’s attitude and the disregard for the Assembly’s democratic processes on the part of the Government and Sinn Féin and the DUP. This sunset clause has been presented by other parties as the cut-off point in the Secretary of State’s interference in our welfare system, but of course that is not the case. The legislative consent motion voted through by the DUP and Sinn Féin locks Northern Ireland into the welfare provisions.

May I remind you, Mr Deputy Speaker, that DUP Members walked through the Lobby with us to vote against the provisions, yet they have joined Sinn Féin in signing up to this? My colleague in the Assembly, Mr Attwood, received a letter from the DUP Minister for Social Development last week, confirming that our constituents would face a benefit freeze for four years up to 2020 and that Westminster would have the power to impose an even lower benefit cap—lower than £20,000 for the North. That is what the DUP and Sinn Féin have locked us into. Such a four-year freeze will mean real reductions year on year for people on income support, jobseeker’s allowance, employment and support allowance and universal credit. It will mean a freeze for constituents, whether those of my hon. Friend the Member for Foyle (Mark Durkan), of the hon. Members for East Derry (Mr Campbell), for East Antrim (Sammy Wilson) or for Upper Bann (David Simpson), or of the right hon. Member for Belfast North (Mr Dodds).

Sammy Wilson: Does the hon. Lady accept that most people in Northern Ireland do not regard a benefit freeze on the scale that she suggests, which is equivalent to take-home pay of £37,000 for someone in work, as unreasonable, and that if we are talking about making work pay, such a benefit freeze is essential?

Ms Ritchie: May I suggest to the hon. Gentleman that the standard of living in Northern Ireland is much higher and that we are talking about a benefit cap. I remind the hon. Member for East Antrim not to lead people in a slightly different direction by confusing a freeze with a benefit cap. The debate on this order in Council, which has 140 clauses, is really about the needs of families and individuals who need to access the benefits system. People do not do that because they want to; they are forced into it because they cannot find a job, have lost their job or they live in an area where there have been considerable job losses. In Ballymena, in the constituency of the hon. Member for North Antrim (Ian Paisley), there will be considerable job losses as a result of closures at Michelin.

We are all united in a desire to build a more united society where there will no longer be peace walls, and we have a stable economy with plenty of economic growth and productivity and stable political institutions. We want to ensure that people can live, and people with families can rear them, in relative comfort. It is not a lifestyle choice to be in receipt of benefits; as I explained, many people are forced into such circumstances because they do not have a job or they have some form of disability.

I would like the Minister responding on behalf of the Department for Work and Pensions to explain the calculation of the top-ups and which budget they will come from. Will they come out of the existing Department for Social Development budget or the Social Security Agency budget, or will there be a raid on the discretionary fund, which will disadvantage other people?

I take on board the fact that there is a top-up regime, and I hope that that money will be safeguarded by the Treasury to ensure that money flows to people. We do not want to see a sanctions regime lead to youth homelessness, which has been an emerging phenomenon in Germany and here in England and Wales, where benefits sanctions are in operation. Such sanctions can often bear down on the individuals and families least financially able to tolerate them. None of us, no matter what our political perspective or affiliation, would want that to happen to any of our constituents.

In conclusion, I would like to touch on a rather bizarre criticism levelled at my colleagues by hon. Members representing the DUP. They suggested that there was some contradiction in our argument that Northern Ireland’s welfare powers should be legislated for in Northern Ireland and, in the absence of that, our attempt to protect claimants through our amendment put to this House last week. There is no contradiction. We believe in democracy and in the processes of both the Northern Ireland Assembly and this House to scrutinise and amend legislation. Just because the DUP and Sinn Féin undermined the processes of the Northern Ireland Assembly, the SDLP will not undermine the role, duty and responsibility of this Chamber.

To my knowledge, Sinn Féin has been oddly quiet on this issue. Its only response to the trade unions protesting outside its offices on the issue at the weekend was that it supported the unions in “directing united opposition against the Tory government in London”—by handing over powers to that same Tory Government. That is rather bizarre and ludicrous.

The most important thing is that we are able to build on the political institutions and on sound economic growth and productivity in a balanced way throughout Northern Ireland, and that people are not worse off as a result of this measure—that is, people who are forced into the benefits system because of a lack of opportunity and jobs.
Mr Nigel Dodds (Belfast North) (DUP): I shall contribute briefly to the debate. I welcome what the hon. Member for South Down (Ms Ritchie) said about wanting to move Northern Ireland forward, building the economy and creating peace and stability in Northern Ireland. We have common cause in that. That is precisely why we believe that the fresh start agreement, including this welfare element, is so important. Without it, Northern Ireland would have gone backwards. We would, in effect, have gone back to direct rule. It would have taken many years once again to get devolution up and running, with all that would result from that.

There is no point adopting the self-indulgent, luxurious position of wishing that circumstances were different. That is the fact of the matter. We had to address a very difficult situation. The rule of parity was implemented by Ministers when I first because Social Development Minister back in 1999. I remember that the first thing we discussed with the civil servants was the issue of parity. Revisiting this point, it is interesting to note that it is cited specifically in the Belfast agreement, which the SDLP was instrumental in agreeing. That principle is enshrined in section 87 of the Northern Ireland Act 1998. Parity is important. Without maintaining parity, the Northern Ireland Executive can make changes. The Northern Ireland Assembly can depart from legislation and provisions passed here, but on the principle that any additional costs would fall to be met by the Northern Ireland Executive out of the block grant. To close our eyes to that reality and pretend that things are otherwise is simply not sensible, rational politics.

We faced up to the issue. As my hon. Friend the Member for East Antrim (Sammy Wilson) eloquently set out, we voted against but we also clearly supported some elements because we believed that they were best for the Government’s welfare agenda. We opposed others and then made a strong effort in the Assembly and in direct negotiation. I pay tribute to Nelson McCausland, the previous Department for Social Development Minister, for getting mitigations, which the Government accepted. We then put those forward in the Assembly. The Bill was first introduced in October 2012 and reached its final stage in May 2015. It still did not get through because of SDLP, Sinn Fein and Green party opposition.

The process is not undemocratic; remember that the Northern Ireland Assembly passed a legislative consent motion on 18 November by 70 votes to 22. The principle of devolution has been observed and the integrity of the Northern Ireland Assembly’s right to legislate has been specifically preserved. The Assembly has given its consent through that motion.

Finally, I want to put on the record the improvements and additions that Northern Ireland now has compared with elsewhere. There are the top-ups, which amount to many hundreds of millions of pounds, and the exclusion of the so-called bedroom tax. As has been outlined, we have seen the end of fines. I will not go into the figures, but those fines were having a detrimental effect on ordinary people and services in Northern Ireland and we have put a stop to them. Given their previous attitude, if the SDLP and Sinn Fein had had their way, they would continue.

We are also getting £25 million of new ring-fenced funding per year for five years to address welfare error and fraud in Northern Ireland. The UK Government have agreed that half of any savings generated in the next five years can be reinvested by the Northern Ireland Executive. Those are just some of the improvements on the welfare side as well as all the other advantages from the fresh start agreement, building on the Stormont House agreement.

We would prefer the legislation to have gone through the Assembly—of course we would. However, we faced up to the reality: if we had gone on the way we were, we would have ended up making suffer those we most wanted to protect.

Tom Elliott (Fermanagh and South Tyrone) (UUP): I am not arguing against the legislation by any means, but I seek clarification. The top-ups available under the disability living allowance and the personal independence payment through the Stormont House agreement are not available under these proposals—instead, they are down to the three-person panel. This is just a matter of clarity. Obviously, Sinn Fein has a different perspective from that of Stormont House.

Mr Dodds: As I understand it, the Executive are establishing a small working group under the leadership of Professor Eileen Evason to bring forward proposals within the financial envelope set out by the Executive, including administrative costs, to maximise the use of additional resources. The issue will be for the Executive to determine following Professor Evason’s recommendations.

I thank the Government for the expeditious way in which they have brought this matter through the House of Commons at the request of the Northern Ireland Assembly. This is a good day for Northern Ireland, and I certainly support this legislation.

8.3 pm

Mark Durkan (Foyle) (SDLP): I have to start by disagreeing with the very last point made by the right hon. Member for Belfast North (Mr Dodds). I am not here to thank the Government for introducing, by a direct-rule-style Order in Council, legislation that I opposed. The Democratic Unionist party may be happy to endorse by fiat direct rule legislation, parts of which they supposedly opposed; earlier, the hon. Member for East Antrim (Sammy Wilson) was honest enough to concede that his party had supported parts of the original legislation in 2011 and 2012.

I want to correct the misrecord that has come from some of the hon. Members. Members behind me. Whenever the legislation was going through, we, as part of due diligence, were trying to get the Assembly to address properly and anticipate the implications of the legislation that passed through this House, precisely to make sure that we could mitigate and influence it and anticipate what mitigation measures and top-ups were needed to maximise whatever bit of discretion devolution could give us. DUP Members voted the proposal down in the Northern Ireland Assembly. They said that we were scaremongering. They said, “Leave it till we see how the legislation comes through and then our Minister will be able to negotiate some mitigation.” The mitigation that their Minister produced—we have heard Members repeat it tonight—was basically the same mitigation that Lord Freud told us in February 2012 would be available, so no additional concessions were got.
We wanted additional concessions. We said in the Assembly that concessions were available and that we needed to advance further mitigation, but DUP Members stalled. Yet now they make a virtue out of saying that their Minister manfully negotiated and pulled a rabbit out of a hat on concessions that were available all along anyway.

That is a dereliction on the part of DUP Members, because they did not get anything that was not already available in February 2012. We put it on the record that it was available then, and we could and should have got more if the Assembly had combined in that effort. DUP Members decided that they had sufficient confidence in the legislation that was being put through by the coalition Government here and in themselves not to create an all-party approach. An all-party approach should always have been created. I previously understood that Sinn Féin believed in such an all-party approach, but of course that tune has changed several times in the course of this whole exercise.

Let us be very clear about the content of the order: it gives effect to the 2012 Act. It basically introduces the Northern Ireland version of the 2012 Act with tweaks and adjustments, some of which were always going to be available anyway. When we first said that we were getting these concessions in 2012, the DUP said that we were scaremongering about the Bill and that we did not need to be looking to concessions. [Interruption] The hon. Member for Strangford (Jim Shannon) is chuntering away, not content with making his usual intervention; he is apparently the only Member of this House who would intervene on himself. Let us be very clear: we are told here that these concessions were got by the DUP, and at home that they were got by Sinn Féin. We have to ask, “Where are the additional concessions beyond those that Lord Freud told us were available in February?”

Ms Ritchie: Does my hon. Friend well recall the meeting with Lord Freud in February 2012 at which he stated quite clearly that these, shall we say, mitigations would include a slightly different sanctions regime and the ability for welfare payments to be paid to claimants fortnightly rather than monthly? Does he agree that those sanctions were agreed at that time and there was perhaps an unwillingness by the DUP to bring them forward through the welfare reform legislation in the Assembly?

Mark Durkan: I fully concur with my hon. Friend’s memory of that meeting. Let us be clear, because we dealt with this in the previous debate as well: at the time, the DUP Minister indicated that the computer system would easily facilitate fortnightly payments, or even weekly if it came to that, and that continuing direct payments to the landlord would not be a problem. He also said that the first time he had heard about Northern Ireland’s particular issue with the bedroom tax was from us, and that his officials had not had it raised in any of their meetings with the Department for Social Development. Of course, at that stage he had had no meetings with the DSD Minister and had none planned. When we consider who was doing due diligence in relation to staking out these issues and seeking these concessions, we should remember that that was the situation.

Tom Elliott: As I understand it, last December’s Stormont House proposals were accepted by the SDLP as well as Sinn Féin. Is the hon. Gentleman now saying that this is a worse deal or a better deal than the Stormont House proposal?

Mark Durkan: I will answer the right hon. Gentleman’s question: I think it is a worse deal. We not only have this order to transpose the 2012 Act—all the parties in Northern Ireland said they had difficulties with that legislation—but the way in which this is being taken forward means that the Government in Whitehall now have the power, by order, to transpose the Welfare Reform and Work Bill currently going through Parliament. That needs to be understood, because the legislative consent motion passed by the Assembly endorsed all the welfare clauses of the current Bill, as originally tabled. DUP MLAs voted to endorse all the clauses, even though they had voted for amendments to delete some of them or to insert additional clauses. Within a period of weeks, they voted with an entirely different attitude in relation to the Welfare Reform and Work Bill, hiding behind direct rule. I therefore think that the deal is worse.

We must remember that the order will not only have the immediate effect of transposing most of the 2012 Act as implemented in Great Britain, but also provides a power, simply by virtue of regulations, to change a lot of the terms and conditions of the benefits, and can almost disappear some categories of benefits in the 2012 Act. In essence, we are being signed up to that without so much as a provision stating that when this direct-rule power is exercised, there must still be a legislative consent motion in the Assembly. We have been treated to the fiction that while we have direct rule, we have not lost any devolution because all the powers still exist on paper in the Assembly. That means it will supposedly be entirely in order for MLAs to table motions in the Assembly to amend such areas or to come up with their own private Members’ Bills, so we will have the nonsense of parallel, competing legislative strands. That is the sort of fiction and nonsense to which we are being treated.

Let us be very clear that the problem does not relate to the political or legislative processes; the real problem is the potential impact on people whose benefits and living standards will be affected as a result. Let us remember that when the Welfare Reform and Work Bill goes through—it has now been endorsed by a legislative consent motion—it will change the limited work capability element of universal credit for new claimants from April 2017. It is quite clear that although the decision-making power, which the Secretary of State has under the enabling legislation that went through over a week ago, will end in 2016, the effect of the decisions made under that power will not die with the power. The changes in relation to the limited work capability element of universal credit for new claimants will come in, meaning a reduction in the value of current payments of almost £30 a week—from £102.15 to £73.10. That is why all the health charities and disability campaign groups are so opposed to clauses 13 and 14 of the Welfare Reform and Work Bill. Unfortunately, Northern Ireland is now sealed into that by virtue of the legislative consent motion and the measure previously passed by Parliament.
There will be a similar reduction in the amount paid to those in the employment and support allowance work-related activity group. We know from hon. Members representing constituencies in Great Britain that that is one of the notorious vexations. We have heard about just how the work-related activity group has been treated in practice, and about some of the bizarre interpretations, decisions and procedures that people have had to go through. We are now locked into a lot of that courtesy of both the legislative consent motion and this order. We do not have reason to be happy if we take seriously what our friends in all parties across the House are saying in raising their valid concerns. That also goes for some aspects of the sanctions. The time limit on the sanctions is different, courtesy of the efforts that we all made in relation to Stormont House.

I want to make it quite clear that we were signed up for Stormont House in December 2014, because the terms of the agreement stated that the proposals would be developed and brought to the Assembly. When the Bill was brought to the Assembly, however, nothing in it had changed. That is why we tabled a series of modest amendments, which would not have shattered the Stormont House agreement in any way, and which the British Government confirmed would not have stretched or undermined their understanding of what was operable under the agreement. But no, the DUP decided to veto the proposals and, on top of that, Sinn Féin decided to vote down the amendments even though the Tories had voted down similar amendments here in the original 2012 legislation. So those were the people who decided that we were not going to take Stormont House forward on an all-party basis, as had been agreed. I want to put this on record, because I do not think that enough people have understood what happened.

I will make one concession to the Government. A lot of the wriggle room that we had in the Stormont House agreement came about as a result not only of the top-up mitigations from the Executive’s own budget but of the understanding that the Department for Work and Pensions and the Treasury were going to allow the Social Security Agency in Northern Ireland a certain amount of leeway in the interpretation and operation of some of the measures. That is one reason why the big money that it was thought would be needed to make good some of Sinn Féin’s demands was not actually needed after all. The funds did not need to come out of the Executive’s budget because of that leeway being allowed.

However, some of us recognised that the arrangement was time-limited. We were worried that the effects of the welfare cap—which is not to be confused with the benefit cap—would, over time, squeeze and reduce that comfort. We said that we had to be honest about that. The SDLP was also very clear about saying at Stormont House that we had to be up front and public about the fact that, when the next wave of cuts came, we would not be in a position to say that they could be sustained out of the Executive’s budget and that we could not make a claim on the block grant to try to make good those claims. We said that we had to say that up front so that people understood it. Sinn Féin did not want to acknowledge that fact because it was still locked into the view that it could say it was protecting all existing claimants and all future claimants for ever more, amen. We never joined in that pretence, but no other party joined us in making that candid declaration that we could not constantly find more and more hard shoulder to run on.

That brings me to the points that were made earlier about the fines. We were asked whether we regretted the fines. We resented those fines, those penalties, those levies, those savings forgone. We have been told by the Secretary of State that they are not fines but savings forgone. I notice that the right hon. Lady did not contradict DUP Members when they were calling them fines; it is only me who gets contradicted. Whatever they are called, we resented them because they were an exercise in budget bullying. The DUP never objected to that budget bullying; indeed, one might think that they were actually in on the tactic, and in on the threat about not renewing the computer system.

The fact is that the Assembly was being bullied. I have said before that I do not believe that the Treasury will treat the new suite of devolved capacities for Scotland in relation to welfare reform in this way. I know that Scotland’s deal on welfare is not perfect. Its operation will be problematic, but I am pretty sure that the Treasury will not resort to the kind of tactics that it used against the Northern Ireland Assembly when it comes to dealing with clear differences of view between the Scottish Parliament and the Westminster Government. I believe that it will take a different course.

If we are to be honest about this issue, we must be clear that there is a need to consider whether we need to realign the devolution of welfare in future so that the situation is sustainable. When the sunset clause in this legislation kicks in, and if there is some other mid-term welfare reform package in this Parliament, we do not want the Assembly to spasm into crisis for exactly the same reason.

We said at Stormont House and elsewhere that perhaps we should realign towards something more akin to the Scottish model of devolution. In Scotland, the burden is to take an interest in the benefits that people rely on if they have disabilities and long-term conditions. That points towards a way that we could go that would allow us to be more complete in the protections that we say we are offering people and perhaps provide a more sustainable course for the future.

That answers the point that the hon. Member for East Antrim (Sammy Wilson) made about the architecture of the Good Friday agreement and devolution in the first place. There might be a need to look at realignment, as we have declared. Indeed, I declared that a number of years ago. However, we have not had any takers at any of the talks. If people want to do that, they will find that it could go ahead.

The way in which the implications of this order and the orders to follow are being sold is wrong. Remember that this is only the first of a number of orders that we will get, courtesy of direct rule. Indeed, it is more direct rule than we had before, because when a lot of the Northern Ireland social security legislation was passed under the old style of direct rule, it was taken through the House by Northern Ireland Office Ministers. Now, we have direct rule by the DWP, thanks to the way in which Sinn Féin and the DUP have decided it will happen.

It is wrong for parties that oppose these changes to benefits and sanctions to say in respect of making sure that these cuts and changes will happen by direct flat
and by the hand of a direct-rule Minister in the DWP. “Well, that was a good deal because we saved devolution.” Who was threatening devolution? The only parties that were threatening devolution and the institutions were Sinn Féin and the DUP. They contrived the brink and we all had to teeter on it. When they were saved from themselves in the end, they said that they had done a good job by getting concessions that were available anyway—they were not concessions at all.

That is the nonsense and dishonesty that lies at the centre of the politics of this. We are not one bit happy or content. We are not thankful to the Government for this at all. There were ways of dealing with these issues. They should have been taken in a mature way by devolution—

**Sammy Wilson:** Mature?

**Mark Durkan:** They should have been taken in a mature way by devolution, using the Assembly to anticipate when the legislation which has come through here—

[Interruption.] The hon. Member for East Antrim is one of the people who said that we did not need to worry about the implications of the Welfare Reform Bill when it was here in 2011. He said that we were scaremongering and he voted down moves to deal with the issue in the Assembly. Now he is saying that we should be happy with what direct rule will do over the next 13 months. That will have an effect on benefits and people’s living standards for a long time to come, not least people with disabilities and long-term health conditions.

Those people are not just worried about the implications of the Welfare Reform (Northern Ireland) Act 2015 and dissatisfied about the arrangements for personal independence payment, which need to be improved on the basis of the experience in the pilot areas in England, but they are also very concerned about the implications of the Welfare Reform and Work Bill, which will change a lot of the terms and conditions attaching to universal credit. The very basis on which the original 2012 Act was sold here and the very basis on which the DUP tried to retail that Act in the Assembly was the prospectus of the Welfare Reform (Northern Ireland) Act 2015.

Question put and agreed to.

Resolved,

That the draft Welfare Reform (Northern Ireland) Order 2015, which was laid before this House on 26 November, be approved.

### HIGH SPEED RAIL (LONDON – WEST MIDLANDS) BILL: INSTRUCTION (NO. 5)

Ordered,

That it be a further Instruction to the Select Committee to which the High Speed Rail (London - West Midlands) Bill is committed—

1. the London Borough of Hillingdon;
2. the parishes of Denham, Grendon Underwood, Hogshaw and Stone with Bishopstone and Hartwell in the County of Buckinghamshire;
3. the parish of Greatworth in the County of Northamptonshire;
4. the parish of Middleton in the County of Warwickshire;
5. the parishes of Drayton Bassett, Hints with Canwell, Longdon and Weeford in the County of Staffordshire;
6. the parish of Bickenhill in the Metropolitan Borough of Solihull;
7. amendments for purposes connected with any of the matters mentioned in sub-paragraph (a);
8. that any petition against amendments to the Bill which the Select Committee is empowered to make shall be referred to the Select Committee if—

(a) the petition is presented by being deposited in the Private Bill Office not later than the end of the period of four weeks beginning with the day on which the first newspaper notice of the amendments was published, and
(b) the petition is one in which the petitioners pray to be heard by themselves or through counsel or agents.

That these Orders be Standing Orders of the House—

*(Mr Goodwill.)*

### SITTINGS OF THE HOUSE (2 DECEMBER)

Ordered.

That, at the sitting on Wednesday 2 December, notwithstanding the provisions of paragraphs 1 and 2 of Standing Order No. 21 (Time for taking Questions) and Standing Order No. 23 (Motions for leave to bring in bills and nominations of Select Committees at commencement of public business), no Questions or Motions for leave to bring in bills shall be taken; and after Prayers, the House shall proceed immediately to the Motion in the name of the Prime Minister relating to United Nations Security Council Resolution 2249.—*(Chris Grayling.)*

### BUSINESS WITHOUT DEBATE

**DELEGATED LEGISLATION**

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

### NATIONAL HEALTH SERVICE

That the draft National Health Service (Licensing and Pricing) (Amendment) Regulations 2015, which were laid before this House on 2 November, be approved.— *(Stephen Barclay.)*

Question agreed to.

*Motion made, and Question put forthwith (Standing Order No. 118(6), and Order of 24 November)*

### INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Sir Robert Owen and John Thurso by themselves or through counsel or agents.

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

### RATING AND VALUATION

That the draft Non-Domestic Rating (Levy and Safety Net) (Amendment) (No. 2) Regulations 2015, which were laid before this House on 26 October, be approved.— *(Stephen Barclay.)*

Question agreed to.

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*
Madam Deputy Speaker: I thank Sir Edward for his beautifully, and slowly delivered, point of order, which was a master of theatricality. The answer to his perfectly reasonable question, which I am also delivering lente, is that the next person on the list, the right hon. Member for Meriden (Mrs Spelman), who is in her place—if somewhat out of breath—will present the first petition.

Mr Robin Walker (Worcester) (Con): On a point of order, Madam Deputy Speaker. I know that a huge number of Members are waiting to present their petitions tonight and I do not therefore wish to detain the House too long. I also know that the petitions are on an extremely important matter. However, given the huge interest in tomorrow’s debate, I wonder if you can give any guidance on the amount of time for which Members might be able to expect to speak in that debate.

Madam Deputy Speaker: That is a most interesting point of order, and I can tell the hon. Gentleman and the House that, as far as I am aware, a very large number of Members have indicated that they wish to speak in tomorrow’s debate. I cannot at this point give any indication as to how much time will be available for each Member, but I have every confidence that Mr Speaker, at the very beginning of the debate, will—in his usual way—be likely to give an indication that if all Members are as brief as they can be, it would be courteous to other hon. Members who wish to speak.

Geoffrey Clifton-Brown (The Cotswolds) (Con): Further to that point of order, Madam Deputy Speaker. Given the interest in the proceedings that will take place in the House tomorrow, in which it is likely that a very large number of right hon. and hon. Members will wish to take part and given that the motion provides that the House should finish at 7 pm, can you give the House some guidance? If an extremely large number of Members wish to speak, can that time be extended to, say, 10 pm?

Madam Deputy Speaker: I can answer the hon. Gentleman on that point most readily, because the House is already aware of a motion allowing the House to sit tomorrow until 10 pm.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Further to that point of order, Madam Deputy Speaker. I wonder if you could help me on the debate tomorrow. It is obvious from these points of order that there will be a large number of people who want to speak in that debate. Would it be possible for the Chair to indicate to those people the timeframe within which they may be able to speak—[Interruption.] My point of order is popular with the House—[Laughter.] That would be most helpful to Members who have many duties to fulfil, so attending the Chamber can be difficult as far as timing is concerned.

Madam Deputy Speaker: Your point of order is indeed popular, Mrs Gillan. I can answer it in the same way that I answered the previous point of order. I would estimate that Members could calculate that some 90 or 100 colleagues will wish to speak tomorrow, and they should therefore consider the amount of time that will be available for the debate, from 11.30 am until 10 pm; subtract from that the amount of time that is likely to...
be taken by the Prime Minister, who I am sure will take many interventions, and by the Leader of the Opposition, who I am sure will take just as many interventions; and divide the remaining time by about 80 or 90. That will give hon. Members an indication of the time. Anyone who cannot do arithmetic can come to see me at some time tomorrow and I will work it out for them.

I trust that the variety and slowness of these points of order have given a certain hon. Gentleman enough time to get his breath back. When I explained to the House, some time ago, how the large number of petitions would be dealt with, most Members were not present. For the convenience of the House, therefore, and with my apologies for repeating myself, I will explain once again.

Once the first petition, relating to the school funding model, has been read to the House, with its prayer, subsequent petitions on the same topic should not be read out in full. Members should give a brief description of the number and location of the petitioners and state that the petition is in the same terms. Members presenting more than one petition should present them together.

When Mr Stuart has presented his petitions, he should proceed to the Table and hand his first petition to the Clerk, who will read out the title in the usual way. For subsequent petitions, Members should proceed directly to the petitions bag at the back of the Chair. I will call the next Member immediately after the previous Member has finished speaking. At the expiry of half an hour, no subsequent petitions, Members should proceed directly to the petitions bag at the back of the Chair. I will call the next Member immediately after the previous Member has finished speaking. At the expiry of half an hour, no further petitions may be presented orally, but they may be placed in the petitions bag and will be recorded as formally presented. I call Mr Graham Stuart to present his petition.

PETITIONS

School Funding Model

8.36 pm

Graham Stuart (Beverley and Holderness) (Con): Thank you, Madam Deputy Speaker, for a verbosity that one does not usually associate with you. I am also grateful to colleagues who have filled in the time after this unexpected collapse of business.

I am grateful for the time we have been given to present petitions calling for fair school funding from more than 100 constituencies right across England and the House. The current funding system is arbitrary and unfair. It penalises urban and rural alike, affecting both Labour and Conservative constituencies. We welcome the announcement of the new national funding formula for schools that the Chancellor mentioned in the comprehensive spending review last week, and we will continue, across the House, to make the case for reform, as the Government consult on their proposals. I will read out the full text of the petition, but, as you have said, Madam Deputy Speaker, other Members need not do so.

In addition to presenting a petition on behalf of 2,287 people in Beverley and Holderness, I am also presenting petitions from the constituencies of Aylesbury, Bethnal Green and Bow, Buckingham, Central Devon, Chelsea and Fulham, East Devon, Forest of Dean, Grantham and Stamford, Halesowen and Rowley Regis, Kingston upon Hull West and Hessle, Ipswich, Lewisham, Deptford, Loughborough, Meon Valley, New Forest West, Newton Abbot, Oxford East, Penrith and The Border, South Holland and The Deepings, North Swindon, South Swindon, Tatton, Thornbury and Yate, Wantage, West Suffolk, Wimbledon and York Central. In addition, I am presenting a petition on behalf of the shadow Home Secretary, the right hon. Member for Leigh (Andy Burnham), who gave me his petition earlier. He was unable to be here, but would have liked to have been. I thank all those who have signed from across the country.

The petition states:

The petition of residents of Beverley and Holderness, declares that the petitioners believe the existing school funding model in England is arbitrary and unfair; further declares that the ten best funded areas of England have on average received grants of £6,300 per pupil this year, compared to an average of £4,200 per pupil in the ten most poorly funded areas of England; and further declares that the petitioners welcome the Government’s commitment to introduce fairer school funding.

The petitioners therefore request that the House of Commons supports the earliest possible introduction of a new National Funding Formula for schools in England.

And the petitioners remain, etc.

Mrs Caroline Spelman (Meriden) (Con): I rise to present a petition on behalf of 649 of my constituents in Meriden in the same terms as presented by my hon. Friend the Member for Beverley and Holderness. Madam Deputy Speaker, may we express our thanks through you to the Clerk of Public Petitions in the Journal Office of the House of Commons?

The Petition of the residents of Meriden.

Sir Edward Garnier (Harborough) (Con): I wish to present a petition on behalf of many hundreds of residents of my Harborough constituency in exactly the same terms as my right hon. Friend the Member for Beverley and Holderness. Leicestershire has always been at the very bottom, if not penultimate, in the Whitehall funding system. We hope this petition will move the Government to improve things.

The Petition of the residents of Harborough.

Geoffrey Clifton-Brown (The Cotswolds) (Con): I am grateful to you, Madam Deputy Speaker, for allowing me to present a petition of approximately 2,000 signatures on behalf of my constituents in The Cotswolds. That demonstrates the strength of feeling in my constituency that the current funding mechanism is inequitable. I hope the petition will change the situation.

The Petition of the residents of The Cotswolds.

Helen Jones (Warrington North) (Lab): I rise to present a petition on behalf of many hundreds of people in Warrington North in the same terms as the hon. Member for Beverley and Holderness.

The Petition of the residents of Warrington North.
Rebecca Pow (Taunton Deane) (Con): I rise to present a petition on behalf of the residents of Taunton Deane in the same terms as my hon. Friend the Member for Beverley and Holderness, which 1,387 highly concerned residents have signed.

*The Petition of the residents of Taunton Deane.*

[PO001565]

John Howell (Henley) (Con): I present a petition on behalf of the residents of the Henley constituency, 592 of whom have signed it, in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Henley.*

[PO001567]

Richard Drax (South Dorset) (Con): I rise to present a petition on behalf of constituents in South Dorset and also in West Dorset. I pay tribute to my hon. Friend the Member for Beverley and Holderness for his huge effort to get fair funding for Dorset, which has been at the bottom of the pile for far too long.

*The Petition of the residents of South Dorset.*

[PO001568]

David Mowat (Warrington South) (Con): I rise to present a petition on behalf of 2,916 constituents in Warrington South in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Warrington South.*

[PO001569]

Madam Deputy Speaker (Mrs Eleanor Laing): I call Mr Christopher Chope. [Interruption.] Now that is very unusual: Mr Christopher Chope is not present.

Andrew Bridgen (North West Leicestershire) (Con): I rise to present a petition on behalf of my constituents in North West Leicestershire asking for fairer school funding. Leicestershire has for many years been the second-lowest funded of all areas in the UK, receiving some £500 per pupil less than pupils in Leicester and an amazing £1,000 per year per pupil less than pupils in Birmingham. The petition is signed by 664 of my constituents and is in the same terms as that presented by my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of North West Leicestershire.*

[PO001575]

James Heappey (Wells) (Con): I rise to present a petition on behalf of the pupils, parents and teachers of schools from across the Wells constituency in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Wells.*

[PO001576]

Mr Laurence Robertson (Tewkesbury) (Con): I rise to present a petition on behalf of very many of my Tewkesbury constituents to campaign against unfair education funding in the same terms as those expressed by my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Tewkesbury.*

[PO001577]

Michael Tomlinson (Mid Dorset and North Poole) (Con): I rise to present a petition on behalf of many residents of Mid Dorset and North Poole in the same terms as my hon. Friend the Member for Beverley and Holderness. If necessary, I declare an interest as a school governor—and my delight in this result.

*The Petition of the residents of Mid Dorset and North Poole.*

[PO001578]

David Warburton (Somerton and Frome) (Con): I rise to present a petition on behalf of many hundreds of residents of Somerton and Frome in exactly the same terms as those expressed by my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Somerton and Frome.*

[PO001580]

Karl McCartney (Lincoln) (Con): I rise to present a petition on behalf of my constituents in Lincoln in the same terms as my hon. Friend the Member for Beverley and Holderness. I declare an interest, in that I have been a school governor for many years. I am a board member and former chairman of the Priory city academy “Career Ready” scheme and I have two sons who attend school in the rural county of Lincolnshire.

*The Petition of the residents of Lincoln.*

[PO001585]

Jeremy Lefroy (Stafford) (Con): I rise to present a petition on behalf of the residents of the Stafford constituency in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Stafford.*

[PO001582]

Pauline Latham (Mid Derbyshire) (Con): I rise to present a petition on behalf of the residents of Mid Derbyshire in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Mid Derbyshire.*

[PO001583]

Victoria Prentis (Banbury) (Con): I rise to present this petition on behalf of many of the residents of Banbury in the same terms as was set out by my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Banbury.*

[PO001584]

Henry Smith (Crawley) (Con): I rise to present this petition on behalf of many of the residents—indeed, over 750 of them—in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Crawley.*

[PO001586]

Daniel Kawczynski (Shrewsbury and Atcham) (Con): I rise to present this petition on behalf of many residents of Shrewsbury in the same terms as my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Shrewsbury and Atcham.*

[PO001587]
Neil Carmichael (Stroud) (Con): I rise to present this petition signed by some 2,000 of my Stroud constituents. This is a significant figure and shows the force of feeling in my patch. I do so in the same terms, of course, as my hon. Friend the Member for Beverley and Holderness, who is also my predecessor as Chairman of the Education Committee.

The Petition of the residents of Stroud.

Kevin Foster (Torbay) (Con): I rise to present my petition on behalf of the residents of Torbay, calling for fair funding for our schools, in the same terms as my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Torbay.

Gavin Williamson (South Staffordshire) (Con): I rise on behalf of 1,705 of my constituents who are campaigning for a fairer deal for schools in Staffordshire. The petition is in the same terms as those of my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of South Staffordshire.

Victoria Atkins (Louth and Horncastle) (Con): I rise to present this petition in the same terms as my hon. Friend the Member for Beverley and Holderness on behalf of the many residents in Louth and Horncastle who feel strongly about fairer funding for schools.

The Petition of the residents of Louth and Horncastle.

Stephen Phillips (Seaford and North Hykeham) (Con): I rise to present this petition on behalf of a gross of residents of the Seaford and North Hykeham constituency in the same terms as the petition presented by my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Seaford and North Hykeham.

Andrew Percy (Brigg and Goole) (Con): I rise to present this petition on behalf of 713 Brigg and Goole constituents in the great counties of East Riding of Yorkshire and North Lincolnshire. In so doing, I declare a relevant interest as chairman of the governors at Goole academy.

The Petition of the residents of Brigg and Goole.

Helen Whately (Faversham and Mid Kent) (Con): I rise to present this petition on behalf of the residents of Faversham and Mid Kent, whose children are affected by the vagaries of the current funding system for schools. It is in the same terms as that presented by my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Faversham and Mid Kent.

Fiona Bruce (Congleton) (Con): I rise to present this petition on behalf of the residents of the Congleton constituency, signed by over 620 of those residents, in the same terms as that presented by my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Congleton.

Alex Chalk (Cheltenham) (Con): I present this petition for fair school funding on behalf of 1,151 parents, teachers and school children in Cheltenham in the same terms as my hon. Friend the Member for Beverley and Holderness. It is time for fair funding for Cheltenham.

The Petition of the residents of Cheltenham.

James Cartlidge (South Suffolk) (Con): I rise to present this petition on behalf of the residents of South Suffolk in the same terms as my hon. Friend the Member for Beverley and Holderness. There are so many signatures that I cannot even count them.

The Petition of the residents of South Suffolk.

William Wragg (Hazel Grove) (Con): I rise to present this petition on behalf of the residents of the Hazel Grove constituency in the same terms as my hon. Friend the Member for Beverley and Holderness. I declare a tenuous interest as a former teacher.

The Petition of the residents of Hazel Grove.

Sir Edward Leigh (Gainsborough) (Con): It is a great honour on this historic occasion to present this petition on behalf of the great county of Lincolnshire. It has some of the best schools in the country, but they are sadly underfunded. I present the petition in the same terms as my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Gainsborough.

Antoinette Sandbach (Eddisbury) (Con): I rise to present this petition on behalf of hundreds of concerned residents from Eddisbury in the same terms as that presented by my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Eddisbury.

Julian Knight (Solihull) (Con): I rise to present this petition on behalf of many hundreds of residents in Solihull in the same terms as my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Solihull.

Peter Heaton-Jones (North Devon) (Con): I rise to present this petition on behalf of many residents of North Devon. In doing so, I applaud this Government for pledging to put right this historic wrong. This petition is in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of North Devon.

Matt Warman (Boston and Skegness) (Con): I rise to present this petition on behalf of the residents of Boston and Skegness, completing the county of Lincolnshire—meaning that all Lincolnshire MPs have submitted this petition in the same terms as my hon. Friend the Member for Beverley and Holderness.

The Petition of the residents of Boston and Skegness.
Marcus Fyshe (Yeovil) (Con): I rise to present a petition on behalf of 584 residents who are passionate about fair school funding in the Yeovil constituency, written in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Yeovil.*

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con): I rise to present a petition for fairer school funding on behalf of my constituents, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Central Suffolk and North Ipswich.*

Michelle Donelan (Chippenham) (Con): I rise to present a petition on behalf of the many residents of my constituency, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness, to rectify the present ludicrous funding system.

*The Petition of the residents of Chippenham.*

Mark Garnier (Wyre Forest) (Con): I rise to present a petition on behalf of 535 residents of Wyre Forest. It also includes 20 signatures from the Christopher Whitehead Language academy in the constituency of my good and hon. Friend the Member for Worcester (Mr Walker), and is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Wyre Forest.*

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I rise to present a petition on behalf of the residents of Chesham and Amersham against the existing school funding model in England. Of the 10 lowest-funded schools in the country, the seven lowest-funded are in Buckinghamshire, and the lowest-funded in the country is also in the county. The petition is in the same vein as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Chesham and Amersham.*

Lucy Frazer (South East Cambridgeshire) (Con): I rise to present a petition on behalf of the residents of South East Cambridgeshire, which is written in terms similar to those of the petition presented by my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of South East Cambridgeshire.*

Rishi Sunak (Richmond (Yorks)) (Con): I rise to present a petition on behalf of the residents of Richmond, North Yorkshire, which is written in the same terms as that presented by my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Richmond (Yorks).*

David Rutley (Macclesfield) (Con): I rise to present a petition on behalf of the residents of Macclesfield, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness. I have a similar local petition, which has many signatures of constituents.

*The Petition of the residents of Macclesfield.*

John Redwood (Wokingham) (Con): I rise to present a petition on behalf of the electors of Wokingham, and, in particular, the signatories who constitute a majority of the members of our unitary council and local education authority, requesting fairer funding for our schools, which need it greatly. The basis of the petition is similar to those of the petitions that we have already heard.

*The Petition of the residents of Wokingham.*

Jo Churchill (Bury St Edmunds) (Con): I rise to present a petition on behalf of the residents of Bury St Edmunds, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Bury St Edmunds.*

Richard Graham (Gloucester) (Con): The petition that I rise to present has been signed by 1,335 residents of the city of Gloucester, and is, I trust, supported by all who yearn for fairer funding for schools in the city. It is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of Gloucester.*

Bill Wiggin (North Herefordshire) (Con): I rise to present a petition on behalf of the residents of North Herefordshire, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness.

*The Petition of the residents of North Herefordshire.*

Julian Sturdy (York Outer) (Con): I rise, as a fellow Yorkshire Member, to present a petition on behalf of many York Outer residents, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness, to deliver fairer school funding for all.

*The Petition of the residents of York Outer.*

Mr Christopher Chope (Christchurch) (Con): I apologise for having missed my place in the queue, Madam Deputy Speaker, but it gives me great pleasure to present a petition on behalf of residents of Christchurch. It is written in terms identical to those of the petition presented by my hon. Friend the Member for Beverley and Holderness. I know that my constituents are confident, as I am, that the Government will honour their commitment to introducing fairer school funding.

*The Petition of the residents of Christchurch.*
Madam Deputy Speaker (Mrs Eleanor Laing): I have been given no notice that any further petitions are about to be presented.

Kevin Hollinrake (Thirsk and Malton) (Con) rose—

Madam Deputy Speaker: Sir!

Kevin Hollinrake: Madam Deputy Speaker, I rise to present a petition on behalf of several hundred residents of the beautiful constituency of Thirsk and Malton, which is written in the same terms as that of my hon. Friend the Member for Beverley and Holderness. The Petition of the residents of Thirsk and Malton. [P001656]

Stephen Pound (Ealing North) (Lab): On a point of order, Madam Deputy Speaker. I know my hon. Friend the Member for Cambridge (Daniel Zeichner) was seeking to be present this evening for obvious reasons. Has the Deputy Speaker received any information regarding difficulties in accessing the estate due to the activities taking place outside?

Madam Deputy Speaker (Mrs Eleanor Laing): I have received information that there are a great many people outside and that it is possible that some people leaving this building—I have been particularly concerned about junior and female members of staff trying to get out of this building this evening—are having difficulty in doing so. I have heard that it could also be difficult to gain access to this building, which is a very great pity. I am grateful to the hon. Gentleman for raising that point of order because when assiduous Members of Parliament are not in their places when they are expected to be, there is usually a very good reason for it.

Richard Graham (Gloucester) (Con): On a point of order, Madam Deputy Speaker. May I ask if during your time in this House there has ever been more mention of the hon. Member for Beverley and Holderness (Graham Stuart) and in more glorious a context?

Madam Deputy Speaker: I am very happy to tell the hon. Gentleman that I have never heard quite so much mention of the hon. Member for Beverley and Holderness, and I am sure he has done a sterling piece of work—and it is just as well that the injury to his leg healed so he could run here from far away.

Pre-payment Meters

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

8.56 pm

Dawn Butler (Brent Central) (Lab): There is a prediction that we are about to experience the longest winter in 50 years. Now is the time to consider what that will mean for the most vulnerable in our society. We know that in 2014 there were 43,900 excess winter deaths in England and Wales, and if the predictions translate into a long period of harsh weather, that figure could rise for 2015-16 unless we act to mitigate the effects.

The UK Association for the Conservation of Energy estimated that almost 14,000 deaths over the last winter could be due to people living in cold homes. Therefore, the most obvious area where we can act is energy consumption, and particularly the cost of pre-payment meters and how they are put into people's homes, especially for those already experiencing fuel poverty. If we tackle that issue, we can alleviate part of the problem of excess winter deaths.

More than 2,000 new PPMs are being installed every day. I would like to put on record my thanks to Citizens Advice for its “fair play for prepay” campaign. It is clear from my constituency of Brent Central how unfairly the costs of PPMs bear on poorer residents. My constituency has one of the highest numbers of people on PPMs in the country—at 26%, it is 10% above the national average—and those on PPMs pay on average £226 more a year than those with the cheapest direct debit deals. We can get an idea of the scale of the impact from the fact that it costs £3 million to the local economy.

What is worse is that 80% of PPMs are used to collect debt for the energy companies. So the energy companies subject poor people to higher rates, and there is also the cost of installing PPMs. It is almost as if these people are being punished again and again and again.

Stephen Pound (Ealing North) (Lab): My hon. Friend is raising an extremely important point, particularly for those of us in London. She says PPMs are being “put into” people's homes. Is she stating to the House that the people living in these properties have no say in that, and are being forced to accept these PPMs?

Dawn Butler: That is what sometimes happens. Some people come home, as Mr Hamilton in my constituency did, to find a PPM has been installed without their knowledge, which should never happen. It is a disgrace that the energy companies do that.

The poorest 10% spend almost 10% of their total household expenditure on fuel, whereas the figure for the richest 10% is just 3%. That is why fuel poverty is a recognised term. According to Ofgem, those on pre-payment meters pay on average £80 more than those on direct debit. Although that figure has reduced, the differential can be reduced much further. As the Minister will know, the Competition Markets Authority's provisional findings on the energy market, released this July, raised concerns about the affordability of domestic energy prices, as they have continually outstripped inflation over the past 10 years. Yet, at the same time, standards of service have dropped and complaints have risen.
Under the Labour Government pre-payment bills rose on average by just over £17.50 a year, whereas during the past four years annual bills have risen on average by £63. The Government should make it clear to the big six energy companies that they must reduce the amount that those on pre-payment meters pay for their gas and electricity. After all, these are vulnerable people who can least afford that amount of money and those higher costs.

British Gas has sort of led by way, levelling out the amount its customers on pre-payment meters pay to the same amount as for those on cash and credit, but I have been advised that those paying by direct debit will still be incentivised and pay a little less because of the reflectivity requirements. That is understandable, but more should still be done—all that is needed is the will power of these energy companies.

**Stephen Pound:** Has my hon. Friend made any calculation about the amount of profit made by the big six energy companies? It seems to me that we have a case of Robin Hood in reverse here: the poorest in our society are having to pay to subsidise the wealthiest. Has she done any work on or made any estimate as to the amount of profit accruing to the big six?

**Dawn Butler:** I thank my hon. Friend for his intervention. The big six make about £600 million a year in profit, which is an enormous amount, and they can afford to treat the most vulnerable in our society much better than they do.

**Chris Stephens** (Glasgow South West) (SNP): The hon. Lady is making a number of excellent points and I thank her for raising this important issue. I am aware of constituents who are paying more in standing charges for pre-payment meters than they are for the actual energy consumption. That should be regulated a lot more toughly.

**Dawn Butler:** I agree that the standing charges need to be regulated, as does the whole industry. It can do a lot more, especially given that, as I have said, we are about to enter the longest winter in 50 years.

I urge the Minister to encourage energy companies to follow in the footsteps of ScottishPower, which suspends the debt of its customer during the winter months so that anything they put into the meter goes directly on their usage of fuel. Let me put that into context: my constituent Mr Hamilton would put £5 on his meter and the energy company would take £3, so he had only £2-worth of fuel. If the Minister was able to encourage the energy companies, they could do this straightaway and with very little effort, but it would make a big difference to the people in the country.

As the Minister will know, in 2016, we enter the enduring phase, which will ensure that all meters are smart meters by 2020. Therefore, it is important that we help to inform people who are fuel poor. After all, energy companies will be making £12 million-worth of savings with the implementation of smart meters, so surely we can look after the 2.3 million fuel-poor households in this country. The energy companies are making enough money to be able to look after those who are fuel poor.

I expect the Minister will tell us that energy companies are not allowed to disconnect customers during the winter months, but they still install pre-payment meters, which means that people self-disconnect because they cannot afford to pay. They are, in effect, still being disconnected, they are still getting cold and, unfortunately, some still die.

**Stephen Pound:** I really am grateful to my hon. Friend for giving way. I will try not to trespass on her patience for much longer. On the subject of disconnection, is she aware that, in some cases, there can be long-distance disconnection? People can be disconnected without a magistrate having to sign an order for the company to enter the premises physically to disconnect. In other words, if it is possible to disconnect a power supply without even entering the premises, one of those vital layers of protection for the consumer, particularly the vulnerable consumer, has been removed.

**Dawn Butler:** Absolutely. The installation of smart meters will make such remote disconnection even easier to carry out. Energy companies have said that they will not do that, but do we trust them enough to believe them? That is why we must safeguard and protect the most vulnerable in our society. It also means that magistrates have to be given clear information. As a magistrate myself, I can tell Members that we normally get lots of warrants to sign off at the beginning of a sitting. Magistrates clearly ask whether the energy company has gone through all the safeguards with regard to vulnerable adults, people with mental health problems or children at the property. On some occasions, I was not always convinced that the energy company did its due diligence when asking for a warrant to enable it to enter a property forcefully to install a pre-payment meter, which will be more expensive for that person who is least able to pay the bill.

I have talked about the high cost of pre-payment meters and the matter of self-disconnection, which happens quite a lot but which is not often mentioned by the energy companies or by this House. Recent research undertaken by E.ON highlighted that seven in 10 people with pre-payment meters had accidentally self-disconnected even when they were not expected to do so. That is a very high number. Over the winter months, we expect that figure to rise.

Pre-payment meters are being installed way too early in the debt plan. Energy companies are supposed to go through a whole plan of what they can do to help their customer to avoid fuel poverty. As we are entering the enduring phase—smart meters will be rolled out by 2020—surely now is the time to slow down and end the installation of pre-payment meters.

**Chris Stephens:** I thank the hon. Lady for giving way; she is being very generous. In my experience the fuel regulator has no teeth and is effectively powerless in stopping energy companies installing pre-payment meters early on. Does she agree that the fuel regulator should be given more powers?

**Dawn Butler:** I agree. Not only should the fuel regulators be given more powers, but a closer eye should be kept on what the energy companies are doing. I also think that the magistrates courts play a huge role in ensuring
that the energy companies pass all the necessary tests before installing pre-payment meters. The amount is currently set at something like £150, but £500 is the amount set to stop people switching to another energy company. The £500 figure should be the figure that an energy company has to reach before applying for a warrant to install a pre-payment meter, because it is just too easy to get such a warrant, which means that the customer plummets into more and more debt, as they cannot afford the amount that they have to pay.

Record profits are being made by the big six energy firms year on year. Does the Minister agree that the increases in charges and complaints are simply not good enough? Further action to protect the consumer, as my hon. Friend the Member for Brent Central (Dawn Butler) mentioned, is necessary.

Does the Minister agree that, when DECC’s own fuel poverty records show that 22% of pre-payment meter users are in fuel poverty, something needs to be done and quickly, especially with winter fast approaching, if we are not already in it? We could well witness a rise in self-disconnections and fuel poverty-related deaths if we do not do something in the next few weeks.

I am sure that the Minister and I are on the same page on this issue. To help her with her response, I would like to summarise some of my requests. It would really help the estimated 11 million people on pre-payment meters if energy companies brought the cost of pre-payment meters into line with those on the cheapest direct debit. It would also add £2.5 billion into the economy. I would also like to see greater protection for vulnerable adults and children when pre-payment meters are installed. That would mean giving clear instructions to the magistrates court. I would like to see no pre-payment meters fitted during the winter months. As previously said, that leads to self-disconnections. So in effect the energy companies are still disconnecting vulnerable people during the winter months. There should be a suspension of debt during the longest winter in 50 years—this year, 2015 leading into 2016. All the above is completely doable, and a letter from the Minister could make it happen.

Lastly, we are all aware that food banks have become a godsend to many in our country and some people would be having a pretty lousy Christmas if it were not for food banks. I wish that they did not have to use them, but that is the situation. I thank the Trussell Trust and E.ON, which have teamed up to provide credit for struggling families who use pre-payment meters. I know that, in my constituency of Brent Central, we will be grateful for their services. I hope that the Minister and I will agree that this country can do more to help those who are fuel poor.

9.12 pm

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): I genuinely congratulate the hon. Member for Brent Central (Dawn Butler) on securing this debate on the cost of pre-payment meters. I can assure her that the Government are committed to helping households with their energy bills, and a great deal of the work in my Department is focused on how to reduce consumer bills for everyone. It is an incredibly important point, and the hon. Lady has made it well.

We know that it is often some of the most vulnerable in our society who can end up with a pre-payment meter. While we are working with Ofgem to provide greater support specifically for those consumers—I will come on to exactly what we are doing on pre-payment meters—it is also important to point out that we have also implemented a range of measures to help vulnerable households to reduce their energy bills, including the warm home discount scheme, which provides direct assistance on energy bills to more than 2 million low-income and vulnerable households each year.

The Government are also determined to help vulnerable consumers take advantage of the best deals available. We know that many vulnerable consumers need additional help and advice to engage with the market and take action to switch and save. That is why DECC has been providing nearly £3 million over the last three years to fund the big energy saving network. The network is designed to help vulnerable consumers take action to reduce their energy costs, with around half of participants reporting that they now spend less on heating their home because of their engagement with the network. It has reached around 220,000 people over the last two years, and we aim to reach a further 100,000 vulnerable consumers this winter.

Helping people to insulate their homes is one of the best ways to help keep energy bills down: 1.3 million homes have benefited from energy efficiency measures, such as insulation and efficient boilers, under the energy company obligation between January 2013 and September 2015. The current phase of ECO will run to March 2017, but in the spending review the Government announced a long-term successor to ECO that will continue for an additional five years from 2017, at £640 million a year, rising with inflation. That new supplier obligation will run from April 2017 to March 2022, reducing the impact of the obligation by around £30 for the average household from 2017-18, compared with current projections. It will also upgrade the energy efficiency of well over 200,000 homes per year, tackling the root cause of fuel poverty. We will set out our plans for the scheme early in the new year.

The hon. Lady has raised a very important issue. A significant proportion of households—about 17%—use pre-payment meters. Although not all pre-payment meter consumers are financially vulnerable, more than 60% of those meters have been installed as a result of debt. For some consumers in difficult circumstances, they offer an alternative to disconnection for non-payment of energy bills, although we recognise that those consumers would rather not be in that situation. Still others prefer pre-payment meters because they find that that allows them to budget for their energy expenditure and to keep track of what they are using. Consumers can build up credit in the summer months to reduce their expenditure over the winter.

We know that paying by pre-payment can be more expensive than paying by direct debit. That is because there are further costs to install pre-payment meters, as well as additional services provided. But there are safeguards in place to prevent suppliers from charging unjustifiably high tariffs for a particular payment method. Suppliers are required to ensure that differences in charges really reflect the costs they face to provide that payment method. Across the market the cost of paying for the energy by pre-payment meter is similar to the cost faced by customers paying by standard credit.
The majority of suppliers offering pre-payment meters do not charge when consumers agree to the installation. That includes the big six energy companies. Other companies, however, as the hon. Lady points out, do pass on the charges they incur from meter operators for installation. These consumers can also face costs to have the meter removed, once they are able to go back to having a credit account. That cost, on average, is between £160 and £180. Ofgem is currently working with suppliers to identify and extend good practice to end charges for installing and removing pre-payment meters.

What should suppliers be doing? We expect to see suppliers meeting the obligations under their licence only to install pre-payment meters where it is safe and reasonably practicable for the consumer to use a pre-payment meter. Suppliers must take into account a customer’s ability to repay when setting instalments to repay gas and/or electricity debt. I am pleased to say that there is evidence to suggest that suppliers are fulfilling this obligation: first, Ofgem keeps weekly repayment rates under review, and they have fallen on average in recent years; and, secondly, the majority of indebted customers are on standard credit, not pre-payment meters, and repay through a variety of means, which suggests that repayment is indeed being tailored more to suit the needs of individual customers.

We know that some customers who are concerned about their energy bills will self-disconnect by deliberately choosing not to top up, meaning that their supply will stop. In those circumstances, it is vital that they seek help from their supplier as soon as possible. I expect suppliers to have in place appropriate arrangements to protect their most vulnerable consumers, and systems to identify any potential problems so that they can be rectified early. The hon. Lady made that point very well.

Dawn Butler: I want to make a couple of points. The rate of complaints about energy companies has increased exponentially because they are not taking into consideration the circumstances of vulnerable people who are unable to heat their homes. With regard to switching, people on pre-payment meters have very little to switch to, so the benefit to them is about 8%, whereas the benefit for those on direct debit is about 22%.

Andrea Leadsom: I am grateful to the hon. Lady for raising those points. I will certainly look into her first point: she believes there is evidence that suppliers are not taking into account individual circumstances. As I said, I expect suppliers to have appropriate arrangements in place. If she wants to raise individual cases with me, I will look into them. I can tell her that today a dual fuel pre-payment consumer with average consumption living in London could save about £130 by moving to the cheapest dual fuel pre-payment deal in the market. There is merit in switching and I urge all consumers, including those on pre-payment meters, to shop around.

My absolute focus remains on getting the best deal for consumers. I expect suppliers to treat their consumers fairly and we expect suppliers to make sure that any reductions in the costs of supplying energy are passed directly to consumers. Strong competition in the energy supply market is the best way to keep prices down. The Government are committed to ensuring that the market works effectively for consumers.

Chris Stephens: I want to come back to the issue of self-disconnection. Have there been any discussions with her Department and the Department for Work and Pensions about emergency help that can be given to someone in those circumstances?

Andrea Leadsom: Those conversations happen regularly. I will write to the hon. Gentleman with anything specific changes that we intend to make or consult on. I absolutely assure him that suppliers are required to take into account consumers’ specific circumstances. Ofgem is looking into the cost of having pre-payment meters removed and whether that should continue for pre-payment customers.

I move on briefly to the investigation into the retail energy market currently being conducted by the Competition and Markets Authority. The CMA published its provisional findings and remedies in the summer. It found that customers on standard variable tariffs are being charged unjustifiably high prices; the majority of pre-payment customers, of course, are on those standard variable tariffs. We are committed to acting on the CMA’s recommendations and to ensuring fair prices for all consumers, including standard variable tariff customers using pre-payment meters.

The CMA also found that pre-payment customers have fewer tariffs to choose from than customers paying by direct debit. There are indications, though, that that is beginning to change. We are starting to see the development of smart pre-pay meters. E.ON is currently piloting a smart pay-as-you-go tariff for consumers using a smart pre-payment meter who then pay the same prices as the company’s standard credit customers. It expects to make the tariff more widely available to new and existing customers from next year.

With OVO’s pay-as-you-go tariff, pre-payment meter consumers receive an in-home display that enables them to see how much energy they are using and when, and how much credit they have left. Consumers can also add credit to their pre-payment meter anywhere via app, text or online. We are also seeing examples of good practice by suppliers. For example, there is SSE’s support for its vulnerable pre-payment consumers that includes monitoring those on the priority services register to identify self-disconnection. The company will then call the customer to check the situation and to make the offer of extra assistance, where appropriate.

The Government have a manifesto commitment to “ensure that every home and business in the country has a Smart Meter by 2020, delivered as cost effectively as possible.” The roll-out of smart meters is an important national modernisation programme that will bring major benefits to consumers and the nation as a whole. Domestic customers will be offered an in-home display enabling them to see what energy they are using and how much it is costing.

Smart meters have the potential to transform the experience of being a pre-payment customer. Customers can top up more conveniently through a range of channels. Topping up smart meters in pre-pay mode should become as easy as topping up a mobile phone. They are likely to herald greater and cheaper tariff choices for these customers, as the cost differential will be reduced. Smart meters will enable energy suppliers remotely to take action to avoid disconnection—for example, through switching consumers to credit mode, setting non-disenchantment periods, and configuring debt recovery amounts to be small.
A customer's ability to pay their energy costs while keeping warm is among the top concerns of my Department, and we are fully committed to tackling these issues through a range of innovative policies. I thank the hon. Lady and the other hon. Members who contributed to this very important debate.

Question put and agreed to.

9.24 pm

House adjourned.
House of Commons

Wednesday 2 December 2015

The House met at half-past Eleven o’clock

PRAYERS

[MR SPEAKER in the Chair]

Mr Speaker: Before I look to the Leader of the House to move the business of the House motion—that is to say, motion No. 1—it might be for the convenience of the House to know that no fewer than 157 colleagues are seeking to catch the eye of the Chair today. The Chair will do his best to accommodate as many colleagues as possible. I would ask that colleagues please do not come to the Chair to inquire whether they are going to be called and, if so, when, or to inquire on behalf of a colleague, or to cause others to inquire on their behalf or that of others. I understand the interest. We have done our best and will do our best. Please be patient and hope for the best. Needless to say, but for the benefit particularly of new Members: bear in mind that if you do wish to speak, it is imperative that you remain until all of the Front-Bench speeches have been completed. Thereafter, people must use their own judgment and come and go if they wish, but try to remain in the Chamber for as much of the debate as possible.

Business of the House

Motion made, and Question proposed,

That at this day’s sitting, the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of the Prime Minister relating to ISIL in Syria (United Nations Security Council Resolution 2249) not later than 10pm; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(Chris Grayling.)

11.36 am

Chris Bryant (Rhondda) (Lab): We shall be dealing today with the security of our country, the safety of the people of Syria and the lives of our armed forces, which is why we asked two weeks ago for a two-day debate—a request my right hon. Friend the Member for Islington North (Jeremy Corbyn) repeated on Monday—so that Members had a chance to make proper contributions and to reflect on the arguments between the two days. As you have just said, Mr Speaker, 157 Members have put in to speak—87 Opposition Members and 70 Government Members—in addition to the Front-Bench speeches, during which right hon. and hon. Members will undoubtedly want to press Ministers on their argument and on their case. I gather that you will be announcing soon that there will be a five-minute limit on Back-Bench speeches, and that will almost certainly be reduced to four and three minutes. Even so, not all Members will be able to speak in the debate today. I gently say to the Prime Minister that this is no way to proceed if he really wants to take the House and the country with him.

11.37 am

Pete Wishart (Perth and North Perthshire) (SNP): It is very important that we on the Scottish National party Benches put forward our profound disappointment at this guillotine motion, following the rejection of all the calls and requests for a two-day debate. Tomorrow’s business could so easily have been postponed. The public expect us to clear the decks and get down to debating the important issues of the day. It is very likely, given that almost a quarter of the Members of this House want to speak today, that some will be disappointed. Every Member of Parliament has the right to represent their constituents on an issue of such importance, and our constituents have the right to listen to their MPs. This is no way to do business and we remain very disappointed that the Government have not listened to the calls for more time for this debate.

11.38 am

The Leader of the House of Commons (Chris Grayling): I want simply to say that, since 157 people are waiting to speak, it would be much better if we got on with the debate.

Mr Speaker: I will not be making any announcements soon about any time limit, and I have given absolutely no hon. or right hon. Member any reason to believe that I shall. If I have something to say, I will say it to the House.

Melanie Onn (Great Grimsby) (Lab): On a point of order, Mr Speaker. There is an error on the Order Paper: my name has erroneously been added to an amendment.

Mr Speaker: I am very grateful to the hon. Lady. Her name was apparently inadvertently added to an amendment. I believe that she has indicated the desire for her name to be withdrawn from that amendment, and that is noted. Perhaps, if she would be kind enough, we can leave it there.

Question put and agreed to.
ISIL in Syria

[Relevant documents: The Second Report from the Foreign Affairs Committee, on The extension of offensive British military operations to Syria, HC 457, and the Prime Minister’s response, published on the internet on 26 November; the Seventh Report from the Defence Committee, Session 2014-15, on The situation in Iraq and Syria and the response to al-Dawla al-Islamiya fi al-Iraq al-Sham (DAESH), HC 690, and the Government’s response, Twelfth Special Report, Session 2014-15, HC 1126; and oral evidence taken before the Defence Committee on 1 December 2015, UK military operations in Syria and Iraq, HC 657.]

Mr Speaker: Before I call the Prime Minister to move the motion, I should inform the House that I have selected amendment (b) in the name of Mr John Baron and others. The amendment will be debated together with the main motion. At the end of the debate, Mr Baron will be invited to move the amendment formally and the questions will then be put, first on the amendment and then on the main motion.

11.40 am

The Prime Minister (Mr David Cameron): I beg to move,

That this House notes that ISIL poses a direct threat to the United Kingdom; welcomes United Nations Security Council Resolution 2249 which determines that ISIL constitutes an ‘unprecedented threat to international peace and security’ and calls on states to take ‘all necessary measures’ to prevent terrorist acts by ISIL and to ‘eradicate the safe haven they have established over significant parts of Iraq and Syria’; further notes the clear legal basis to defend the UK and our allies in accordance with the UN Charter; notes that military action against ISIL is only one component of a broader strategy to bring peace and stability to Syria; welcomes the renewed impetus behind the Vienna talks on a ceasefire and political settlement; welcomes the Government’s continuing commitment to providing humanitarian support to Syrian refugees; underlines the importance of planning for post-conflict stabilisation and reconstruction in Syria; welcomes the Government’s continued determination to cut ISIL’s sources of finance, fighters and weapons; notes the requests from France, the US and regional allies for UK military assistance; acknowledges the importance of seeking to avoid civilian casualties, using the UK’s particular capabilities; notes the Government will not deploy UK troops in ground combat operations; welcomes the Government’s commitment to provide quarterly progress reports to the House; and accordingly supports Her Majesty’s Government in taking military action, to provide quarterly progress reports to the House; and accordingly

[In moving this motion, I am not pretending—

Several hon. Members rose—

The Prime Minister: I shall make some progress—

[Interruption.]

Mr Speaker: Order. The Prime Minister is clearly not giving way at this stage. He has the floor.

The Prime Minister: Mr Speaker, I will take dozens of interventions in the time that I have. I am conscious of not taking up too much time as so many people want to speak, but I promise that I will give way a lot during my speech. Let me make a bit of progress at the start.

In moving this motion, I am not pretending that the answers are simple. The situation in Syria is incredibly complex. I am not overstating the contribution our incredible servicemen and women can make; nor am I ignoring the risks of military action or pretending that military action is any more than one part of the answer. I am absolutely clear that we must pursue a comprehensive strategy that also includes political, diplomatic and humanitarian action, and I know that the long-term solution in Syria—as in Iraq—must ultimately be a Government that represent all of its people and one that can work with us to defeat the evil organisation of ISIL for good.

Alex Salmond (Gordon) (SNP): Will the Prime Minister give way?

The Prime Minister: In a moment.

Notwithstanding all of that, there is a simple question at the heart of the debate today. We face a fundamental threat to our security. ISIL has brutally murdered British hostages. It has inspired the worst terrorist attack against British people since 7/7 on the beaches of Tunisia, and it has plotted atrocities on the streets here at home. Since November last year our security services have foiled no fewer than seven different plots against our people, so this threat is very real. The question is this: do we work with our allies to degrade and destroy this threat, and do we go after these terrorists in their heartlands, from where they are plotting to kill British people, or do we sit back and wait for them to attack us?

John Woodcock (Barrow and Furness) (Lab/Co-op): It would be helpful if the Prime Minister could retract his inappropriate comments from last night, but will he be reassured that no one on the Labour Benches will make a decision based on any such remarks, or be threatened and not do what we believe is the right thing—whether those threats come from online activists or, indeed, from our own Dispatch Box?

The Prime Minister: I completely agree with the hon. Gentleman. Everyone in this House should make up their mind based on the arguments in this House. There is honour in voting for; there is honour in voting
against. That is the way the House should operate, and that is why I wanted to be absolutely clear, at the start of my speech, that this is about how we fight terrorism, not whether we fight it.

Several hon. Members rose—

The Prime Minister: I will make some progress, and then I will give way.

In answering this question, we should remember that 15 months ago, facing a threat from ISIL in Iraq, the House voted 524 to 43 to authorise airstrikes in Iraq. Since then, our brilliant RAF pilots have helped local forces to halt ISIL’s advance and recover 30% of the territory ISIL had captured. On Monday, I spoke to the President of Iraq in Paris, and he expressed his gratitude for the vital work our forces were doing. Yet, when our planes reach the Syrian border—a border that ISIL itself does not recognise—we can no longer act to defend either his country or ours, even though ISIL’s headquarters are in Raqqa in Syria and it is from there that many of the plots against our country are formed.

Alex Salmond: The Prime Minister is facing an amendment signed by 110 Members from six different political parties. I have examined that list very carefully, and I cannot identify a single terrorist sympathiser among them. Will he now apologise for his deeply insulting remarks?

The Prime Minister: I have made it clear that this is about how we fight terrorism, and that there is honour in any vote.

We possess the capabilities to reduce this threat to our security, and my argument today is that we should not wait any longer before doing so. We should answer the call from our allies. The action we propose is legal, not wait any longer before doing so. We should answer our security, and my argument today is that we should.

Since then, our brilliant RAF pilots have helped local forces to halt ISIL’s advance and recover 30% of the territory ISIL had captured. On Monday, I spoke to the President of Iraq in Paris, and he expressed his gratitude for the vital work our forces were doing. Yet, when our planes reach the Syrian border—a border that ISIL itself does not recognise—we can no longer act to defend either his country or ours, even though ISIL’s headquarters are in Raqqa in Syria and it is from there that many of the plots against our country are formed.

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The Prime Minister: I have made it clear that this is about how we fight terrorism, and that there is honour in any vote.

We possess the capabilities to reduce this threat to our security, and my argument today is that we should not wait any longer before doing so. We should answer the call from our allies. The action we propose is legal, necessary and the right thing to do to keep our country safe. My strong view is that the House should make it clear that we will take up our responsibilities, rather than pass them off and put our own national security in the hands of others.

Nadhim Zahawi (Stratford-on-Avon) (Con): I have just returned from Baghdad and Irbil, where ISIL is on the back foot. Ramadi is surrounded, Sinjar has been liberated and the route between Mosul and Raqqa has been cut off, but everyone on the ground tells me that unless we attack ISIL in Syria, there is no point liberating Mosul or the rest of Iraq, because all ISIL will do is regress in Syria and come back to attack that country and our country.

The Prime Minister: My hon. Friend makes an important point. The UN Security Council has set out very clearly that the fact that this so-called caliphate exists in Syria as well as Iraq is a direct threat to Iraq and its Government. He talks about some of the better news from Iraq. I would add to that what has happened in Tikrit since that has been taken from ISIL. We have seen 70% of its population return. I am sure we will talk later in this debate about the importance of humanitarian aid and reconstruction. That can work only with good government in those towns and in the absence of ISIL/Daesh.

Several hon. Members rose—

The Prime Minister: I will make a little more progress and then take some more interventions from the different political parties.

Since my statement last week, the House has had an opportunity to ask questions of our security experts. I have arranged a briefing for all Members, as well as more detailed briefings for Privy Counsellors. I have spoken further to our allies, including President Obama, Chancellor Merkel, President Hollande and the King of Jordan, the last of whom has written in The Daily Telegraph today expressing his wish for Britain to stand with Jordan in eliminating this global threat.

I have also listened carefully to the questions asked by Members on both sides of the House, and I hope that hon. Members can see the influence that the House has had on the motion before us: the stress on post-conflict stabilisation and reconstruction; the importance of standing by our allies; the importance of only targeting ISIL and not deploying ground troops in combat operations; the need to avoid civilian casualties; the importance of ceasefires and a political settlement; and the commitment to regular updates to the House. I have drawn these points from across the House and put them in the motion, because I want as many people as possible to feel able to support this action.

Tom Brake (Carshalton and Wallington) (LD): First, may I say that I will be supporting the Prime Minister today, although I think he needs to apologise for his comments about the Labour party? May I also ask him what the UK Government will do to minimise the number of civilian casualties?

The Prime Minister: The right hon. Gentleman raises a very important point. In Iraq, for a year and three months there have been no reports of civilian casualties related to the strikes that Britain has taken. Our starting point is to avoid civilian casualties altogether, and I have argued, and will indeed do so again today, that our precision weapons and the skill of our pilots make civilian casualties less likely. So Britain being involved in the strikes in Iraq can both be effective in prosecuting the campaign against ISIL and help us to avoid civilian casualties.

Frank Field (Birkenhead) (Lab): Is the Prime Minister aware of press reports that in the recent past 60,000 Syrian troops have been murdered by ISIL and our allies have waited until after those murderous acts have taken place to attack? Therefore, a key part of the motion for many of us is the reference to our action being “exclusively against ISIL”. If ISIL is involved in attacking Syrian Government troops, will we be bombing ISIL in defence of those troops, or will we wait idly by, as our allies have done up to now, for ISIL to kill those troops, and then bomb?

The Prime Minister: What I say to the right hon. Gentleman, for whom I have great respect, is that the motion says “exclusively” ISIL because that was a promise I made in this House in response to points made from both sides of the House. As far as I am concerned, wherever members of ISIL are, wherever they can be properly targeted, that is what we should do. Let me just make this point, because I think it is important when we come to the argument about ground troops. In my discussions with the King of Jordan, he made the point that in the south of Syria there is already not only...
co-operation among the Jordanian Government, the French and the Americans, and the Free Syrian Army, but a growing ceasefire between the regime troops and the Free Syrian Army so that they can turn their guns on ISIL. That is what I have said: this is an ISIL-first strategy. They are the threat. They are the ones we should be targeting. This is about our national security.

Several hon. Members rose—

The Prime Minister: Let me make a little progress and then I will take more interventions. In my remarks, I want to address the most important points that are being raised, and I will of course take as many interventions as I can.

I believe the key questions that have been raised are these: first, could acting in this way actually increase the risk to our security by making an attack on Britain more likely? Secondly, does Britain really have the capability to make a significant difference? Thirdly—this is the question asked by a number of Members, including the right hon. Member for Gordon (Alex Salmond)—why do we not just increase our level of airstrikes in Iraq to free up capacity among other members of the coalition so that they can carry out more airstrikes in Syria? Fourthly, will there really be the ground forces needed to make this operation a success? Fifthly, what is the strategy for defeating ISIL and securing a lasting political settlement in Syria? Sixthly, is there a proper reconstruction and post-conflict stabilisation plan for Syria? I want to try, in the time I have available, to answer all of those in turn.

Ian Paisley (North Antrim) (DUP): The Prime Minister will know how members of my party feel when it comes to fighting and dealing with terrorism, and for that there will always be support, no matter where terrorism raises its head. The motion states that “the Government will not deploy UK troops in ground combat operations”. If it becomes necessary at a later date to do that, will he guarantee that he will come back to this House to seek approval for that?

The Prime Minister: This is something not only that I do not want to do, but that I think would be a mistake if we did it. The argument was made to us by the Iraqi Government that the presence of western ground troops can be a radicalising force and can be counterproductive, and that is our view. I would say to the hon. Gentleman, and to colleagues behind me who are concerned about this issue, that I accept that this means that our strategy takes longer to be successful, because we rely on Iraqi ground troops in Iraq, we rely on the patchwork of Free Syrian Army troops in Syria, and in time we hope for Syrian ground troops from a transitional regime. All of that takes longer, and one of the clear messages that has to come across today is that, yes, we do have a strategy, and although it is a complex picture and it will take time, we are acting in the right way.

Several hon. Members rose—

The Prime Minister: Let me make one more point before I take some more interventions, because I want to say a word about the terminology we use to describe this evil death cult. Having carefully considered the strong representation made to me by my hon. Friend the Member for Gillingham and Rainham (Rehman Chishti) and having listened to many Members of Parliament across the House, I feel that it is time to join our key ally, France, the Arab League, and other members of the international community in using, as frequently as possible, the terminology “Daesh” rather than ISIL. This evil death cult is neither a true representation of Islam nor a state.

Emily Thornberry (Islington South and Finsbury) (Lab): I am very interested to hear what the right hon. Gentleman says about what name we should call Daesh. If we are talking about terminology, should he not take this opportunity to withdraw the names that he is calling those who will not be voting with him tonight? Not only is it offensive to use the words “a bunch of terrorist sympathisers”, but it is dangerous and untrue.

The Prime Minister: I have made my views clear about the importance of all of us fighting terrorism, and I think that it is time to move on.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op) rose—

Albert Owen (Ynys Môn) (Lab) rose—

The Prime Minister: Let me turn to the important questions, and I will take interventions as I go through them.

First, could acting increase the risk to our security? That is one of the most important questions that we have to answer. Privy Counsellors across the House have had a briefing from the Chair of the independent Joint Intelligence Committee. Obviously, I cannot share all the classified material, but I can say this: Paris was different not just because it was so close to us or because it was so horrific in scale, but because it showed the extent of terror planning from Daesh in Syria and the approach of sending people back from Syria to Europe. This was the head of the snake in Raqqa in action, so it is not surprising that the judgment of the Chair of the Joint Intelligence Committee and of the director general of the Security Service is that the risk of a similar attack in the UK is real, and that the UK is already in the top tier of countries on ISIL’s target list.

Several hon. Members rose—

The Prime Minister: I want to make this point and then I will take some more interventions.

If there is an attack on the UK in the coming weeks or months, there will be those who try to say that it has happened because of our airstrikes. I do not believe that that will be the case. Daesh has been trying to attack us for the past year, as we know from the seven different plots that our security services have foiled. In the light of that threat from Daesh, the terrorist threat to the UK was raised to severe last August, which means that an attack is highly likely.

Albert Owen rose—

Karl Turner (Kingston upon Hull East) (Lab) rose—
The Prime Minister: I will give way in two minutes. Some 800 people, including families and children, have been radicalised to such an extent that they have travelled to this so-called caliphate. The House should be under no illusion: these terrorists are plotting to kill us and to radicalise our children right now. They attack us because of who we are, and not because of what we do.

John Nicolson (East Dunbartonshire) (SNP): All of us on the Opposition Benches share the Prime Minister’s horror of Daesh and its death cult and abhor terrorism. Will he take this further opportunity to identify which Members on these Benches he regards as terrorist sympathisers?

The Prime Minister: Everyone in this House can speak for themselves. What I am saying is that, when it comes to the risks of military action, the risks of inaction are far greater than the risks of what I propose.

Next there are those who ask whether Britain conducting strikes in Syria will really make a difference.

Albert Owen: On that point—

The Prime Minister: Let me make my argument, and then I will take the hon. Gentleman’s question.

This point has been raised in briefing after briefing. I believe that we can make a real difference. I told the House last week about our dynamic targeting, our Brimstone missiles, the Raptor pod on our Tornadoes and the intelligence-gathering work of our Reaper drones. I will not repeat all that today, but there is another way of putting this, which is equally powerful. There is a lot of strike capacity in the coalition, but when it comes to precision-strike capability whether covering Iraq or Syria, let me say this: last week, the whole international coalition had some 26 aircraft available, eight of which were British Tornadoes. Typically, the UK actually represents a quarter of high-precision strike capability, which is why this decision is so important.

Let me answer both of my hon. Friend’s questions. The second question is perhaps answered in many ways, what I have just said helps to answer the next question that some Members have asked about why we do not simply increase our level of air strikes in Iraq to free up coalition capacity for strikes in Syria. We have the capabilities that other members of the Coalition want to benefit from, and it makes absolutely no sense to stop using these capabilities at a border between Iraq and Syria that Daesh simply does not recognise or respect.

Several hon. Members rose—

The Prime Minister: Let me make this argument, because it is an important, detailed point. There was a recent incident in which Syrian opposition forces needed urgent support in their fight against Daesh. British Tornadoes were eight minutes away, just over the border in Iraq—no one else was close—but Britain could not help, so the Syrian opposition forces had to wait 40 minutes in a perilous situation while other coalition forces were scrambled. That sort of delay endangers the lives of those fighting Daesh on the ground, and does nothing for our reputation with our vital allies.

Several hon. Members rose—

The Prime Minister: Let me give way to my hon. Friend the Member for Basildon and Billericay (Mr Baron)

Mr John Baron (Basildon and Billericay) (Con): I thank the Prime Minister for giving way. Does he understand that at a time when too many aircraft are already chasing too few targets, many of us are concerned about the lack of a comprehensive strategy, both military and non-military, including an exit strategy? One of the fundamental differences between Iraq and Syria is that in Iraq there are nearly 1 million personnel on the Government payroll, and still we are having trouble pushing ISIL back. In Syria, with the 70,000 moderates, we risk forgetting the lesson of Libya. What is the Prime Minister’s reaction to the decision yesterday by the Select Committee on Foreign Affairs that he had not adequately addressed our concerns?

The Prime Minister: Let me answer both of my hon. Friend’s questions. The second question is perhaps answered
[The Prime Minister]

with something in which I am sure the whole House will want to join me in, which is wishing the hon. Member for Ilford South (Mike Gapes) well, given his recent illness. He is normally always at the Foreign Affairs Committee, and always voting on non-party grounds on the basis of the arguments in which he believes.

Where my hon. Friend the Member for Basildon and Billericay (Mr Baron) and I disagree is on this: I believe that there is a strategy, of which military action is only one part. The key answer to his question is that we want to see a new Syrian transitional Government whose troops will then be our allies in squeezing out and destroying the so-called caliphate altogether. My disagreement with my hon. Friend is that I believe that we cannot wait for that happen. The threat is now; ISIL/Daesh is planning attacks now. We can act in Syria as we act in Iraq, and in doing so, we can enhance the long-term security and safety of our country, which is why we should act.

Several hon. Members rose—

The Prime Minister: Let me give way to my hon. Friend the Member for Gillingham and Rainham (Rehman Chishti).

Rehman Chishti (Gillingham and Rainham) (Con): May I first of all thank the Prime Minister for that change in terminology, and all Members of Parliament across the House for their support? Will the Prime Minister join me in urging the BBC to review its bizarre policy? It wrote to me to say that it cannot use the word “Daesh” because it would breach its impartiality rules. We are at war with terrorists, and we have to defeat their ideology and appeal: we have to be united. Will he join me in urging the BBC to review its bizarre policy?

The Prime Minister: I agree with my hon. Friend, and I have already corresponded with the BBC about its use of “IS”—Islamic State—which I think is even worse than either saying “so-called IS” or, indeed, “ISIL”. “Daesh” is clearly an improvement, and it is important that we all try and use this language.

Several hon. Members rose—

The Prime Minister: Let me make some progress, then I will give way again.

There is a much more fundamental answer as to why we should carry out airstrikes in Syria ourselves, and it is this. Raqqa in Syria is the headquarters of this threat to our security. It is in Syria where it pumps and sells the oil that does so much to help finance its evil acts, and as I have said, it is in Syria where many of the plots against our country are formed, so we must act in Syria to deal with these threats ourselves.

Several hon. Members rose—

The Prime Minister: I will give way to the hon. Member for Cardiff South and Penarth (Stephen Doughty).

Stephen Doughty: I thank the Prime Minister for giving way. I would have preferred to hear an apology, but I want to discuss the facts. The fact is that we are proposing to target very different things from those that we are targeting in northern Iraq and I would like to ask the Prime Minister two questions. First, what practical steps will be used to reduce civilian casualties? Secondly, what sorts of targets will we be going against that will reduce the terrorist threat to the UK in terms of operations directed against our citizens?

The Prime Minister: Let me answer the hon. Gentleman very directly. On the sorts of targets that we can go after, clearly it is the leaders of this death cult itself, the training camps, the communications hubs and those who are plotting against us. As I shall argue in a minute, the limited action that we took against Khan and Hussain, which was, if you like, an airstrikes on Syria, has already had an impact on ISIL—on Daesh. That is a very important point.

How do we avoid civilian casualties? We have a policy—a start point—of wanting zero civilian casualties. One year and three months into those Iraqi operations, we have not had any reports of civilian casualties. I am not saying that there are no casualties in war; of course there are. We are putting ourselves into a very difficult situation, which is hugely complex. In many ways it is a difficult argument to get across, but its heart is a simple point—will we be safer and better off in the long term if we can get rid of the so-called caliphate which is radicalising Muslims, turning people against us and plotting atrocities on the streets of Britain?

Simon Hoare (North Dorset) (Con): Does my right hon. Friend agree that there are already hundreds, if not thousands, of civilian casualties—those who are thrown off buildings, burned, decapitated, crucified, and those who have had to flee Syria, away from their co-religionists who have so bastardised that religion? Those are the civilian casualties we are trying to help.

The Prime Minister: My hon. Friend puts it extremely clearly. That is one of the aims of what we are doing—to prevent this death cult from carrying out the ghastly acts it carries out daily.

Several hon. Members rose—

The Prime Minister: Let me make some progress. Let me turn to the question of whether there will be ground forces to make this operation a success. Those who say that there are not as any ground troops as we would like, and that they are not all in the right places, are correct. We are not dealing with an ideal situation, but let me make a series of important points. First, we should be clear what airstrikes alone can achieve. We do not need ground troops to target the supply of oil which Daesh uses to fund terrorism. We do not need ground troops to hit Daesh’s headquarters, its infrastructure, its supply routes, its training facilities and its weapons supplies. It is clear that airstrikes can have an effect, as in the case of Khan and Hussain which is just mentioned. Irrespective of ground forces, our RAF can do serious damage to Daesh’s ability right now to bring terror to our streets and we should give it that support.

George Kerevan (East Lothian) (SNP): How would the Prime Minister respond to the point that since Daesh’s offensive against Baghdad was blunted by air power, it has changed its tactics and dispersed its forces,
and particularly in Raqqa, a town of 600,000 people at present, has dispersed its operations all through that city into small units which make it impervious to attacks from our Tornadoes, given the small number of Tornadoes we have?

**The Prime Minister:** What the hon. Gentleman says is right. Of course Daesh has changed its tactics from the early days when airstrikes were even more effective, but that is not an argument for doing nothing. It is an argument for using airstrikes where we can, but having a longer-term strategy to deliver the necessary ground troops through the transition. The argument before the House is simple: do we wait for perfection, which is a transitional Government in Syria, or do we start the work now of degrading and destroying that organisation at the request of our allies, at the request of the Gulf states, in the knowledge from our security experts that it will make a difference?

**Several hon. Members rose—**

**The Prime Minister:** Let me make a little progress, then I will take interventions from both sides.

As I said last week, the full answer to the question of ground forces cannot be achieved until there is a new Syrian Government who represent all the Syrian people—not just Sunni, Shi’a and Alawite, but Christian, Druze and others. It is this new Government who will be the natural partners for our forces in defeating Daesh for good. But there are some ground forces that we can work with in the meantime. Last week I told the House—

**Several hon. Members rose—**

**The Prime Minister:** Let me give the explanation, and then colleagues can intervene if they like.

Last week I told the House that we believe that there are around 70,000 Syrian opposition fighters who do not belong to extremist groups and with whom we can co-ordinate attacks on Daesh. The House will appreciate that there are some limits on what I can say about these groups, not least because I cannot risk the safety of these courageous people, who are being targeted daily by the regime, by Daesh or by both. But I know that this is an area of great interest and concern to the House, so let me try to say a little more.

The 70,000 figure is an estimate from our independent Joint Intelligence Committee, based on detailed analysis, updated daily and drawing on a wide range of open sources and intelligence. The majority of the 70,000 are from the Free Syrian Army. Alongside the 70,000, there are some 20,000 Kurdish fighters with whom we can also work. I am not arguing—this is a crucial point—that all of the 70,000 are somehow ideal partners. However, some left the Syrian army because of Assad’s brutality, and clearly they can play a role in the future of Syria. That view is also taken by the Russians, who are prepared to talk with these people.

**Steve Brine** (Winchester) (Con): I thank the Prime Minister for giving way, and for the helpful way he is explaining matters to colleagues across the House. He spoke about a long-term strategy to see a new Government in Syria. There is widespread agreement on that among our allies, but possibly more of a challenge with Russia. What conversations has he had with President Putin, either directly or via the United States, on the short and longer-term prospects for President Assad?

**The Prime Minister:** I have had those conversations with President Putin on many occasions, most recently at the G20 summit in Antalya, and President Obama had a meeting with him at the climate change conference in Paris. As I have said before in this House, there was an enormous gap between Britain, America, France and, indeed, Saudi Arabia on the one hand and Russia on the other hand; we wanted Assad to go instantly and they wanted him to stay, potentially forever. That gap has narrowed, and I think that it will narrow further as the vital talks in Vienna get under way.

Let me make a point about the Vienna talks, because I think that some people worry that it is a process without an end. The clear ambition in the talks is to see a transitional Government within six months, and a new constitution and fresh elections within 18 months, so there is real momentum behind them.

**Andrew Bridgen** (North West Leicestershire) (Con): Will the Prime Minister confirm that, alongside any military intervention in Syria that the House might authorise tonight, he remains completely committed to the Government’s huge humanitarian effort, which has kept so many people alive in the region?

**The Prime Minister:** I thank my hon. Friend for that intervention. I can certainly confirm that. We are the second largest bilateral donor in the world, after America, and we will keep that up, not least with the vital conference that we are co-chairing in London next year, when we will bring together the whole world to ensure that we fill the gap in the funding that is available.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): I am grateful to the Prime Minister, who is presenting his case well. Had he come to the House and asked for a very narrow licence to take out ISIL’s external planning capability, I think that would have commanded widespread consent, but he is asking for a wider authority. I want to draw him on the difference between Iraq and Syria. In Iraq there are ground forces in place, but in Syria there are not. I invite him to say a little more at the very least about what ground forces he envisages joining us in the seizure of Raqqa.

**The Prime Minister:** Let me try to answer that as directly as possible, because it goes to the nub of the difficulty of this case. I do not think that we can separate the task of taking out the command and control of Daesh’s operations against the UK, France, Belgium and elsewhere from the task of degrading and destroying the so-called caliphate that it has created; the two are intricately linked. Indeed, as I argued before the House last week, as long as the so-called caliphate exists, it is a threat to us, not least because it is radicalising Muslims from around the world who are going to fight for that organisation and potentially then return to attack us.

On the right hon. Gentleman’s second question about ground troops, as I have explained, there are three parts to the argument. First, we must not underestimate the things we can do without ground troops. Secondly, although the ground troops that are there are not ideal
and there are not as many of them as we would like, they are people we are working with and who we can work with more. Thirdly, the real plan is that as we get a transitional Government in Syria that can represent all the Syrian people, there will be more ground troops for us to work with to defeat Daesh and the caliphate, which will keep our country safe. I know that will take a long time and that it will be complex, but that is the strategy, and we need to start with the first step, which is going after these terrorists today.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I think the Prime Minister has to acknowledge that the ground troops that we can work with will be absolutely essential for his long-term strategy. At the moment he has not shown to me that as we defeat ISIL, we will not simply create a vacuum into which Assad will move and we will be fighting another enemy. Just a final word—perhaps I give him some motherly advice—if he got up now and said, “Whoever does not walk with me through the Division Lobby is not a terrorist sympathiser”, he would improve his standing in this House enormously.

The Prime Minister: I am very happy to repeat what the hon. Lady said. As I have said, people who vote in either Division Lobby do so with honour. I could not have been clearer about that. If she is saying that there are not enough ground troops, she is right. If she is saying that they are not always in the right places, she is right. But the question for us is, should we act now in order to try to start to turn the tide?

Angus Robertson (Moray) (SNP) rose—

The Prime Minister: Let me make some progress, but I will certainly give way to the leader of the SNP in a moment. I just want to be clear about the 70,000. That figure does not include a further 25,000 extremist fighters in groups which reject political participation and reject co-ordination with non-Muslims, so although they fight Daesh they cannot and will not be our partners. So there are ground forces who will take the fight to Daesh, and in many cases we can work with them and we can assist them.

Several hon. Members rose—

The Prime Minister: I want to make one final point and then I will give way to the leader of the SNP.

If we do not act now, we should be clear that there will be even fewer ground forces over time as Daesh will get even stronger. In my view, we simply cannot afford to wait. We have to act now.

Angus Robertson: Would the Prime Minister clarify for every Member of the House the advice that he and others have been given in relation to the 70,000 forces that he speaks of? How many of those 70,000 are classified as moderate and how many of them are classified as fundamentalists with whom we can never work?

The Prime Minister: On the 70,000, the advice I have is that the majority are made up of the Free Syrian Army, but of course the Free Syrian Army has different leadership in different parts of the country. The 70,000 excludes those in extremist groups like al-Nusra that we will not work with. As I have said very clearly, I am not arguing that the 70,000 are ideal partners; some of them do have views that we do not agree with. But the definition of the 70,000 is those people that we have been prepared to work with and continue to be prepared to work with. Let me make this point again: if we do not take action against Daesh now, the number of ground forces we can work with will get less and less and less. If we want to end up with a situation where there is the butcher Assad on one side and a stronger ISIL on the other side, not acting is one of the things that will bring that about.

Sir Edward Garnier (Harborough) (Con): I know from my time in government how long, how hard and how anxiously the Prime Minister thinks about these questions, but will he ensure that we complete the military aspect of this campaign, if at all possible, so that we can then get on to the really important, but perhaps the most difficult aspect of the questions that he has posed—namely, the post-conflict stabilisation and the reconstruction of Syria, because without this early stage there will not be a Syria left to reconstruct?

The Prime Minister: My right hon. and learned Friend, who himself always thought about these things very carefully, is right. That is the end goal, and we should not take our eyes off the prize, which is a reconstructed Syria with a Government that can represent all the people; which is a Syria at peace so that we do not have the migration crisis and we do not have the terrorism crisis. That is the goal.

Let me turn to the overall strategy. Again, I set this out in the House last week.

Several hon. Members rose—

The Prime Minister: I will make some progress.

Let me say a little more about each of the non-military elements: counter-terrorism, counter-extremism, the political and diplomatic processes, and the vital humanitarian work that my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) just referred to. Our counter-terrorism strategy gives Britain a comprehensive plan to prevent and foil plots at home and also to address the poisonous extremist ideology that is the root cause of the threat that we face. As part of this, I can announce today that we will establish a comprehensive review to root out any remaining funding of extremism within the UK. This will examine specifically the nature, scale and extent of the funding of Islamist extremist activity in the UK, including any overseas sources. It will report to myself and my right hon. Friend the Home Secretary next spring.

Several hon. Members rose—

The Prime Minister: I want to make this point before I give way again. I know there are some who suggest that military action could in some way undermine our counter-extremism strategy by radicalising British Muslims, so let me take this head on. British Muslims are appalled by Daesh. These women-rapeing, Muslim-murdering, medieval monsters are hijacking the peaceful religion of Islam for their warped ends. As the King of Jordan says in an article today, these people are not Muslims, they are “outlaws” from Islam. We must stand with our Muslim friends, here and around the world, as they
reclaim their religion from these terrorists. Far from an attack on Islam, we are engaged in a defence of Islam, and far from a risk of radicalising British Muslims by acting, failing to act would actually be to betray British Muslims and the wider religion of Islam in its very hour of need.

Mr Ronnie Campbell (Blyth Valley) (Lab): The Prime Minister said that this country would fight all the time. Why do the Iranians, the Saudis and the Turks not fight these people? Why has it always got to be us who fight them?

The Prime Minister: The Turks are taking part in this action and urging us to do the same. The Saudis are taking part in this action and urging us to do the same. The Jordanians have taken part in this action and urge us to do the same. I have in my notes quote after quote from leader after leader in the Gulf world begging and pleading with Britain to take part so that we can take the fight to this death cult that threatens us all so much.

The second part of our strategy is our support for the diplomatic and political process. Let me say a word about how this process can lead to the ceasefires between the regime and the opposition that are so essential for the next stages of this political transition. It begins with identifying the right people to put around the table.

Next week, we expect the Syrian regime to nominate a team of people to negotiate under the auspices of the United Nations. Over the last 18 months, political and armed opposition positions have converged. We know the main groups and their ideas. In the coming days, Saudi Arabia will host an inclusive meeting for opposition representatives in Riyadh. The United Nations will take forward discussions on steps towards a ceasefire, including at the next meeting of the International Syria Support Group, which we expect to take place before Christmas.

The aim is clear, as I have said—a transitional Government in six months, a new constitution, and free and fair elections within 18 months. I would argue that the key elements of a deal are emerging: ceasefires, opposition groups coming together, the regime looking at negotiation, and the key players—America and Russia, Saudi Arabia and Iran—and key regional players such as Turkey all in the room together. My argument is this: hitting Daesh does not hurt this process; it helps this process, which is the eventual goal.

Mr Nigel Evans (Ribble Valley) (Con): Does the Prime Minister agree that the murders on the beach in Tunisia and the carnage in Paris on 13 November have changed everything, and that the British people would ask the Prime Minister withdraw his remarks in relation to terrorist sympathisers?

The Prime Minister: I think everyone is now focused on the main issues in front of us. That is what we should be focused on.

Let me turn to the plan for post-conflict reconstruction to support a new Syrian Government when they emerge. I have said that we would be prepared to commit at least £1 billion to Syria’s reconstruction. The initial priorities would be protection, security, stabilisation and confidence-building measures, including meeting basic humanitarian needs such as education, health and shelter, and, of course, helping refugees to return. Over time, the focus would shift to the longer-term rebuilding of Syria’s shattered infrastructure, harnessing the expertise of the international financial institutions and the private sector. As I said last week, we are not in the business of trying to dismantle the Syrian state or its institutions. We would aim to allocate reconstruction funds against a plan agreed between a new, inclusive Syrian Government and the international community, once the conflict had ended. That is the absolute key.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I welcome any comments that distance British Muslims and Muslims in Scotland from Daesh. I also welcome the Prime Minister’s use of that terminology. I ask him this question as a new Member of the House who is looking to seasoned parliamentarians and those who have been in this Chamber for some time, as new Members do on such occasions. Given that the language that is being used could be considered unbecoming of a parliamentarian, for the benefit of new Members, will the Prime Minister withdraw his remarks in relation to

The Prime Minister: I will take interventions from my hon. Friend the Member for North Dorset (Simon Hoare) and then another Opposition Member before drawing my remarks to a close.

Mark Spencer (Sherwood) (Con): What really matters to my constituents is whether they will be safer after this process. The Prime Minister is making a strong case for attacking the heart of this terrorist organisation. Will we be safer?
he assure the House that, as well as taking action in Syria, he will shore up security services and policing in the United Kingdom?

The Prime Minister: That is what our constituents want to know. What are we doing to strengthen our borders? What are we doing to exchange intelligence information across Europe? What are we doing to strengthen our intelligence and policing agencies, which the Chancellor spoke about so much last week? We should see all of this through the prism of national security. That is our first duty. When our allies are asking us to act, the intelligence is there and we have the knowledge that we can make a difference, I believe that we should act.

Let me take an intervention from the leader of the Liberal Democrats.

Tim Farron (Westmorland and Lonsdale) (LD): The Prime Minister rightly says how important it is that we not only stand with our allies and friends in Europe, but are seen to stand with them. However, he has not so far stood with those European allies on the matter of taking our fair share of refugees from this crisis and other crises. Will he look again at the request from Save the Children that this country take 3,000 orphaned child refugees who are currently in Europe?

The Prime Minister: We have played a huge part in Europe as the biggest bilateral donor. No other European country has given as much as Britain. We are also going to take 20,000 refugees, with 1,000 arriving by Christmas. However, I am happy to look once again at the issue of orphans. I think that it is better to take orphans from the region, rather than those who come over, sometimes with their extended family. I am very happy to look at that issue again, both in Europe and out of Europe, to see whether Britain can do more to fulfil our moral responsibilities.

Let me conclude. This is not 2003. We must not use past mistakes as an excuse for indifference or inaction. Let us be clear: inaction does not amount to a strategy for our security or that of the Syrian people, but inaction is a choice. I believe that it is the wrong choice. We face a clear threat. We have listened to our allies. We have taken legal advice. We have a unanimous United Nations resolution. We have discussed our proposed actions extensively at meetings of the National Security Council and the Cabinet. I have responded personally to the detailed report of the Foreign Affairs Committee. We have a proper motion before the House and we are having a 10-and-a-half-hour debate today.

In that spirit, I look forward to the rest of the debate and to listening to the contributions of Members from all parts of the House. I hope that at the end of it all, the House will come together in large numbers to vote for Britain to play its part in defeating these evil extremists and taking the action that is needed now to keep our country safe. In doing so, I pay tribute to the extraordinary bravery and service of our inspirational armed forces, who will once again put themselves in harm’s way to protect our values and our way of life. I commend this motion to the House.
Nadhim Zahawi: The right hon. Gentleman and I have worked together on the Kurdish issue, and he knows how tough the Kurds are finding it fighting ISIL in both Iraq and Syria. The shadow Foreign Secretary believes that the four conditions debated at the Labour party conference for taking action in Syria have been met. Why does the Leader of the Opposition disagree with him?

Jeremy Corbyn: The hon. Gentleman may have to wait a few moments to hear the answer to that, but I promise that it will be in my speech. I am pleased that he made that intervention about the Kurdish people, because at some point over the whole middle east and the whole of this settlement, there must be a recognition of the rights of Kurdish people, whichever country they live in. The hon. Gentleman and I have shared that view for more than 30 years, and my view on that has not changed.

John Woodcock: I am glad that my right hon. Friend has mentioned the Kurds. Could he be clear at the Dispatch Box that neither he, nor anyone on these Benches, will in any way want to remove the air protection that was voted on with an overwhelming majority in the House 14 months ago?

Jeremy Corbyn: I thank my hon. Friend for that intervention. That is not part of the motion today, so we move on with this debate.

It is impossible to avoid the conclusion that the Prime Minister understands that public opinion is moving increasingly against what I believe to be an ill-thought-out rush to war. He wants to hold this vote before opinion against it grows even further. Whether it is a lack of strategy worth the name, the absence of credible ground troops, the missing diplomatic plan for a Syrian settlement, the failure to address the impact of the terrorist threat or the refugee crisis and civilian casualties, it is becoming increasingly clear that the Prime Minister’s proposals for military action simply do not stack up.

Ian Blackford: I agree with the right hon. Gentleman that the case has not been made. Under the circumstances and the slur on Opposition Members, will he reconsider the importance of the Labour party, in its entirety, joining those on the Scottish National party Benches in opposing the Government, and whip the Labour MPs to make sure the Government are defeated on the motion?

Jeremy Corbyn: Every MP has to make a decision today, every MP has a vote today, every MP has a constituency, and every MP should be aware of what constituents’ and public opinion is. They will make up their own mind. Obviously, I am proposing that we do not support the Government’s motion tonight and I encourage all colleagues on all sides to join me in the Lobby tonight to oppose the Government’s proposals.

Last week, the Prime Minister focused his case for bombing in Syria on the critical test set by the very respected cross-party Foreign Affairs Committee. Given the holes in the Government’s case, it is scarcely surprising that last night the Committee reported that the Prime Minister had not “adequately addressed concerns”. In other words, the Committee judged that the Prime Minister’s case for bombing has failed its tests.

Crispin Blunt (Reigate) (Con): The Committee resolved four to three that the Prime Minister “has not adequately addressed concerns” contained in the Committee’s second report. The right hon. Member for Cynon Valley (Ann Clwyd) and the hon. Member for Ilford South (Mike Gapes), who would have resisted, were absent. It is on a narrow point where, logically, it is almost impossible for the Prime Minister to adequately meet those concerns, given the fact he is not in a position to produce sufficient detail to satisfy some of my colleagues. It is a very weak point for the Leader of the Opposition to rely on. He needs to go to the substance.

Jeremy Corbyn: I thank the hon. Gentleman for his intervention. He and I have often had very amicable discussions on many of these issues and I am sure we will again. The fact is, however, that at a meeting of the Foreign Affairs Committee the verdict was that the Prime Minister had not adequately addressed concerns. Obviously, I understand there are differences of opinion.

Goodness, there are plenty of differences of opinion all around this House, on both the Government and Opposition Benches. I therefore ask the Chair of the Select Committee to recognise that a decision has been made by his Committee.

After the despicable and horrific attacks in Paris last month, the question of whether the Government’s proposals for military action in Syria strengthen or undermine our own national security must be at the centre of our deliberations.

Several hon. Members rose—

Jeremy Corbyn: I have given way quite a lot of times already. There are 157 Members who wish to take part in the debate. I should try to move on and speed it up slightly, something which appears to meet with your approval, Mr Speaker.

There is no doubt that the so-call Islamic State has imposed a reign of sectarian and inhuman terror in Iraq, Syria and Libya. There is no question but that it also poses a threat to our own people. The issue now is whether extending British bombing from Iraq to Syria is likely to reduce or increase that threat to Britain, and whether it will counter or spread the terror campaign ISIL is waging across the middle east. The answers do not make the case for the Government motion. On the contrary, they are a warning to step back and vote against yet another ill-fated twist in this never-ending war on terror.

Let us start with a military dimension. The Prime Minister has been unable to explain why extending airstrikes to Syria will make a significant military impact on the existing campaign. ISIL is already being bombed in Syria or Iraq by the United States, France, Britain, Russia and other powers. Interestingly, Canada has withdrawn from this campaign and no longer takes part in it. During more than a year of bombing, ISIL has expanded as well as lost territory. ISIL gains included the Iraqi city of Ramadi and the Syrian city of Palmyra. The claim that superior British missiles will make the difference is hard to credit when the US and other states are, as mentioned in an earlier intervention, struggling to find suitable targets. In other words, extending British bombing is unlikely to make a huge difference.
Secondly, the Prime Minister has failed to convince almost anyone that, even if British participation in the air campaign were to tip the balance, there are credible ground forces able to take back territory now held by ISIL. In fact, it is quite clear that there are no such forces.

Last week, the Prime Minister suggested that a combination of Kurdish militias and the Free Syrian Army would be able to fill the gap. He even claimed that a 70,000-strong force of moderate FSA fighters was ready to co-ordinate action against ISIL with the western air campaign. That claim has not remotely stood up to scrutiny. Kurdish forces are a distance away, so will be of little assistance in the Sunni Arab areas that ISIL controls. Neither will the FSA, which includes a wide range of groups that few, if any, would regard as moderate and which mostly operates in other parts of the country. The only ground forces able to take advantage of a successful anti-ISIL air campaign are stronger jihadist and Salafist groups close to the ISIL-controlled areas. I think that these are serious issues that need to be thought through very carefully, as I believe the Prime Minister’s bombing campaign could well lead to that.

Several hon. Members rose—

Jeremy Corbyn: I give way again way later in my contribution, but I should be allowed to make what I think is an important contribution to the debate.

That is why the logic of an extended air campaign is, in fact, towards mission creep and western boots on the ground. Whatever the Prime Minister may say now about keeping British combat troops out of the way, that is a real possibility.

Thirdly, the military aim of attacking ISIL targets in Syria is not really part of a coherent diplomatic strategy. UN Security Council resolution 2249, passed after the Paris atrocities and cited in today’s Government motion, does not give clear and unambiguous authorisation for UK bombing in Syria. To do so, it would have had to be passed under chapter 7 of the UN charter, to which the Security Council could not agree. The UN resolution is of course a welcome framework for joint action to cut off funding, oil revenues and arms supplies from ISIL, but I wonder whether there are many signs of that happening.

Charlotte Leslie (Bristol North West) (Con): The right hon. Gentleman and I do not agree on very much, but I very much agree with him on the necessity to cut off oil supplies. I am therefore at a complete loss when it comes to understanding why he would oppose airstrikes, which play such a crucial part in targeting the oil supplies that provide funding for ISIL/Daesh.

Jeremy Corbyn: The problem is that the oil supplies sold by ISIL go into Turkey and other countries, and I think we need to know exactly who is buying that oil, who is funding it, what banks are involved in the financial transactions that ultimately benefit ISIL, and which other countries in the region either are or are not involved. That is despite the clear risk of potentially disastrous incidents. The shooting down of a Russian military aircraft by Turkish forces is a sign of the danger of a serious escalation of this whole issue.

Caroline Lucas (Brighton, Pavilion) (Green): The number of ground troops is, as my right hon. Friend says, unknown, and their composition is also unknown, but what we do know is that they are, by definition, opposition fighters: they are anti-Assad. Does my right hon. Friend agree that the Prime Minister still has a question to answer about how we can work with them to retake ground from Daesh without becoming drawn into a wider conflict with Russia, given that they are on the other side?

Jeremy Corbyn: That is an important point. The hon. Lady has been very active in trying to promote peace and humanitarian resolutions to the many conflicts that exist around the world.

Fourthly, the Prime Minister has avoided spelling out to the British people the warnings that he has surely been given about the likely impact of UK air strikes in Syria on the threat of terrorist attacks in the UK. That is something that everyone who backs the Government’s motion should weigh and think about very carefully before we vote on whether or not to send RAF pilots into action over Syria.

It is critically important that we, as a House, are honest with the British people about the potential consequences of the action that the Prime Minister is proposing today. I am aware that there are those with military experience—Conservative as well as Labour Members—who have argued that extending UK bombing will “increase the short-term risks of terrorist attacks in Britain.”

We should also remember the impact on communities here in Britain. Sadly, since the Paris attacks there has been a sharp increase in Islamophobic incidents and physical attacks. I have discussed them with people in my local mosque, in my constituency, and they are horrific. Surely this message must go out from all of us in the House today: none of us—we can say this together—will tolerate any form of anti-Semitism, Islamophobia or racism in any form in this country.

In my view, the Prime Minister has offered no serious assessment of the impact of an intensified air campaign on civilian casualties in ISIL-held Syrian territory, or on the wider Syrian refugee crisis. At least 250,000 have already been killed in Syria’s terrible civil war, 11 million have been made homeless, and 4 million have been forced to leave the country. Many more have been killed by the Assad regime than by ISIL itself. Yet more bombing in Syria will kill innocent civilians—there is no doubt about that—and will turn many more Syrians into refugees.

Several hon. Members rose—

Jeremy Corbyn: I will give way in a moment.

Yesterday I was sent this message from a constituent of mine who comes from Syria. (Laughter.) I am sorry, but it is not funny. This is about a family who are suffering.

My constituent’s name is Abdulaziz Almashi. "I’m a Syrian from Manbij city, which is now controlled by ISIL,” he wrote.

“Members of my family still live there and Isil didn’t kill them. My question to David Cameron is: ‘Can you guarantee the safety of my family when your air forces bomb my city?’”

[Interruption.] It is a fair question, from a family who are very concerned.
Johnny Mercer (Plymouth, Moor View) (Con): I speak as someone who was a member of the military but has left. It seems to us that the Leader of the Opposition is making a fundamental point, namely that this is about national security. It is extremely difficult to deal with all the conflicting arguments and complex situations, but this comes down to national security, and the need to inhibit what these people are trying to do on the streets of this country.

Jeremy Corbyn: Yes, of course security on the streets of this country, in all our communities, is very important. That is why we have supported the Government’s action in no longer pursuing the strategy of cutting the police, and also increasing security in this country. Clearly, none of us wants an atrocity on the streets of this country. My borough was deeply affected by 7/7 in 2005—

Several hon. Members rose—

Mr Speaker: Order. The Member who has the Floor cannot be expected to give way to a further intervention when he is in the process of answering an existing one. The hon. Gentlemen are experienced enough denizens of this House to be aware of that.

Jeremy Corbyn: Thank you, Mr Speaker. I would like to give way to my right hon. Friend the Member for Tottenham (Mr Lammy).

Mr David Lammy (Tottenham) (Lab): I am grateful to the Leader of the Opposition for giving way. Does he accept that the 70,000 moderate Sunnis who the Prime Minister claims are in Syria comprise many different jihadist groups? There is concern across the House that in degrading ISIL/Daesh, which is possible, we might create a vacuum into which other jihadists would come, over time. Surely that would not make the streets of this country safer.

Jeremy Corbyn: For the sake of north London geography, I shall now give way to the hon. Member for Enfield, Southgate (Mr Burrowes).

Mr David Burrowes (Enfield, Southgate) (Con): The right hon. Gentleman has maintained a consistent position in this House on airstrikes. On 26 September 2014, when he voted against airstrikes against ISIL in Iraq, he said:

“I do not believe that further air strikes and the deepening of our involvement will solve the problem.”—[Official Report, 26 September 2014; Vol. 585, c. 1332.]

Does he maintain his opposition to airstrikes in Iraq, as well as to extending them to Syria?

Jeremy Corbyn: I thank both Members for their interventions. My right hon. Friend the Member for Tottenham (Mr Lammy) makes a serious point. We welcome that, but it is regrettable that Geneva II—

Several hon. Members rose—

Mr Speaker: Order. The Member who has the Floor cannot be expected to give way to a further intervention when he is in the process of answering an existing one. The hon. Gentlemen are experienced enough denizens of this House to be aware of that.

Jeremy Corbyn: We absolutely need action to ensure that there is a diplomatic and political solution to the crisis. I welcome what the Prime Minister said about speeding up the process in Vienna, but surely the message ought to be, “Let’s speed that up,” rather than sending the bombers in now, if we are to bring about a political settlement.

We need the involvement of all the main regional and international powers. I know that that has been attempted. I know that there have been discussions in Vienna, and we welcome that, but it is regrettable that Geneva II—

Several hon. Members rose—

Jeremy Corbyn: Mr Speaker, I will try to make some progress with my speech, if I may. Over 150 Members wish to speak, and long speeches from the Front Benches will take time away from the Back-Benchers’ speeches. The aim must be to establish a broad-based Government in Syria who have the support of the majority of their people, difficult as that is to envisage at the present time. Such a settlement—

Sir Simon Burns (Chelmsford) (Con): Will the right hon. Gentleman give way?

Jeremy Corbyn: No. Such a settlement could help to take back territory from ISIL and bring about its lasting defeat in Syria, but—

Several hon. Members rose—

Jeremy Corbyn: Mr Speaker, I am really sorry to have to tell Conservative Members that I have given way quite a lot to Members on both sides of the House, and I am now going to continue with my speech. Ultimately—

Several hon. Members rose—

Mr Speaker: Order. It is a long-established convention of this House that the Member who has the Floor gives way, or not, as he or she chooses. The Leader of the Opposition has made it clear that, for now, he is not giving way. The appropriate response is not, then, for a Member to jump and shout, “Give way!” That is just not terribly sensible.
Jeremy Corbyn: Thank you, Mr Speaker. The point I was making was that ultimately, the solution has to be brought about by all the people of Syria themselves. On that, surely, we are all agreed. The Government—

Sir Simon Burns: Will the right hon. Gentleman give way?

Jeremy Corbyn: I thought I had made it clear, and that the Speaker had made it clear, that at the moment I am not giving way; I am really sorry, but I am not. Okay? The Government’s proposals for—

Mr Jacob Rees-Mogg (North East Somerset) (Con): On a point of order, Mr Speaker. Though it is indeed customary that he who holds the Floor decides whether to give way, is it not also customary to answer questions when they are put in interventions? We are waiting for the right hon. Gentleman’s answer on Iraq.

Mr Speaker: The hon. Member for North East Somerset (Mr Rees-Mogg) is a sufficiently experienced parliamentarian to know that he has made his own point in his own way, and it is on the record.

Jeremy Corbyn: Thank you, Mr Speaker. The Government’s—[Hon. Members: “Answer!”] Mr Speaker, if I could move on with my speech, I would be most grateful. The Government’s proposal for military action in Syria is not backed by clear and unambiguous authorisation by the United Nations. It does not meet the seven tests set down by the Foreign Affairs Committee, and it does not fulfil three of the four conditions laid down in my own party conference resolution of a couple of months ago.

In the past week, voice has been given to the growing opposition to the Government's bombing plans—across the country, in Parliament, outside in the media, and indeed in my own party. I believe that this is in consideration of all the wars that we have been involved in over the last 14 years. These matters were debated a great deal during my campaign to be elected leader of the Labour party, and many people think very deeply about these matters. In the light of that record of western military interventions, these matters have to be analysed. British bombing in Syria risks yet more of what President Obama, in a very thoughtful moment, called the “unintended consequences” of the war in Iraq, which he himself opposed at the time. The spectre of Iraq, Afghanistan and Libya looms over this debate.

Graham Evans (Weaver Vale) (Con): Will the right hon. Gentleman give way?

Jeremy Corbyn: No, I will not give way; I will carry on with my speech. To oppose another war and intervention is not pacifism; it is hard-headed common sense. That is what we should be thinking about today in the House. To resist ISIL’s determination to draw the western powers back into the heart of the middle east is not to turn our backs on allies; it is to refuse to play into the hands of ISIL as I suspect some of its members want us to. Is it wrong for us here in Westminster to see a problem, pass a motion, and drop bombs, pretending we are doing something to solve it? That is what we did in Afghanistan, Iraq and Libya. Has terrorism increased or decreased as a result of all that? The Prime Minister said he was looking to build a consensus around the military action he wants to take. I do not believe he has achieved anything of the kind. He has failed, in my view, to make the case for another bombing campaign.

Several hon. Members rose—

Jeremy Corbyn: All of our efforts should instead go into bringing the Syrian civil war to an end. Iraq, Afghanistan, Libya: I ask Members to think very carefully about the previous decisions we have made. [ Interruption. ] What we are proposing to do today is send British bombers—

Mr David Winnick (Walsall North) (Lab): On a point of order, Mr Speaker. On a number of occasions complaints have been received from the public, particularly about Prime Minister’s questions. What do you think the public make of it when my right hon. Friend the Leader of the Opposition is shouted down constantly by those on the Government Benches?

Mr Speaker: I think what the public want is a civilised, although robust, debate by Members on both sides of the House. I thank the hon. Gentleman, a very experienced Member, for that point of order. Let us proceed without fear or favour. I call Mr Jeremy Corbyn.

Jeremy Corbyn: Thank you, Mr Speaker. Sometimes in this House we get carried away with the theatricals of the place, and forget there are millions of people who have sent us to this House to represent them. We should be able to conduct our debates in a decent, respectful and civilised manner. Short as this debate is, given the number of Members who want to speak, I hope all those Members who have applied to speak get called.

I conclude with this point: in my view, only a negotiated political and diplomatic endeavour to bring about an end to the civil war in Syria will bring some hope to the millions who have lost their homes, who are refugees, and who are camped out in various points all across Europe, dreaming of a day when they can go home. I think our overriding goal should be to end that civil war in Syria, and obviously also to protect the people of this country. I do not believe that the motion put forward by the Prime Minister achieves that, because it seems to put the emphasis on bombing now, whereas I think it should be not on bombing now, but on bringing all our endeavours, all our intelligence and all our efforts—[ Interruption. ] It is very strange that Members do not seem to understand that there are millions who watch these debates who want to hear what is being said, and do not want to hear people shouting at each other.

For those reasons, I urge Members on all sides of the House to think very carefully about the responsibility that lies with them today. Do we send in bombers, not totally aware of what all the consequences will be, or do we pause, not send them in, and instead put all our efforts into bringing about a peaceful humanitarian and just political settlement to the terrible situation faced by the people in Syria?

1.3 pm

Sir Alan Duncan (Rutland and Melton) (Con): As all of us are trying to show responsibility and duty, I do not think there is anybody on either side of the House who in any way relishes the decision we are being asked to take today. It is not straightforward, like the response to the invasions of Kuwait and the Falklands. It is a
very difficult decision we are being asked to take, and in
taking it we must have two issues at the forefront of our
thinking: first, the security of our own country and, secondly,
the desperate need to restore stability in the middle east.

But rather than rehearse all the arguments, I would
just like to emphasise a few points which I would ask
the House solemnly to consider. The question of whether
to commit our armed forces has over the last few years
become seriously muddied both by the painful experience
of past decisions and by the complexity of the unfolding
disorder across the Arab world. The experience of
Afghanistan in part—to which the Leader of the Opposition
referred—and of Iraq more significantly, has led to
growing reticence, and indeed distrust, in this House
outside it about any proposal for military action.
So the first point I would like to emphasise is that we
must take the decision today based on the merits of
today; we must base it on today’s facts and not on
yesterday’s mistakes and regrets.

Mrs Madeleine Moon (Bridgend) (Lab): Will the right
hon. Gentleman give way?

Sir Alan Duncan: Before giving way quickly, may I
politely point out to the Stop the War Coalition that
when it comes to Syria, stopping the war is exactly what
we want to do.

Mrs Moon: I absolutely agree that what we need are
facts and greater clarity about our capability to take on
the task that is ahead of us. Yesterday we were told
there were between 20,000 and 30,000 Daesh across
Syria and Iraq, but I could not be given a number as to
how many Taliban we were fighting in Afghanistan, to
get a comparator, when we had 10,000 of our troops
and 30,000 Americans fighting them. I could not get
that, and I could not get an answer as to how often we
had used our Brimstone missiles and how many more
planes we would be flying. Don’t we need those questions
answered?

Mr Speaker: Order. I am sorry, but interventions
must be brief; they must not be mini-speeches, however
well intentioned.

Sir Alan Duncan: May I implore the hon. Lady to
appreciate that the search for certainty in the middle
east is a vain hope? The watchword I learned 30 years
ago when I first went there was, “If you’re not confused,
you don’t understand.” It is a very complex world in
which we are deciding to act.

Let me move on to my second point. Again, I address
this to the Leader of the Opposition: we must not
underestimate the extent and nature of the danger we
face, and say that because it is all over there, it is not
over here. The phenomenon of ISIS/Daesh is not only a
vicious force running rampant through that miserable
space between Iraq and Syria; it is also fuelling those
who would readily walk up the main street of a major
city with a suicide bomb or carrying a Kalashnikov. So
I urge those who say that air strikes would increase that
danger not to give into that narrative: these people are
already targeting us now.

Nadhim Zahawi: Will my right hon. Friend give way?

Sir Alan Duncan: No.

Thirdly, we have to see this threat—

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar)
(SNP): Will the right hon. Gentleman give way?

Sir Alan Duncan: No.

Thirdly, we have to see this threat in the context of
even greater regional dangers. We are witnessing the
collapse of nation states across potentially the whole of
Arabia, along with the violent release of centuries of
sectarian hatred. A crucial element of our policy should
be to try to stop this spreading. That means that we
must support stable rule within the six countries of the
Gulf Co-operation Council. Those who just attack the
conduct of our Gulf allies simply do not understand
the horror that would be unleashed by further instability
in the region. Even now, we face the real prospect of an
arc of brutality and terrorism stretching from Syria,
through Iraq to Yemen, and right across in a terrifying
link with the horn of Africa.

Fourthly, we cannot turn away from this threat and
subcontract our obligations. If we are to pursue the
destruction of ISIS/Daesh, rebuild stable government,
derpin wider stability and make all of that—

Callum McCaig (Aberdeen South) (SNP): Will the
right hon. Gentleman give way?

Sir Alan Duncan: No. And make all of that a serious
and convincing objective of our foreign policy, we must
be part of the convoy that is trying to do it. We cannot
negligently—as I would see it—watch it roll by while
not playing our part. Put frankly, our international
reputation has suffered from the parliamentary vote in
August 2013. Our allies now question—

Mr MacNeil: Will the right hon. Gentleman give
way?

Sir Alan Duncan: No. Our allies now question whether
we can be relied upon when they call for joint assistance.
If we choose today to remain on the sidelines, especially
when a new and unequivocal UN resolution is in place,
it will signal to the world that the UK has, indeed,
chosen to withdraw. We should not be in the business of
national resignation from the world stage. Perhaps the
paradox of our position today is not that we are doing
too much, but that we are doing too little.

If I do have a concern—again, I look directly at the
Leader of the Opposition—it is that the action I hope
we will vote for tonight is not the whole answer, and the
Prime Minister is not pretending that it is. The hope
that local, so-called moderate forces can do the job on
the ground and somehow put Humpty Dumpty together
again is, of course, more of an act of faith than a
certain plan, but it is wrong for the Leader of the
Opposition to dismiss their significance and conclude
that their composition is sufficient reason to do nothing.

I think we should carry this motion tonight. We have
to carry it with our eyes open, knowing that we are
flying into a mess that shows no easy prospect of being
quickly resolved, but we cannot leave a vile force
unchallenged. These air strikes do matter. I believe they
are justified, but I also think that the future judgment of
the Prime Minister about what then follows will eventually become more important than the decision we will take tonight.

1.11 pm

Angus Robertson (Moray) (SNP): It is a pleasure to follow the right hon. Member for Rutland and Melton (Sir Alan Duncan), a fellow member of the Intelligence and Security Committee, although I fear that we will be in different Lobbies later this evening.

May I begin by intimating support for amendment (b), which appears in my name and those of other right hon. and hon. Members? It is signed by more than 100 Members from six different political parties from right across the House and proposes that the House “while welcoming the renewed impetus towards peace and reconstruction in Syria, and the Government’s recognition that a comprehensive strategy against Daesh is required, does not believe that the case for the UK’s participation in the ongoing air campaign in Syria by 10 countries has been made under current circumstances, and consequently declines to authorise military action in Syria.”

I thank the Prime Minister for advance sight of his statement and for the briefings by his national security adviser, Sir Mark Lyall Grant, and colleagues from the Ministry of Defence, the Foreign and Commonwealth Office, the Department for International Development and other agencies. I again put on the record our appreciation to all of those who are charged with keeping us safe at home and abroad. Notwithstanding the profound differences I have with the Prime Minister on the issue, I commend him for briefing parties and parliamentarians in recent weeks, and for the tone he adopted in last week’s statement.

It is disappointing, to say the least, that the Prime Minister chose to describe parliamentary opponents of his bombing plans as “terrorist sympathisers”. The amendment against bombing is signed by the hon. Member for Basildon and Billericay (Mr Baron), who served with the Royal Regiment of Fusiliers in Northern Ireland. It is also signed by the hon. Member for Norwich South (Clive Lewis) of the Labour party, who served in the Territorial Army in Afghanistan, and by my hon. Friends the Members for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) and for Glasgow North West (Carol Monaghan), both of whose husbands served with distinction in the armed forces. It has also been signed by Members from Northern Ireland, who have had to experience terrorism at first hand. It is totally wrong to impugn Members of this House who differ with the Government on bombing Syria as “terrorist sympathisers”.

The Prime Minister has had numerous occasions to apologise, but I fear he is not going to do so. [Interruption.] I would be prepared to give way to the Prime Minister if he wishes to apologise, but he does not and I will not give way to other hon. Members. I hope that the Prime Minister regrets what he said.

We in the Scottish National party share the concerns of everybody else in this House and the country about the terrorist threat from Daesh. We deplore the Assad regime and have regularly raised the issue of refugees in different Lobbies later this evening. We have not heard this yet, but there is no shortage of countries currently bombing in Syria. Most recently, the Russians have been attacking Daesh—and, too often, the moderate opposition to Assad as well. Coalition nations that have conducted strikes in Syria include—it is a long list—Australia, Bahrain, Canada, France, Jordan, Saudi Arabia, which, incidentally, also uses the Brimstone weapon system, the Republic of Turkey, which, interestingly, is also bombing our allies in Kurdistan, the United Arab Emirates and the United States of America. Open sources confirm that since September 2014, those air strikes have involved F-16 Falcons, F-22s, F/A-18 Super Hornets, sea-launched Tomahawk cruise missiles and weapons from drones launched from above Syria. The United States central command, Centcom, confirms that the United States has conducted more than 2,700 air strikes in Syria.

Daily strike updates from the Combined Joint Task Force coalition show that military forces have continued to attack Daesh terrorists in Syria, using bombers and remotely piloted aircraft. Reports from the United States military show that, in recent days, near Ayn Issa, three strikes struck an ISIL tactical unit and destroyed an ISIL tactical vehicle; near Raqqa, two strikes struck two separate ISIL tactical units and destroyed ISIL vehicles; near Deir ez-Zor, one strike destroyed an ISIL vehicle; and, near al-Hawl, two strikes struck an ISIL tactical unit and destroyed an ISIL checkpoint. The point is that bombing is currently under way in Syria and to pretend that it is not already taking place is highly misleading.

Mr Burrowes: Does the right hon. Gentleman think there is a legitimate case for our allies’ operations in Syria, or does he want them to withdraw?

Angus Robertson: I am hugely supportive of efforts that can lead to stabilisation in Iraq. That is very important, but I want to stress one thing in particular: we have a particular responsibility towards the Kurds, both in Iraq and in Syria. I wish that the Prime Minister, when dealing with NATO allies, would use his good offices to say that we should not undermine their efforts when dealing with NATO allies, would use his good offices to say that we should not undermine their efforts in Iraq and in Syria.

Mr Burrowes: Answer the question.

Angus Robertson: I have answered the hon. Gentleman’s question. We should ensure that Turkey does not bomb our Kurdish allies, and we should do everything we can to address that.

Richard Benyon (Newbury) (Con) rose—

Mr Dominic Grieve (Beaconsfield) (Con) rose—

Angus Robertson: I have already given way and I want to make some progress.

The Prime Minister has asked us to listen to his case for bombing in Syria, and we have done so. I have repeatedly asked two very specific questions, as have other Members on both sides of the House. How will the UK plan secure peace on the ground in Syria? As the Foreign Affairs Committee has asked, “which ground forces will take, hold, and administer territories captured from Daesh in Syria?”
My second question is: how will the UK plan secure long-term stability and reconstruction in Syria, given that the UK spent 13 times more on bombing Libya than on its post-conflict stability and reconstruction? How much does the Prime Minister estimate that will cost, and how much has he allocated from the United Kingdom?

I want to address those two questions. On the issue of ground forces, we have been told that there are 70,000 troops who are opposed to Assad and to Daesh and who could take the territory that Daesh currently holds. The problem is that only a part of those forces is moderate and there is absolutely no evidence whatsoever that they would definitely deploy from other parts of the country to counter Daesh. Members will have heard me ask the Prime Minister in an intervention how many of those 70,000 are moderate and how many are fundamentalists. I have not had an answer to that question, and I would invite any Government Member to tell the rest of the House what it is—[Hon. Members: “Silence.”] Silence, on a critical issue—

Mr Grieve rose—

Angus Robertson: I will give way in a moment to the esteemed Chairman of the Intelligence and Security Committee, of course.

This is a vital point, which was raised by the Foreign Affairs Committee: a key part to any credibility for the argument that a bombing strategy will lead to medium and long-term peace in Syria and deal with Daesh is that there are ground forces capable of taking the ground when they manage to displace and degrade Daesh forces. We have asked repeatedly, and I will ask again. I will give way if any Member from the Government side wants to elucidate and explain to the House what the Prime Minister would not—[Interruption.] The Foreign Secretary is chuntering, and I would be happy to give way to him if he will confirm from the Dispatch Box the make-up of the 70,000 forces. [Hon. Members: “Go on.”] I have now asked a question directly to the Prime Minister that he did not answer and I have challenged the Foreign Secretary to answer the question. Is there anybody from the Government side who will answer the question?

Richard Benyon: I am very grateful to the right hon. Gentleman for giving way. We asked about a similar point in the Defence Committee yesterday. The right hon. Gentleman is making a nit-picking, quibbling point—[Hon. Members: “Oh!.”] Will Members hear me out? The right hon. Gentleman is dancing on the head of a pin to try to achieve the result he started with. There are these people, we have to trust them, they are not on Assad’s side and they are not on ISIL’s side. We need to work with them.

Angus Robertson: Let us get this right. The Prime Minister has been asked the question; the Foreign Secretary was given an opportunity to confirm the answer to the House; Members from the Government side were asked to answer the question and they have not—

Mark Pritchard (The Wrekin) (Con) rose—

Angus Robertson: I see another Member prepared to intervene, so let me accept that intervention if we are to get an answer to the question about the 70,000 non-Assad and non-Daesh forces in Syria. How many are moderate and how many are fundamentalists?

Mark Pritchard: The right hon. Gentleman is a clever man and rarely asks a question to which he does not know the answer. I put the question back to him: how many moderates does he think there are? He also seems to be tied up on the 70,000 and seems to have forgotten the Kurds in Syria, the several battalions of Syriac Christians and the Arabs in north and north-east Syria who will work with the Free Syrian Army to take on Daesh.

Angus Robertson: Anybody watching this debate and reading Hansard in future will be able to recognise that this question has been asked time and time again and that we have not had an answer—

Tom Brake: Will the right hon. Gentleman give way?

Angus Robertson: I will not, as I have now given way a significant number of times and nobody has answered the question—[Interruption.] I am sorry. If my esteemed colleague the Chairman of the Intelligence and Security Committee can answer the question, I would be delighted to give way.

Mr Grieve: What interests me about the right hon. Gentleman’s argument is that he raises perfectly legitimate questions which should, I hope, be answered in the course of the debate. However, he glosses over his and his party’s position on the current operations which, I think he would agree, are controlling Daesh’s ability to perpetrate violence and cruelty in the area and terrorism in Europe. If those actions involving our allies in Syria and Iraq are achieving that goal, I find it difficult to understand how he can argue that we ourselves should not co-operate in northern Syria.

Angus Robertson: I have the greatest of respect for the right hon. and learned Gentleman, and he makes good points. Later in my comments I will come on to some of the questions he raises. I note respectfully, again, that we have not heard an answer to the question that I have posed. Those on the Government Front Bench have the opportunity, again, if they wish, to tell the House—I note that they do not.

Yasmin Qureshi (Bolton South East) (Lab): As a member of the Foreign Affairs Committee, I was in the middle east last week. We went to Cairo, Amman and Beirut—cities that have also suffered destruction. We spoke to military people, counter-terrorism people and politicians, and I can give the right hon. Gentleman the answer that he seeks. There are about 10,000 to 15,000, and that was the answer given by everyone there.

Angus Robertson: My goodness, Mr Speaker. That is a very important intervention from the hon. Lady. From her experience, having travelled to the region, she is suggesting that the Government’s figures, with which we have been provided, are massively wrong. This is a very important point. We are now hearing, on a crucial issue raised by the Foreign Affairs Committee, that far from the 70,000 we have heard about repeatedly, the number is significantly less. That should worry us all.
Angus Robertson: I will make some progress.

The problem with this critical issue is that only part of the forces that the Prime Minister and his colleagues have spoken about are moderate and there is no evidence whatsoever that they would definitely deploy from other parts of the country to counter Daesh. It appears to be totally wishful thinking that without a comprehensive ceasefire first in Syria we can expect any redirection of any forces from other fronts in Syria.

On stabilising and rebuilding Syria, the second question I posed to the Prime Minister, we are advised by the World Bank that that will cost $170 billion. The Prime Minister has made a commitment to contribute £1 billion towards that mammoth task, which is welcome new money to deal with the rebuilding after the stabilisation of Syria, which we welcome. We are entitled to ask, however, whether a contribution of less than 1% of what is required will realistically be enough.

Yesterday, like some other Members of the House, I took the time to meet Syrian exiles to discuss their experiences and to hear their views. It was heart-breaking to hear about people who are literally surviving just on hope; of 16-year-olds who wish only to attend their makeshift schools in the basement while enduring barrel bombing from the Assad regime from above. They asked whether we are seriously asking people to stop fighting Assad and to move to another part of the country to fight Daesh. They asked how we expect people to fight Daesh if they have no feeling of any support.

Yesterday, we were written to as parliamentarians by Syrians in the UK from many different organisations: from Syria Solidarity UK, the British Syrian Community of Manchester, Kurds House, Syrian Community South West, Peace and Justice for Syria, Scotland for Syria, the Syrian Welsh Society, the Syrian Platform for Peace and the Syrian Association of Yorkshire. In their letter, they said that MPs are being asked the wrong question in Syria: whether or not to bomb Daesh. They said—

Andrew Gwynne (Denton and Reddish) (Lab) rose—

Rehman Chishti rose—

Angus Robertson: I agree with everything the hon. Gentleman has said. As somebody who is incredibly proud to have reported for the BBC World Service for nearly a decade, it is beyond me why my former employers cannot find it in themselves to use the appropriate terminology. I call on them to do so from today onwards.

The Syrians I met made an appeal that civilian protection should be a primary concern in any military action by the UK, and to protect civilians, MPs need explicitly to back concrete action to end Assad’s air attacks on civilians. This was the point raised by the hon. Member for Denton and Reddish (Andrew Gwynne). Like all parties and Members, the SNP supports the international initiative on Syria agreed in Vienna to secure a ceasefire in Syria, to transition to stable representative government and to counter terrorist groups, including Daesh. We believe that these aims will be secured only through agreement and a serious long-term commitment to Syria. The key diplomatic priority for the Government must surely be to make sure that the timescale is as quick as can be delivered. The UK must step up its support for the international Syria support initiative and other diplomatic efforts to secure a ceasefire in Syria, to ensure a political transition, to combat terrorists such as Daesh and to plan for long-term reconstruction and stability support.

The Government have not answered the questions posed by the FAC. In fact, neither did a majority of those who voted on the issue in the FAC. In these circumstances, we cannot support the Government. It is important, however, that a message goes out to our armed forces that, regardless of the differences in this place, we wish for their safety and we appreciate their professionalism. This is particularly relevant for me, as 60 years on from the moment I was one of the first people to be deployed to the Suez wars, and I am proud to co-sponsor today’s amendment opposing bombing in Syria. I appeal to colleagues on all sides to make sure
we do not ignore the lessons of Afghanistan, Iraq and Libya. Let us not repeat past mistakes. Let us not give the green light to military action, without a comprehensive and credible plan to win the peace.

1.33 pm

Dr Liam Fox (North Somerset) (Con): It is very important that the whole House is clear about what this debate is not about. It is not about provoking a new confrontation with Daesh, given that it has already confronted peace, decency and humanity. We have seen what it is capable of—beheadings, crucifixions, mass rape; we have seen the refugee crisis it has provoked in the middle east, with its terrible human cost; and we have seen its willingness to export jihad whenever it can. It is also not about bombing Syria per se, as is being portrayed outside; it is the extension of a military campaign we are already pursuing in Iraq, across what is, in effect, a non-existent border in the sand. I am afraid that the Leader of the Opposition’s unwillingness to answer the question from my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) will give the clear impression that he is not just against the extension of the bombing campaign into Syrian territory, but against bombing Daesh at all, which is a very serious position to hold.

To understand the nature of the threat we face and why it requires a military response, we need to understand the mindset of the jihadists themselves. First, they take an extreme and distorted religious position; then they dehumanise their opponents by calling them infidels, heretics and apostates—let us remember that the majority of those they have killed were Muslims, not those of other religions; then they tell themselves it is God’s work and therefore they accept no man-made restraint—no laws, no borders; and then they deploy extreme violence in the prosecution of their self-appointed mission. We have seen that violence on the sands of Tunisia, and we heard it in the screams of the Jordanian pilot who was burned alive in a cage.

We must be under no illusions about the nature of the threat we face. Daesh is not like the armed political terrorists we have seen in the past; it poses a fundamentally different threat. It is a group that seeks not accommodation, but domination. We need to understand that before determining our response.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): My right hon. Friend will know of concerns that Daesh fighters are leaving Syria for Libya in greater numbers. Does he believe that when we are tackling Daesh in Syria, we will have to confront it in Libya at some stage as well?

Dr Fox: My hon. Friend is absolutely right. As I said, we have not chosen this confrontation; Daesh has chosen to confront us—and the free world, and decency and humanity. It is a prerequisite for stability and peace in the future that we deal with the threat wherever it manifests itself.

There are two elements to the motion: the military and the political. On the military question of whether British bombing, as part of an allied action in Syria, will be a game-changer, I say, no, it will not, but it will make a significant and serious contribution to the alliance. The Prime Minister is absolutely correct that some of our weaponry enables us to minimise the number of civilian casualties, and that has a double importance: it is important in itself from a humanitarian point of view, as well as in not handing a propaganda weapon to our opponents in the region. Britain can contribute: we did it successfully in Libya, by minimising the number of civilian casualties, which is not an unimportant contribution to make.

We must be rational and cautious about the wider implications. No war or conflict is ever won from the air alone, and the Prime Minister was right to point out that this is only a part of the wider response. If we degrade Daesh’s command and control, territory will need to be taken and held, so ultimately we will need an international coalition on the ground if this is to be successful in the long term. There may be as many Syrian fighters as the Joint Intelligence Committee has set out, and they may be co-ordinating with the international coalition, or be capable of doing so, but we must also recognise the need for a wider ability to take and hold territory. To those who oppose the motion, I say this: the longer we wait to act, the fewer our allies’ numbers and the less their capabilities are likely to be, as part of a wider coalition. If we do not have stability and security on the ground in Syria, there is no chance of peace, whatever happens in Vienna.

On the political side, our allies think it is absurd for Britain to be part of a military campaign against Daesh in Iraq but not in Syria. It is a patently militarily absurd position, and we have a chance to correct it today. But we must not contract out the security of the United Kingdom to our allies. It is a national embarrassment that this is only a part of the wider response. If we do not act, it makes it much more difficult for us diplomatically to persuade other countries to continue their airstrikes, and the peeling off of the United Arab Emirates, then Jordan and then Saudi Arabia from the coalition attacking Daesh is of great significance. We have a chance to reverse that if we take a solid position today.

This motion and the action it proposes will not in itself defeat Daesh, but it will help, and alongside the Vienna process it may help to bring peace in the long term to the Syrian people. Without the defeat of Daesh, there will be no peace. We have not chosen this conflict, but we cannot ignore it; to do nothing is a policy position that will have its own consequences. If we do act, that does not mean we will not see a terrorist atrocity in this country, but if we do not tackle Daesh at source over there, there will be an increasing risk that we will have to face the consequences over here. That would be an abdication of the primary responsibility of this House of Commons, which is the protection and defence of the British people. That is what this debate is all about.

1.41 pm

Sir Gerald Kaufman (Manchester, Gorton) (Lab): There is of course absolutely no doubt that Daesh/IS is a vile, loathsome, murderous organisation, and the attack in Paris—the murder of 130 innocent people—could just as well have been in London. The choice of Paris was a retaliation against French activity in its region, but that does not justify our taking action unless it were
appropriate, relevant and, above all, successful. These people claim to call themselves Islamic, and the Prime Minister talked about reclaiming Islam from them—they do not own Islam. Hundreds of millions of Muslims throughout the world are appalled by their murders, their beheadings, their kidnappings—all the abominable things they do. But our loathing of IS and our wish to get rid of it, to defeat it, to stop it is not the issue here today. The issue here is: what action could be taken to stop IS and get rid of it? I have to say that I do not see such an action.

The Prime Minister spoke about getting a transitional Government in Syria and about the situation in Syria. I have been to Syria many times. I did so with some distaste as shadow Foreign Secretary, as I met leading officials in the Syrian Administration—I knew they were murderers. They murder their own people. They murdered 10,000 people in Hama alone. I would be delighted to see them got rid of, but they are not going to go. There is talk about negotiations in Vienna, but the assumption that somehow or other they are going to be in a position of this is false. The Administration is a delusion. Putin, one of the most detestable leaders of any state in the world, will make sure that because they are his allies and they suit him, action against them is not going to be successful.

What is the issue today? It is not about changing the regime in Syria, which would make me very happy indeed. It is not about getting rid of Daesh, which would also make me very happy indeed. It is about what practical action can result in some way in damaging Daesh, stopping its atrocities, stopping the flood of people who are fleeing from it and stopping the people who are flocking to it, including, sadly, a small number of people from this country. If what the Government were proposing today would in any way not simply or totally get rid of Daesh but weaken it significantly so that it would not go on behaving in this abominable fashion, I would not have any difficulty in voting for this motion. But there is absolutely no evidence of any kind that bombing Daesh—bombing Raqqa—will result in an upsurge of other people in the region to get rid of Daesh. It might cause some damage, but it will not undermine them. What it will undoubtedly do, despite the Prime Minister’s assurance, which I am sure he gave in good faith, is kill innocent civilians. I am not going to be a party to killing innocent civilians for what will simply be a gesture.

I am not interested in gesture politics and I am not interested in gesture military activity; I am interested in effective military activity, and if that is brought before this House, I vote for it. When the previous Conservative Government came to us asking for our support to get rid of Saddam Hussein from Kuwait, I, as shadow Foreign Secretary, formulated the policy that led Labour Members of Parliament into the Lobby to vote for that. I am not interested in gestures; I am interested in effective military activity, and if that is brought before this House putting their hands up for something that in their own hearts they know will not work, and for that reason I shall vote against the Government motion this evening.

Several hon. Members rose—

Mr Speaker: Order. An eight-minute limit on Back-Bench speeches will now apply, with immediate effect.

1.47 pm

Crispin Blunt (Reigate) (Con): There are those who have honourably opposed intervention on every occasion since 2003, including my hon. Friend the Member for Basildon and Billericay (Mr Baron), a fellow member of the Foreign Affairs Committee and the mover of today’s principal amendment. Part of the strength of his case is that he was undoubtedly right over Iraq in 2003 and, prima facie, Libya in 2011—that is the subject of a Committee inquiry. However, it is my judgment that he was wrong last year to oppose our support for the Government of Iraq against ISIL. I do not know what he would say to the Yazidi families rescued by British forces and British helicopters from the terror that ISIL brought, and I am satisfied that our military effort in Iraq over the past year has been to the enormous credit of our armed forces and has stabilised Iraq in the face of a rapidly advancing threat from ISIL. It wholly justified the strong majority that this House then gave for that intervention.

Mr Baron: My hon. Friend directly referred to me, so I will answer him as best I can. The reason a number of us opposed the motion about airstrikes in Iraq last year was simply that we did not feel then—and I still have great reservations now—that we had a comprehensive plan. We have not beaten ISIL in Iraq, despite nearly 1 million security forces on the Government payroll. That brings us on to Syria, because we have nothing near that in Syria and we still do not have that plan.

Crispin Blunt: The position in Iraq was desperate. Baghdad was threatened by the advance of ISIL, and it was absolutely necessary that the international community went to the aid of the Government and the people of Iraq.

Nadhim Zahawi: My hon. Friend talks about the desperation in Iraq. I have just had an email from someone, who shall remain anonymous, who is working in Raqqa. They said, “Daesh are the death that is stretching from the east. When you see them, it is as if you are seeing the angel of death. They are in Raqqa right now. How can I carry on exposing my child to severed heads and hanging bodies on a daily basis? A mother in Raqqa.”

Crispin Blunt: I agree with my hon. Friend. Whether we like it or not, the reality is that ISIL is at war with us. We do not have to conjure some case about weapons of mass destruction. This is not about a threat to the citizens of a country from their own Government, but about people at war with us, our values and our society. This is not a war of choice. I have not spoken to anyone who demurs from the proposition that ISIL must be denied the territory that it currently controls. Although the defeat of ISIL and its ideology will be the work of many years, even decades, the retaking of that territory is an urgent and immediate requirement. That therefore is the mission, which is virtually impossible to achieve, while the civil war rages in Syria. It is also a necessary first step.
After the negotiations and the agreement of the International Syria Support Group at Vienna on 14 November, a way can be seen to that transition. Before then, the Government were not able to offer an answer to our question, which was this: which ground forces will take hold and administer the territories captured from ISIL in Syria to the satisfaction of the Committee? In the wake of that meeting, they could and did provide an answer.

Indeed the Prime Minister made the point today, when he rather revealingly mentioned the “real” plan. This “real” plan is the ideal solution, which is referenced on page 20 of the Prime Minister’s response to the Foreign Affairs Committee, in which he envisages the political transition in Syria, allowing a new leadership and reform of the Syrian Arab Army, to enable it to tackle terrorist groups in defence of the Syrian nation. The Syrian army fighting alongside the Free Syrian Army ideally need to be the forces that reclaim Syria for a new Syrian republic. However, we should not imagine for one minute that they can accomplish that task on their own. We need to influence the policy of our coalition partners and that of the whole international community to face up to the reality that that entails. This is the crucial issue: how would we, the United Kingdom, exercise the greatest influence? Everything that I have heard in the last month of taking evidence on this issue suggests that our role as a compromised and limited member of the coalition against ISIL, operating only in Iraq, weakens that influence.

We can debate the efficacy of airstrikes and the additional capability that Brimstone missiles bring to the whole coalition, but the truth is that we all know that those issues are marginal to the outcome. What is not marginal to the outcome is getting the international politics right. It is not in the interest of our country, or the people whom we represent, for this House to deny the Government the authority that they need today. I am now satisfied that the Government, who, along with the Americans, helped block the transition process by our preconditions on the role of Bashar al-Assad, can now play a critically constructive role in the transition.

Indeed, my criticism of today’s motion is that the Government should be seeking wider authority from the House. Limiting the targeting to ISIL and excluding al-Nusra and any future terrorist groups that will be listed by the United Nations, as envisaged under UN Security Council resolution 2249, is a restriction that I do not understand. If armed groups put themselves beyond recall in the judgment of both the International Syria Support Group and the UN Security Council, then our armed forces should be authorised to act within the law.

Equally, the limitation on deploying UK troops in ground combat operations shows a lack of foresight. We know that both Syrian and Iraqi armed forces will need the maximum possible help, which arguably should include the embedding of trainers in the fighting echelon capability. I am also talking about artillery and engineers, as well as comprehensive logistical service support, command and control and communications functions. Where will those come from? As this mission must succeed, the war-winning capabilities may need to be found from beyond the neighbouring Sunni countries. The whole of the United Nations, which includes us, may be required to provide that effective military capability.

Stephen Gethins (North East Fife) (SNP) rose—

Crispin Blunt: I am afraid that I cannot give way to the hon. Gentleman. He is my colleague and friend, and he has made such an excellent impression on the Foreign Affairs Committee so far. If there is time at the end, I will take his intervention.

However, if the Government have chosen a path that will require them to come back to the House for more authority, then that is the Government’s choice. To my mind, ISIL is such a clear and present danger to the civilised world that if all necessary means are endorsed by the Security Council, we should endorse them too.

The Foreign Affairs Committee will continue our inquiry into the international strategy to defeat ISIL and, on behalf of this House, to hold the Government to account in full detail. The right hon. Member for Cynon Valley (Ann Clwyd), who is unwell but hopefully in recovery—we wish her a speedy recovery—has communicated to me that she will be supporting the Government this evening. It does not take much guessing to know which side the hon. Member for Ilford South (Mike Gapes) will be on this evening. In my judgment, this House will best discharge its responsibilities by giving our Government the authority they need not just to act with our international partners against this horror, but to influence those partners to make the necessary compromises in their national objectives, and to ensure the collective security of all nations.

Crispin Blunt: We all have to come to our own conclusions. I say to him and to the House that nothing I have heard in the past month has pointed towards anything except the opposite of that conclusion. Ministers have been clear about that evidence. When we asked that question in every single country that we went to, we were told that the UK’s position was compromised by the fact that we were only half in and half out of the coalition. It is a position of no conceivable diplomatic benefit, and it is one that this House should rectify this evening.

Part of the Prime Minister’s challenge is that we were both in the House 12 years ago when another Prime Minister delivered an utterly compelling performance and we made the United Kingdom party to a disaster in the middle east. It is right that we should be mindful of our recent history, but we must not be hamstrung by it.
gravest doubts, reservations and anxieties simply has not been paying attention. We are sent here by our constituents to exercise our best judgment—each our own best judgment. This is a debate of contradictions.

The terms of today’s motion, echoing the UN resolution are stern, almost apocalyptic, about the threat, which is described as “an unprecedented threat to international peace and security”. As my right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman) said, the proposal before us amounts to only a relatively minor extension of the action that we are already undertaking. We have been asked to agree to act in both Iraq and Syria, precisely because that is what Daesh does, and its headquarters are in Syria. We have been asked to make a further contribution to an existing international effort to contain Daesh from extending the mayhem and bloodshed that accompany its every move even more widely across the middle east.

Serious questions have been raised, and I respect those who raise them. There is unease about ground forces. There is proper concern about the strategy and endgame, about the aftermath, and about rebuilding. Some say simply that innocent people are more likely to be killed. Military action creates casualties, however much we try to minimise them. Should we, on those grounds, abandon action in Iraq, although we undertake it at the request of the Iraqi Government, and it seems to have made a difference? Should we take no further action against Daesh, which is killing innocent people, and striving to kill more, every day of the week, or should we simply leave that to others? Would we make ourselves a bigger target for a Daesh attack? We are a target; we will remain a target. There is no need to wonder about it—Daesh has told us so, and continues to tell us so with every day that passes. We may as well take it not just at its word but, indeed, at its deeds. It has sought out our fellow countrymen and women to kill, including aid workers and other innocents. Whatever we decide today there is no doubt that it will do so again, nor is the consequence of inaction simply Daesh because that is what Daesh does, and its headquarters are in Syria. We have been asked to make a further contribution to an existing international effort to contain Daesh from extending the mayhem and bloodshed that accompany its every move even more widely across the middle east.

Quite separately, there are those, not opposed in principle to action, who doubt the efficacy of what is proposed: coalition action which rests almost wholly on bombing, they say, will have little effect. Well, tell that to the Kosovans, and do not forget that if there had not been any bombing in Kosovo perhaps 1 million Albanian Muslim refugees would be seeking refuge in Europe. Tell that to the Kurds in Kobane who, if memory serves, pleaded for international air support, without which they felt they would lose control to Daesh. Tell them in Sierra Leone that military action should always be avoided because there would be casualties. Their state and their peace were almost destroyed. It was British military action that brought them back from the brink.

Of course, that military action took place in conjunction with political and diplomatic activity, and I share the view that it is vital that such activity is substantially strengthened. I was heartened by what the Prime Minister told us today. Our conference called for a United Nations resolution before further action, and we now have a unanimous Security Council resolution. Moreover, that resolution calls on member states in explicit and unmistakeable terms to combat the Daesh threat “by all means” and “to eradicate the safe haven they have established” in Iraq and Syria. Although it speaks of the need to pursue the peace process, the UN resolution calls on member states to act now. Moreover, our French allies have explicitly asked us for such support. I invite the House to consider how we would feel, and what we would say, if what took place in Paris had happened in London and if we explicitly asked France for support and France refused.

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

Margaret Beckett (Derby South) (Lab): I am sorry, no.

These are genuinely extremely difficult as well as extremely serious decisions, but it is the urgings of the United Nations and of the socialist Government in France that, for me, have been the tipping point in my decision to support military action.

2.5 pm

Mr John Baron (Basildon and Billericay) (Con): I refer the House to the amendment standing in my name and that of other hon. Members.

There are many Members on both sides of the House who feel that extending airstrikes to Syria is not a wise move in the absence of a long-term, realistic strategy, both military and non-military. Otherwise we risk repeating the errors that we made in Iraq, Helmand and Libya, and which we would have made only two years ago in the House if we had allowed the Government to intervene on behalf of the rebels. That strategy must include a comprehensive lay-out of military plans. Thought must be given to, and plans made for, the aftermath—and, indeed, an exit strategy.

Many of the questions that we have asked remain unanswered. We all accept that there are no easy answers in foreign policy—just a series of tough decisions—but there has to be respect on both sides for the views held. One or two people have suggested that one is playing politics or personalities with this issue. I refer them to my voting record on Iraq, my opposition to the extension of the Afghan mission to Helmand, my opposition to Libya and, indeed, my position two years ago in the House when we were asked to support a proposal on arming the rebels and striking Assad.

I have been called a pacifist and worse; I refer those people to my military record—as a soldier, I have the medals to prove that I am certainly not a pacifist—and to my record in Northern Ireland as a platoon commander in the 1980s.

Richard Drax (South Dorset) (Con): I have huge respect for my hon. Friend. As a military man, does he agree that in all military operations throughout history the first thing that goes wrong on day one is the plan? However, that should not stop us making the effort and hopefully succeeding in the end. We hope a peaceful solution can finally be found.
Mr Baron: I would not disagree with my hon. Friend at all, but we owe it to those participating in any military action to think through the plans carefully, to make sure that they are as realistic and comprehensive as possible; otherwise, we risk repeating past errors.

Jack Lopresti (Filton and Bradley Stoke) (Con): I have huge respect for my hon. Friend and for his military record. He makes eloquent points about the complexity of the situation and seeking a political solution in the end, but the protection of our people and their safety on our streets have to come first.

Mr Baron: I completely agree with my hon. Friend. There are many Members on both sides of the House who oppose the Government on the extension of military strikes and who believe that that is the case. We should not forget that some of us supported the initial deployment to Afghanistan in 2001, on the basis that there was a clearly laid out strategy. I do not see such a strategy in this plan, and that is why we have to ask these questions and try to get some answers.

Perhaps the most damning accusation against those of us who say that we do not want to support the extension of military airstrikes is that we are sitting on our hands. They say that we do not want to do anything and want to stick our heads in the sand. Many of us believe in the need for military action to take on terrorists. Many of us supported that initial deployment to Afghanistan in 2001, and we succeeded very quickly—within a couple of years. Where we had trouble with Afghanistan is when the mission morphed into one of nation building, when we did not realise what we were getting into and did not have the resources to back it up.

We need a long-term strategy, so what should that be? What should it include? It is no good saying we need one if we have no idea what it should be. Let me give some examples. Let us talk about the non-military aspect. We have been talking in this place about disrupting Daesh's financial flows and business interests for at least a year, if not 18 months. There has been no noticeable disruption of those business interests or financial flows. We have command of the skies in Syria. Why are we not disrupting those business and financial interests? There has never been a real answer to that. Why are we not doing more to disrupt Daesh's prominence on social media? Again, we have talked about it in this place many times, but I do not see any evidence that that prominence is being disrupted. That is something we should tackle.

Above all, we should be tackling the ideology and the sectarianism that feed the extremism that these groups, including Daesh, feed off. That is a long-term strategy—we cannot do it overnight—but again, I do not see much evidence of it. Where are those awkward questions to our allies in the region about feeding this extremism? We are not getting that message across.

I come back to a point that has been raised before, courtesy of the Foreign Affairs Committee's recent visit to the middle east. We managed to get back only on Thursday morning, in time for the Prime Minister's statement. I refer to the mythical 70,000 troops. We all know, and all accept, that ISIL cannot be bombed out of existence through airstrikes alone. It will take ground forces, but everybody is having trouble identifying what those ground forces should be and who should supply them.

We visited various capitals—Tehran, Riyadh and Abu Dhabi—and spoke to a lot of experts across a wide range of fields. The point that kept coming across was the belief that there are very few moderates remaining in Syria after five years of civil war. But even if we believed the 70,000 figure, even if we believed they were all moderates, what the strategy does not address—I have asked this question before and I have not had an answer—is this: once these moderates have somehow been told miraculously to swing round, stop fighting Assad and take on Daesh, what is stopping them splintering into 100 or even 1,000 militias, as we saw in Libya? We ignore the lessons of Libya at our cost. What we were being told on the ground only last week is that this is not a homogenous group by any stretch of the imagination, and that those troops are just as liable to turn on each other as on an enemy, if they are set on doing so.

Imran Hussain (Bradford East) (Lab): Will the hon. Gentleman give way?

Mr Baron: I am sorry. I have allowed two interventions and I must now crack on. We should also draw the lessons from Iraq. We are struggling to defeat Daesh in Iraq, and that is with 800,000 or 900,000—estimates vary—security forces on our payroll. One strategy we could employ is to finish the job in Iraq before we start thinking about any long-term strategy in Syria, but again, we are struggling. That is one of the fundamental differences between Iraq and Syria.

On the issue of sitting at the top table, this was a strong message when we were visiting the middle east. We are already at the top table. China does not intend to intervene, yet it sits at the top table in Vienna as a member of the P5. We would do so also, and it is clear that we are showing solidarity with our partners.

In conclusion, the short-term effects of British airstrikes will be marginal. Most people accept that, but as we intervene more we become more responsible for events on the ground and lay ourselves open to the unintended consequences of the fog of war. Without a comprehensive strategy, airstrikes will simply reinforce the west's long-term failure in the region generally at a time when there are already too many aircraft chasing too few targets. Just as in previous ill-advised western interventions, a strong pattern emerges: time and again the Executive make a convincing case, often with supporting intelligence sources, and time and again they turn out to be wrong.

Just a few weeks ago, the Foreign Affairs Committee produced a very reasonable, reasoned and thoughtful report arguing against airstrikes in Syria in the absence of a comprehensive long-term strategy. Returning from my travels, I, like other colleagues, still hold to that view. It was the decision of the Committee last night that the Prime Minister had not adequately answered or addressed our concerns. So I will oppose this military action and intend to move the amendment in my name and that of other hon. Members. We have stood at this very point before. We should have no excuse for repeating our errors and setting out on the same tragic, misguided path once more.

2.16 pm

Alan Johnson (Kingston upon Hull West and Hessle) (Lab): It is a pleasure to follow the hon. Member for Basildon and Billericay (Mr Baron). During my time in
Parliament, it has become a convention that this House authorises military action, whereas previously it was for a Prime Minister to do so under the guise of royal prerogative. Sometimes they would involve the House of Commons; most often they did not. This new convention places a responsibility on Members of Parliament to weigh up the arguments and vote according to their conscience, rather than a parliamentary Whip.

I am not sure if other parties are whipped on this vote or not, but I am pretty sure that nobody in any part of this House would seek to justify their vote tonight by pleading that although they disagreed or agreed with the proposition, the Whip forced them to vote the way they did. On votes such as this, the Whip is irrelevant, except to Front Benchers, perhaps. Although I am grateful to the shadow Cabinet for the free vote my party has been afforded, I do not think it will make the slightest difference to the way we make our decision.

I intend to vote for the motion this evening for one basic reason: I believe that ISIL/Daesh poses a real and present danger to British citizens, and that its dedicated external operations unit is based not in Iraq, where the RAF is already fully engaged, but in Syria. This external operations unit is already responsible for killing 30 British holidaymakers on a beach in Sousse, and a British rock fan who perished along with 129 others in the Paris atrocity a few weeks ago.

It is true that this unit could have moved out of Raqqa, but that is not what the intelligence services believe. The fact is that just as al-Qaeda needed the safe haven it created for itself in Afghanistan to plan 9/11 and other atrocities, so ISIL/Daesh needs its self-declared caliphate to finance, train, organise and recruit to its wicked cause. Yes, there may be cells elsewhere, but there is little doubt that the nerve centre is in Raqqa. Just over 14 months ago, this House sanctioned military action in Iraq against ISIL/Daesh by 524 votes to 43. Nobody expected that action to bring about a swift end to the threat from ISIL; indeed, the Prime Minister, responding to an intervention, said that “this mission will take not just months, but years”—[Official Report, 26 September 2014; Vol. 585, c. 1257.]

Many right hon. and hon. Members felt at that time that it was illogical to allow the effectiveness of our action to be diminished by a border that ISIL/Daesh did not recognise. We were inhibited by the absence of a specific UN resolution, so there was some justification for this House confining its response to one part of ISIL-held territory in September 2014. There can surely be no such justification in December 2015—no such justification after Paris, given the request for help from our nearest continental neighbour and close ally in response to the murderous attack that took place on 13 November; and no such justification after UN Security Council resolution 2249.

Paragraph 5 of the resolution, which was unanimously agreed,

“Calls upon Member States that have the capacity to do so to take all necessary measures...to eradicate the safe haven they”—ISIL-Daesh—

“have established over significant parts of Iraq and Syria”.

George Kerevan: I put to the right hon. Gentleman the point that I would have put to the right hon. Member for Derby South (Margaret Beckett): a similar call from France was met by Germany, which sent reconnaissance aircraft but refused to bomb.

Alan Johnson: Germany is constrained by its history. The point I am making is that we in this Parliament, having authorised military action by the RAF in Iraq, can no longer justify not responding to recent events by extending our operations to Syria. If we ignore the part of resolution 2249 that I have just read out, we will be left supporting only the pieties contained in the other paragraphs; we will unequivocally condemn, express deepest sympathy, and reaffirm that those responsible must be held to account. In other words, this country will be expressing indignation while doing nothing to implement the action unanimously agreed in a motion that we, in our role as chair of the Security Council, helped formulate.

Furthermore, there is no argument against our involvement in attacking ISIL/Daesh in Syria that cannot be made against our action in Iraq, where we have helped to prevent ISIL’s expansion and to reclaim 30% of the territory it occupied. As the Prime Minister set out in his response to the Foreign Affairs Committee, that means that RAF Tornados, with the special pods that are so sophisticated that they gather 60% of the coalition’s tactical reconnaissance information in Iraq, can be used to similar effect in Syria, so long as another country extends our operations to Syria. If we ignore the part of resolution 2249 that I have just read out, we will be holding back to Syria; we have there what the Prime Minister is now describing as a patchwork.
aspect. Furthermore, I believe that the motion meets the criteria that many Members will have set for endorsing military action now that the convention applies: is it a just cause? Is the proposed action a last resort? Is it proportionate? Does it have a reasonable prospect of success? Does it have broad regional support? Does it have a clear legal base? I think that it meets all those criteria.

I find this decision as difficult as anyone. Frankly, I wish I had the self-righteous certitude of the finger-jabbing representatives of our new and kinder type of politics, who will no doubt soon be contacting those of us who support the motion tonight. I believe that ISIL/Daesh must be confronted and destroyed if we are properly to defend our country and our way of life, and I believe that this motion provides the best way to achieve that objective.

2.25 pm

Dr Julian Lewis (New Forest East) (Con): Hon. Members are being asked to back airstrikes against Daesh in order to show solidarity with our French and American friends, yet a gesture of solidarity, however sincerely meant, cannot be a substitute for hard-headed strategy.

Most Defence Committee members probably intend to vote for such airstrikes, but I shall vote against airstrikes, in the absence of credible ground forces, as ineffective and potentially dangerous, just as I voted against the proposal to bomb Assad in 2013. Indeed, the fact that the British Government wanted to bomb first one side and then the other in the same civil war, and in such a short space of time, illustrates to my mind a vacuum at the heart of our strategy.

At least we are now targeting our deadly Islamist enemies, rather than trying to bring down yet another dictator with the same likely results as in Iraq and Libya. Daesh must indeed be driven out of its territory militarily, but that can be done only by a credible force that is ready and able to do the fighting on the ground. So who will supply that force, without which airstrikes cannot prevail?

The failure of the ineptly named “Arab spring” in so many countries shows the two most likely outcomes: a victory for authoritarian dictatorship on the one hand, or a victory for revolutionary Islamism on the other. Moderation and democracy have barely featured in the countries affected, and Syria seems to be no exception. I am genuinely sorry to say that we face a choice between very nasty authoritarians and Islamist totalitarians; there is no third way.

Our Government, however, are in denial about that. They do concede that airstrikes must be in support of ground forces, and they have come up with a remarkable figure, from the Joint Intelligence Committee, of 70,000 so-called moderate fighters with whom we can supposedly co-ordinate our airstrikes. It is very doubtful, however, were such an alliance to be successful, that the territory freed from Daesh would cease to be under Islamist control.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Can the right hon. Gentleman comment specifically on the independent reports indicating that the Free Syrian Army is currently selling supplies weapons to Daesh in its own fight against Assad?

Dr Lewis: It is certainly true that there have been well documented cases of such weapons ending up in the hands of Daesh, although I would not wish to tar the entire Free Syrian Army with what some of its factions might have done, or in fact have done, as the hon. Lady rightly suggests.

Mr Jim Cunningham (Coventry South) (Lab): Will the right hon. Gentleman give way?

Dr Lewis: In a moment.

In an attempt to try to establish the facts about the 70,000, I made inquiries of two people whose expert opinion I much admire. One is the writer and journalist Patrick Cockburn, who is one of Britain’s leading commentators on Syria and Iraq and who was one of the first to write about the threat from what was then called ISIS, long before it captured Mosul. This is what he tells me:

“Unfortunately, the belief that there are 70,000 moderate opposition fighters on the ground in Syria is wishful thinking. The armed opposition is dominated by Isis or al-Qaeda type organisations. There are many small and highly fragmented groups of opposition fighters who do not like Assad or Isis and could be described as non-extremist, but they are generally men from a single clan, tribe or village. They are often guns for hire and operate under licence from the al-Qaeda affiliate, the al-Nusra Front, or its near equivalent, Ahrar al-Sham. Many of these groups seek to present a moderate face abroad but remain violently sectarian and intolerant inside Syria.”

Crispin Blunt: Will my right hon. Friend give way?

Dr Lewis: No, I am sorry—I promised to give way to the hon. Member for Coventry South (Mr Cunningham).

Mr Cunningham: Does the right hon. Gentleman agree that it is a ridiculous situation where on the one hand the Government praise the Kurds, but on the other hand the Government’s ally, Turkey, is attacking the Kurds? How much more ridiculous can you get?

Dr Lewis: I thank the hon. Gentleman for that contribution. It is not only ridiculous but highly dangerous. I will insert at this point something I was going to leave out, and say in passing that to have separate conflicts going on within the same battlespace, without reaching a proper agreement, can lead us into all sorts of nasty confrontations—the worst of which would be if we ended up eyeball to eyeball with the Russians when they and we share the same common enemy in ISIL/Daesh.

The second expert I consulted was our former ambassador to Syria, Peter Ford, who describes the Free Syrian Army as “a ragbag of 58 factions (at the last count) united mainly by a desire to use the FSA appellation in order to secure Gulf, Turkish and Western funding…most of the factions, which are extremely locally based, have no interest whatsoever in being drawn into battles against groups which basically share their sectarian agenda, hundreds of miles away in areas with which they are unfamiliar.”

So instead of having dodgy dossiers we now have bogus battalions of moderate fighters.

Once Daesh has been driven out, as it must be driven out—if, eventually, we get an overall military strategy together, which adding a few bombing raids does not comprise—there arises the question of the occupying power, because an occupying power will have to remain
in control for many years to come if other Islamists are not going to take over from Daesh. That occupying force must be a Muslim one, and only the Syrian Government army is likely to provide it. Indeed, as the Prime Minister himself acknowledged in the Commons, “in time the best ground troops should be the Syrian army”. — [Official Report, 26 November 2015; Vol. 602, c. 1501.]

Airstrikes alone are a dangerous diversion and distraction. What is needed is a grand military alliance involving not only the west but Russia and, yes, its Syrian Government clients too. We need—

Crispin Blunt rose—

Dr Lewis: We need—[HON. MEMBERS: “Give way!”] I honestly think that my hon. Friend, the Chairman of the Foreign Affairs Committee, has had more than his fair share in this debate, and I am going to make use of mine.

We need to choose the lesser of two evils and abandon the fiction of a cosy third choice. There is now a general consensus that the decision to remove Saddam Hussein was a terrible mistake, but Saddam Hussein was every bit as much of a vicious dictator as we are told that Assad is. So ask yourself this when you are thinking about the hard choice that has to be faced tonight: you may feel pious looking back on the wrong decision that was made about Saddam Hussein, but a very similar decision confronts us tonight. It is a question of choosing the lesser of two evils, not fooling ourselves that there is a cosy third option, which is, in reality, a fantasy.

2.35 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): No Parliament ever takes a more serious decision than what we should do to protect the security and safety of our nation and whether to put our forces in harm’s way. I know that every Member of the House will be weighing that decision very seriously, not least because the truth is that we have got those decisions wrong before, and our Governments have got those decisions wrong before, when we went into Iraq in 2003, but also when we failed to intervene early enough in Bosnia a decade before that.

Since the Prime Minister made his case last Thursday, I have raised a series of questions and sought a series of assurances, some of which I have received and some of which I have not. I do not believe that the Prime Minister has made the most effective case, and so I understand why many in this House feel that they are not yet convinced, but I also feel that I cannot say that the coalition airstrikes that are already under way in Syria and Iraq should stop. If they are not going to stop, and France has asked for our help, I do not think that we can say no. I think that changes need to be made to the Government’s approach, and I will argue for them. I think that there are more limits in the approach they need to take, but I will also vote with the Government on the motion tonight, even though I recognise how difficult that is for so many of us.

The whole House, I think, agrees that we need a strategy that delivers peace and defeats ISIS/Daesh, but I disagree with any suggestion that this can be done as an ISIS-first, or Daesh-first, approach, because that simply will not work. In the end, we know that the Vienna process—the process to replace the Assad regime, which is dropping barrel bombs on so many innocent people across Syria—is crucial to preventing recruitment for ISIS. If we or the coalition are seen somehow to be siding with Assad or strengthening Assad, that will increase recruitment for Daesh as well.

I disagree with the suggestion that there are 70,000 troops who are going to step in and that the purpose of the airstrikes is to provide air cover for those troops to be able to take on and defeat Daesh, because that is not going to happen any time soon. We know that there are not such forces anywhere near Raqqa. We know too that those forces are divided. The airstrikes will not be part of an imminent decisive military campaign.

But I also disagree with those who say that instead of “ISIS first”, we should have “Vienna first”, and wait until the peace process is completed in order to take airstrike action against Daesh. I think the coalition airstrikes are still needed. We know that ISIS is not going to be part of the peace process: it will not negotiate; it is a death cult that glorifies suicide and slaughter. We know too that it has continuous ambitions to expand and continuous ambitions to attack us and attack our allies—to have terror threats not just in Paris, not just in Tunisia, but all over the world, anywhere that it gets the chance. It holds oil, territory and communications that it wants to use to expand. The coalition cannot simply stand back and give it free rein while we work on that vital peace process.

Coalition airstrikes already involve France, Turkey, Jordan, the US, Morocco, Bahrain and Australia. If we have evidence that communication networks are being used to plan attacks in Paris, Berlin, Brussels or London, can we really say that such coalition airstrikes should not take place to take out those communication networks? If we have evidence that supply routes are being used by this barbaric regime to plan to take over more territory and expand into a wider area, do we really think that coalition airstrike should not take out those supply routes? If we think that coalition airstrikes should continue, can we really say no, when France, having gone through the terrible ordeal of Paris, says it wants our help in continuing the airstrikes now?

I have continually argued in this place and elsewhere for our country to do far more to share in the international support for refugees fleeing the conflict. I still think we should do much more, not just leave it to other countries. The argument about sanctuary also applies to security. I do not think that we can leave it to other countries to take the strain. I cannot ignore the advice from security experts that without coalition airstrikes over the next 12 months, the threat from Daesh—in the region, but also in Europe and in Britain—will be much greater.

I think we have to do our bit to contain the threat from Daesh: not to promise that we can defeat or overthrow it in the short term, because we cannot do so, but at least to contain it. It is also important to ensure we degrade its capacity to obliterate the remaining moderate and opposition forces, however big they may be. When the Vienna process gets moving properly, there must be some opposition forces; the peace debate cannot simply involve Assad and Daesh as the only forces left standing, because that will never bring peace and security to the region.

If we are to do our bit and to take the strain, we need more limited objectives than those the Prime Minister has set out—to act in self-defence and to support the
peace process, but not just to create a vacuum for Assad to sweep into. That makes the imperative to avoid civilian casualties even greater. Where there is any risk that people are being used as human shields to cover targets, such airstrikes should not go ahead however important the targets. It makes the imperative of civilian protection even greater, but that is not mentioned in the Government’s motion. It should be the central objective not just for humanitarian reasons—to end the refugee crisis—but to prevent the recruitment that fuels ISIS.

I also think there should be time limits, because I do not support an open-ended commitment to airstrikes until Daesh is defeated—the Foreign Secretary raised that yesterday—because if it is not working in six months or if it proves counterproductive, we should be ready to review this, and we should also be ready to withdraw. We will need to review this. I think we should lend the Government support tonight and keep it under review, not give them an open-ended commitment that this should carry on whatever the consequences.

Finally, I say to the Government that I accept their argument that if we want coalition airstrikes on an international basis, we should be part of that, but I urge them to accept my argument that we should do more to be part of providing sanctuary for refugees fleeing the conflict. There are no easy answers, but I also say, in the interests of cohesion in our politics and in our country, that the way in which we conduct this debate is immensely important. However we vote tonight, none of us is a terrorist sympathiser and none of us will have blood on our hands. The blood has been drawn by ISIS/Daesh in Paris and across the world, and that is who we must stand against.

Several hon. Members rose—

Mr Speaker: Order. A five-minute limit on Back-Bench speeches will now apply.

2.44 pm

Nusrat Ghani (Wealden) (Con): There has been a great deal of talk about our solidarity with our French allies following the horrific events in Paris. While it is all very well metaphorically to stand alongside our allies, we make a mockery of solidarity if we refuse to fly alongside them in the skies over Syria. More than that, we make a mockery of our own credibility if we ignore UN Security Council resolution 2249, which has been secured unanimously. Having called upon the world community to take action, and given the comprehensive and strategic argument that the Prime Minister has put forward, we cannot ignore that call and expect our international partners to look at us with any shred of respect or good will. How can we ourselves have any self-respect if we leave this fight to brave Kurdish women fighting with antiquated weapons?

However, this issue is not all about national pride, living up to our responsibilities or our own self-respect; it is about keeping British people safe—those at risk of being murdered by terrorists and those at risk of being brainwashed into joining them—and we are already doing that. I welcome the Prime Minister’s announcement that £5 million will go towards the establishment of a new Commonwealth unit to counter extremism, and his announcement today of a comprehensive review to root out those funding extremists in the UK.

According to Oxford University’s Professor Scott Atran, 95% of Daesh recruits are signed up by friends and family, and there are few things more dangerous than misfits who feel they can live outside the law being recruited by the lure of Daesh. It is one of the most barbaric and strategically dangerous enemies we have ever faced. Its ability to recruit ordinary westerners, its commitment to transforming them into murderers and suicide bombers, and its lack of mercy to any man, woman or child are unparalleled. It rapes, enslaves and decapitates. Its victims are Muslims, Kurds, Yazidis, Syrian, French and British. Committing acts of atrocity is how it sustains its image of invincibility, and its growth depends on a steady beat of battlefield victories, with looting along the way. It craves headlines that reinforce its apocalyptic propaganda—so much so that the manager of an electronics store in Raqqah said that Daesh loses popularity among ordinary, uneducated people when it loses its brilliant victories. For me, that is at the heart of this argument.

The very destruction of the caliphate state is in itself the right thing to do, because its existence, along with its self-proclaimed caliph and the nonsense that it has fulfilled Wahabi prophecy, makes up its ideology.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I am enjoying listening to my hon. Friend develop her points. Does she agree that the motion is not about military action alone and in isolation, but about a broader strategy?

Nusrat Ghani: Indeed. Tonight’s motion is not just about military intervention, but about humanitarian and diplomatic relations.

We must break the umbilical cord that acts as an anchor from Raqqah and offers the seduction of salvation and destruction to the already damaged minds of westerners and middle easterners alike. Until we can demonstrate that we can scar and humiliate Daesh, we will not be taken seriously by those who are attracted to doing its bidding. Raqqah is its command and control centre. It is from there that it plans its trilogies of terror: to control parts of Syria and Iraq; to establish wilayats, or provinces, like the ones that have already been declared in Algeria, Libya, Egypt, Nigeria, Syria, Iraq, Saudi Arabia, Yemen, Afghanistan and Pakistan; and, closer to home, to create command and control cells in Europe.

Caliphates cannot exist as underground movements because they are founded on territorial authority, so to destroy the caliphate and its pull, we must take away its command of territory. To do that we must take military action, because those in Daesh cannot be negotiated with. They are not going to sit at a table and agree a 10-point plan for a political settlement, so the fight has to be taken to them, but I have not met anyone opposed to airstrikes who is willing to go over and negotiate with them. We have nothing they want: they want only our destruction to the already damaged minds of westerners and middle easterners alike. Until we can demonstrate that we can scar and humiliate Daesh, we will not be taken seriously by those who are attracted to doing its bidding. Raqqah is its command and control centre. It is from there that it plans its trilogies of terror: to control parts of Syria and Iraq; to establish wilayats, or provinces, like the ones that have already been declared in Algeria, Libya, Egypt, Nigeria, Syria, Iraq, Saudi Arabia, Yemen, Afghanistan and Pakistan; and, closer to home, to create command and control cells in Europe.

Caliphates cannot exist as underground movements because they are founded on territorial authority, so to destroy the caliphate and its pull, we must take away its command of territory. To do that we must take military action, because those in Daesh cannot be negotiated with. They are not going to sit at a table and agree a 10-point plan for a political settlement, so the fight has to be taken to them, but I have not met anyone opposed to airstrikes who is willing to go over and negotiate with them. We have nothing they want: they want only our demise. They recently said:

“We will conquer your Rome, break your crosses, and enslave your women”.

As a Muslim woman, I stand with people of all faiths who abhor Daesh’s ideology, rhetoric and actions. We are justified in taking action to destroy them: they are a threat and they will not rest until they have destroyed us and everything we stand for. For that reason, I will vote in favour of the Government’s motion this evening.
2.49 pm

Derek Twigg (Halton) (Lab): There is a group of us on the Labour Benches who are caught between two points: we are not opposed to taking action—indeed, we want to take action—but we do not feel that the strategy is in place.

We are making a decision today based not just on airstrikes, but on an overall strategy. Let me say from the outset that I am under no illusion that there is a perfect strategy, given the complex circumstances of the civil war and insurgency in Syria. There is no certainty in the middle east. We all want to protect our citizens and reduce the threat of Daesh, but I am afraid that a few more airstrikes will not do that. Some of its actions may not even be planned from Syria. We lack an overall strategy to confront ISIS/Daesh, which is established in other countries such as Libya. I want to make it clear again that I am not opposed to military action, but I will support it only if I believe that there is a reasonable chance of success.

I do not believe the argument that bombing Daesh in Syria will somehow greatly increase the chances of a terrorist attack in the UK, nor the argument that the Government are proposing the indiscriminate bombing of Syrians. Those arguments are both wrong.

I understand the argument that we are currently restricted to Iraq, but we were clearly invited into that country by an elected Government and we have forces on the ground. That is not the situation in Syria, which is much more uncertain and complex. We do not have the ground forces in Syria that I believe we should have.

Mr James Gray (North Wiltshire) (Con): The hon. Gentleman and I visited Iraq together last year. The fact of the matter is that the Iraqi army is totally destroyed. There were no ground forces in Iraq, leaving aside the peshmerga, any more than there are ground forces in Syria.

Derek Twigg: I do not think we can leave aside the peshmerga. The hon. Gentleman may also recall that the Sunnis need arming in Iraq. The Prime Minister keeps agreeing to do that and saying that it is the right thing to do, but we never hear what happens about it. There is therefore a lot more that we could be doing in Iraq. The fact is that there are armed forces that we support, whether the peshmerga or the Iraqi army, on the ground in Iraq when we carry out airstrikes. That is the difference with Syria.

The Prime Minister says that it is important that we stand by our allies. That argument has been stressed to me by some of my colleagues who support the Government’s position. It is a strong point. My response is that doing the right thing must be the primary reason for our decision. Does the strategy proposed by the Government add up? After all, the French, who are an important ally, did not support our decision to go into Iraq. That was a perfectly reasonable position for them to take because they did not think it was the right thing to do. That comes back to my point that we must do the right thing. It is also said that we should not rely on our allies to bomb Syria, but it is not as if we are doing nothing. As I have said, we are doing a lot in Iraq.

On the issue of whether there are 70,000 Syrian opposition fighters on the ground, we know that a large number of those groups are less than moderate and more Islamic, as the Foreign Secretary said yesterday. There remains considerable uncertainty about how reliable they will be in the fight and what they might bring to intra-Syrian peace negotiations on behalf of the Government. Many of the moderates are simply fleeing Syria.

The Prime Minister, in his speech last week, set out the progress of the coalition’s actions in Syria. I welcome the fact that there has been progress. There was also progress at the International Syria Support Group meeting in Vienna. The pathway leading to elections, which the Prime Minister set out, is not tied down. It still leaves the question of what to do about Assad.

The Prime Minister’s memorandum to the Foreign Affairs Committee stated that there were “differences to resolve”. Yesterday, I asked the Foreign Secretary what those differences were. By way of example, he said that the Russians want to shore up the Assad regime to take on Daesh. That is a pretty big difference from where we are.

Finally, I come to the issue of ground troops, which some opponents of military action will use as cover for not doing anything. That is certainly not my position. I have been consistent on this matter from the start. It is a major stumbling block to my support for the motion. We should look at the example of Iraq, where a concerted campaign against al-Qaeda using drones and US and UK special forces had considerable success. However, that also involved a surge of tens of thousands of American troops on the ground.

The Government have said that ground troops will be needed, but they do not say when and have ruled out the use of British ground troops. It appears wrong to embark on this strategy without having any ground troops or a coherent explanation of when there will be some, who they will be or how many there will be. What assessment have the Government made of the number of ground troops that will be needed and what other military assets will be needed?

It gets more complicated, because the Government say that there is no military solution and that only a political solution will stop the civil war in Syria. What if Assad refuses to go? Is that realistic? I do not believe that we can have one without the other. I am clear that the UN needs to agree to put a huge coalition force in the hundreds of thousands into Syria to stop the civil war and maintain safe areas, while at the same time putting in place a political strategy that is achievable. Preferably, as many Muslim countries as possible should send in their soldiers. A firm deal with Russia and Iran will be needed.

The Government have not convinced me that there is a wider strategy or that this action has a reasonable chance of success. Instead, I think we will have to gradually up our involvement in a piecemeal way and that we will find ourselves in a much more complex situation even than Iraq. I disagree with those in the Government who argue that we would somehow make ourselves less secure by not taking such action. I would support action if I felt that it was feasible and deliverable. At the same time, the Government have cut our armed forces and our police force, which are important in maintaining our security.

I believe that ISIL/Daesh needs to be confronted. It must be defeated ideologically and militarily. It is therefore essential to our security and that of the middle east that
the Prime Minister comes forward with a strategy that has a reasonable chance of success. He has not done so today and he must come back with a better plan.

2.55 pm

Mr Keith Simpson (Broadland) (Con): This may be the kiss of death for them, but I congratulate the right hon. Members for Derby South (Margaret Beckett), for Kingston upon Hull West and Hessle (Alan Johnson) and for Normanton, Pontefract and Castleford (Yvette Cooper) on three formidable speeches. It always takes incredible courage to stand against one’s party and they should not be denigrated for doing so.

I support the Government’s motion. I fully understand all the caveats of one kind or another that colleagues have put forward, but the most important immediate issue is making the strikes against Daesh in Syria that our intelligence and security agencies have identified and wish to carry out, because it offers a present threat to us, our constituents and our allies in Europe. This is a present threat. They may not get it entirely right. I can see my right hon. Friend for—what is his constituency?

[Interruption.] I have so many friends! It would be wrong to name them all, but they think that there is no direct threat as far as intelligence is concerned. Those colleagues who have received briefings of one kind or another understand that. The intelligence and security services cannot guarantee to prevent every threat. We should support the motion primarily because we wish to extend our air campaign into Syria to help prevent the threats to this country.

Secondly, I am mindful that the elephant in the room is the Iraq war. We tend to look back to previous wars to draw lessons of one kind or another. The Prime Minister is absolutely right that we have to look at the present situation and the future. Hopefully, we have learned lessons, both political and military, from that war, but we can end up having our current operations and politics determined by past experiences.

Our predecessors sat in the Commons in the 1930s, determined never to have a great war again. The Labour party was divided—there were pacifists and those who wanted collective security. My party supported appeasement, as did the overwhelming majority of the British public, because they genuinely—these were not evil men and women—wanted to prevent another war. They failed, of course, because they were dealing with people in other countries who were not prepared to negotiate. The lessons learned from that war were used in 1956. Anthony Eden believed that Nasser was another Mussolini. He was therefore prepared to take action, in 1956. Anthony Eden believed that Nasser was another.

Our case to the Prime Minister has been clear and consistent throughout, and four things were necessary for our support. First, we needed to know that the vile terrorists of Daesh/ISIL would be the target. That is explicit in the motion and I welcome that clear objective. We all know the convoluted complexity of the Syrian civil war, and today we are not being asked to take sides in that war; we are being asked to take the side of civilised people everywhere—the side of our own citizens. We are being asked to strike at the terrorists who have decided to wage war on us.

Secondly, we had to be sure that those people represent a clear and present danger to the United Kingdom and our own citizens, and nobody can be in any doubt whatsoever about that because our citizens are under threat of attack in the UK and abroad. Some say that this action will merely serve to increase that threat or bring violence and retaliation, but as we have heard again and again, in reality we are already at the top of the terrorist target list. The Russian airliner that was blown up over Egypt could just as easily have been a plane carrying British holidaymakers, and the fantastic work done by our security services in thwarting attack after attack illustrates the level of the threat against us.

Thirdly, we needed to be convinced that British action would make a real and practical difference. The Prime Minister is right to say that the proposed action will not in itself resolve the terrorist threat, but if it helps to reduce, degrade or lessen the threat to British citizens—and I believe it will—it would be utterly wrong not to act. We require an overall political and diplomatic strategic framework to address the underlying problems and work towards a settlement of the Syrian civil war, and those factors make the situation very different from the vote in 2013.
I commend again the UK Government on the humanitarian support that they provide day in, day out to those fleeing conflict in Syria. It should not be forgotten in the midst of this debate that the UK is the second highest donor of such aid in the world, and British aid workers—backed up by massive British resources and in collaboration with our international partners—are providing enormous help to civilians and refugees in Jordan, Turkey and Lebanon. That, of course, should continue.

Kevin Foster (Torbay) (Con): Does that not demonstrate that this debate is about one aspect of our strategy? It is not a purely military strategy.

Mr Dodds: The hon. Gentleman is right. Military intervention on its own will not solve the problem, and it must be part of an overall package. However, to say that we should wait until there is a political or diplomatic outcome is like saying that we should have waited 30 years for the Belfast agreement or the St Andrews agreement to bring about a settlement in Northern Ireland. We must protect our own citizens now when there is a real and present danger to them. Not to do so would be a dereliction of duty.

Paris, and the downing of the Russian airliner, were assaults on civilised values. If we can realistically do something to destroy or degrade that evil, and prevent it from spreading still further, we must act. That is a heavy burden of responsibility. This is not a choice between military intervention and political or diplomatic initiatives, because both go hand in hand. There is now a realistic chance that overwhelming pressure can be brought to bear against ISIL/Daesh in Syria, and therefore DUP Members will vote in favour of the motion.

Now that a British force is to be employed—if the House votes that way in the common good—it is the duty of every credible political figure to offer their full support to our armed forces. We wish our armed forces success as they do the hard and necessary work, and we pray for a safe and swift return for them all.

3.5 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): A dangerous and deadly cult is operating within this country, within Europe, and on Europe’s doorstep, and today we will decide whether we duck our responsibilities and do nothing, or whether we extend our military operations and widen our attack on the territories that that cult has taken over. To widen our airstrikes to include Daesh-held areas in Syria is only a small extension of current military activity, and I honestly do not think that this House has ever seen a Prime Minister set out so clearly the detailed options before us today, and his reasons for asking us to support the motion.

In my view, to vote for this motion is to respond positively to the requests of our closest allies in France and the USA. It will add value to current military operations by providing the precision bombing capability and reconnaissance needed to degrade Daesh’s capabilities and remove its leadership, thereby reducing the direct threat to our citizens. That threat is real, present and extreme, and goes from beheading aid workers, to slaughtering holidaymakers on a Tunisian beach, not to mention the seven foiled terrorist attacks from which the brave men and women of our intelligence services and operations have saved us.

Anyone saying that a positive vote tonight will increase the danger here in the UK needs to wake up and realise that the threat is already here, and controlled by Daesh leaders, mostly in Syria. If we add to the forces trying to eliminate that Daesh leadership, we will increase the odds of removing those who orchestrate violence, terrorism and wholesale murder.

I could not support the Government today if I thought that airstrikes would form our strategy on Syria and Daesh in its entirety. However, with the Vienna process and a reasonable estimate of the ground forces that should be available to back up more efficient air activity, I believe that focused diplomacy and military action will complement each other in moving us forward to what we all want, which is a negotiated and peaceful settlement in Syria. Although I admit it is likely that airstrikes will not be enough to eliminate the threat of Daesh, it is important to recognise the role that they can play at this exact time.

Like many hon. Members, I have received representations from my constituents in Chesham and Amersham on both sides of the argument, but after that attack in Paris and the wholesale slaughter of so many young people, it has resonated even more with the general public that Daesh is a dangerous force that must be defeated at its roots. As it stands, I think that the best course of action is for Britain to increase its commitment to this complex, difficult and continuing conflict, and thereby increase the odds of improving the safety of our country and of the British people wherever they are in the world.

The Prime Minister knows that we must constantly revise our plan for post-conflict Syria and the whole region, and if we want to see peace in our time, we will need to address that. Tonight I will be putting our security into the hands of our armed services, and I will support the motion.

3.9 pm

Tim Farron (Westmorland and Lonsdale) (LD): As has been mentioned already, the spectre of the 2003 Iraq war hangs over the debate in this House and in the whole country. In 2003, the late and very great Charles Kennedy led the opposition to the Iraq war and he did so proudly. That was a counterproductive and illegal war, and Daesh is a consequence of the foolish decision taken then. Charles Kennedy was also right, however, in calling, in the 1990s, for military intervention in Bosnia to end a genocide there. I am proud of Charles on both counts.

My instincts, like those of others, are always to be anti-war and anti-conflict. In many cases, the automatic instinct will be that we should react straightaway and go straight in. Others will say that under no terms, and not in my name, should there ever be intervention. It is right to look at this through the prism of what is humanitarian, what is internationalist, what is liberal, what is right and what will be effective. I set out five principles that I have put to the Prime Minister. I will not go into all of them here, with the time I have available, but they are available on the website and people can go and have a look at them. My very clear sense is that any reasonable person would judge them to have been broadly met.
James Berry (Kingston and Surbiton) (Con): Will the hon. Gentleman confirm that, unlike the Leader of the Opposition, he and his party supported airstrikes against Daesh in Iraq and that today’s vote is about extending those airstrikes across the border that Daesh itself does not recognise, into Syria, to degrade Daesh as far as possible?

Tim Farron: I am happy to confirm that.

For me, and probably for many other Members, this has been one of the toughest decisions, if not the toughest decision, I have had to take in my time in this place. The five principles that we have set out have been broadly met, but I will not give unconditional support to the Government as I vote with them tonight. There are huge questions on the financing of Daesh by states such as Turkey, with the trade that is going on there. There are huge questions on the protection of civilians. Yes, a ceasefire, as discussed in Vienna, is the ultimate civilian protection, but we absolutely must continue to press for safe zones to be established in Syria. I continue to be very concerned about the lack of political and state involvement, notwithstanding what the King of Jordan said overnight, by close-by regional states, such as Saudi Arabia, Qatar and the United Arab Emirates. I continue to be concerned about our failure to take our fair share of refugees, as part of the overall EU plan. I welcome what the Prime Minister said earlier, but I want a lot more than just “looking into” taking 5,000 orphan children from refugee camps. I want them here in Britain.

Stewart Malcolm McDonald (Glasgow South) (SNP): I am very grateful to the Liberal Democrat leader for giving way. Given that he has pressed so hard for the Government to take more refugees, why is he content to bomb that country when the Prime Minister has refused to give that assurance? This is ridiculous.

Tim Farron: I will come to that in a moment. The reality is that this is a very tough—an incredibly tough—call.

A final point I wanted to press the Prime Minister on concerns the funding of Daesh from within UK sources. I am very pleased to hear that there will now be a full public and open inquiry. It must cut off that which fuels this evil, evil death cult.

This is the toughest call I have ever had to make, certainly in this House. What pushes me in the direction of voting for action is, above all, United Nations resolution 2249, which calls for us to eradicate the safe haven that Daesh has in Syria. The resolution does not just permit, but urges this country and all members capable of doing so, to take all necessary action to get rid of Daesh. If we had just been asked to bomb Syria, I would be voting no: I would be out there demonstrating in between speeches and signing up to emails from the Stop the War coalition. This is not, however, a case of just bombing; this is standing with the United Nations and the international community to do what is right by people who are the most beleaguered of all. I was so proud and moved to tears when I watched at Wembley the other week English fans singing La Marseillaise—probably very badly indeed, but doing it with gusto—and standing shoulder to shoulder with our closest friends and allies. How could we then not act today, when asked to put our money where our mouth is?

What has really pushed me into the position where I feel, on balance, that we have to back military action against Daesh is my personal experiences in the refugee camps this summer. I cannot pretend not to have been utterly and personally moved and affected by what I saw. I could give anecdote after anecdote that would break Members’ hearts, but let me give just one in particular. A seven-year-old lad was lifted from a dinghy on the beach at Lesbos. My Arabic interpreter said to me, “That lad has just said to his dad, ‘Daddy are ISIL here? Daddy are ISIL here?’” I cannot stand in this House and castigate the Prime Minister for not taking enough refugees and for Britain not standing as tall as it should in the world, opening its arms to the desperate as we have done so proudly for many, many decades and throughout our history, if we do not also do everything in our power to eradicate that which is the source of the terror from which people are feeling.

We are absolutely under the spectre of a shocking, illegal and counterproductive war in Iraq. It is a lesson from history that we must learn from. The danger today is that too many people will be learning the wrong lessons from history if we choose not to stand with those refugees and not to support as part of the international community of nations. This is a very tough call, but on balance it is right to take military action to degrade and to defeat this evil death cult.

3.16 pm

Mr Owen Paterson (North Shropshire) (Con): I entirely endorse the comments of the hon. Member for Westmorland and Lonsdale (Tim Farron), the leader of the Liberal Democrat party. Until we remove Daesh, we are all at risk. We are at risk with or without bombing in Iraq, and we are at risk with or without bombing in Syria.

I was in France and saw the stunned reaction of the French populace. There is no negotiation in the way that the Leader of the Opposition suggests, with those who gun down people going about their daily business and in restaurants, or those who take a bomb to a crowded football stadium. Removing Daesh, therefore, is an absolute priority. A large number of Members voted a year ago to bomb in Iraq. It is clearly nonsense for our aeroplanes to stop at an arbitrary boundary in the sand. If we are invited by our severely damaged and hurt allies and neighbours, the French, to bring special technology, it is a terrible dereliction not to involve ourselves and offer that technology.

In the past couple of days, I have talked to some very experienced allied generals. There is no doubt whatever that having the UK playing a full part in a coalition, bringing intelligence, planning and experience, does give an intangible moral and philosophical boost to the campaign. I am clear that this is about the safety of our citizens. We are better off if we engage in this activity.

I would like to touch briefly on the artificial boundary, My right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan) called these nation states. The entities of Syria and Iraq were created in the 1920s out of elements of the Ottoman empire. Iraq was made up of three old Ottoman vilayets: Basra, which is very Shi’a; Baghdad, which is mainly Sunni; and Mosul in Kurdistan. When the Kurds—there were about 19 million then and there are about 30 million now—emerged
from the first world war, they were promised a country. They did not get one. We are living with the consequences of what was decided then.

I remember when I was at Cambridge the late Professor Jack Gallagher talking about the fat cats. France and Britain came out of the first world war with these new entities very much increasing their sphere of influence. It was always assumed that there would be British and French influence: passive military influence if necessary; very active military in the case of the bombing campaign in Iraq in the 1920s. This system worked until 1958, when the king was killed. It sort of worked under the horrendous dictatorships of Saddam Hussein and Assad père. It has broken down now. For all the criticism of dictatorships, it sort of worked under the status of forces agreement under which US forces would not be liable to Iraqi law. That is why the Americans were forced to withdraw.

Mr Paterson: Yes, and I think the Administration were weak not to get their way on that. Of course, the Maliki regime, which was corrupt and sectarian, has now gone. What we need to look at now is how we make these entities work. Any expert on the area will say that it is not an option to destroy these boundaries.

What I would put to those on the Front-Bench—a line in the motion provides the grounds for this—is that we should follow what the current Prime Minister is doing in Iraq in talking about functioning federalism. We need to give these ethnic groups security within the old post-world war one boundaries. If we look at how the Ottomans did it, we see that they basically left the locals to run their own show. There is a clear breakdown in Iraq whereby significant autonomy is provided within these entities, and this is already happening with the Kurds.

Given the terrible conditions under which local people are living, we will not get their support to remove Daesh if they do not feel that they will emerge at the end of this very difficult process with an entity to which they are loyal and feel safe in. Sunnis in Iraq will not stick their heads above the parapet if they think they will end up with another corrupt Maliki Shi’a regime. The same applies the other way round, because the Shi’a will not want to end up with another Saddam regime.

Simon Hoare: I entirely agree with my right hon. Friend on the point about federation. Trying to put the construct of a nation-state boundary on what are still tribal areas is almost impossible. Federation has clearly worked well in Yugoslavia, following the conflict there, and it is something that we should look towards.

Mr Paterson: My proposal is that we do not rearrange the post-world war one boundaries. We should work very closely with the locals in the Vienna negotiations, with the clear intent that at the end of the process, having removed Daesh by military means, we will have an entity that will allow local ethnic and religious groups to have real loyalty to the area where they live. If we do not do that, all the questions from the other side about the 70,000 and all the rest of it will arise. Of course there is doubt, because they are not prepared to stick their heads above the parapet until they know exactly where we are going and they know that they will emerge living in part of a federation where they can be loyal to the new entity.

I shall support the motion tonight, but I urge the Government in the Vienna negotiations to look at how to bring in the Sunni and other local powers in order to establish a long-term solution. We have to look to the long term; there is no short-term fix. Ultimately, there will have to be an international presence to help grow these local institutions, but we must build them around the local ethnic groups.

3.22 pm

Yasmin Qureshi (Bolton South East) (Lab): No one voting against the Government’s motion is not bothered about the security of the United Kingdom and the people who live in it. We and our families all live in it. I therefore find the suggestion that those who intend to vote against the motion are terrorist sympathisers or are somehow pacifist extremely insulting.

As I mentioned earlier, I happened to be in Cairo, Amman and Beirut last week, which is important because the three countries concerned are currently fighting Daesh at their borders. What they have to say about what we in the United Kingdom can do to help fight Daesh needs to be heard in this Chamber. First, every single person agrees that extension of the airstrikes into Syria alone will not achieve anything without a massive boots on the ground presence. When I say “massive”, just taking back Raqqa, a city of about half a million people, would need an estimated 40,000 to 50,000 ground troops, along with air support, command and intelligence, headquarters, surveillance and so forth. That is just Raqqa. Then there is the challenge of how to hold the territory that has been taken. Unless and until the Prime Minister says that we are going to get those boots on the ground, whether from surrounding Arab countries or the international community, we are not being really serious about containing and destroying Daesh. We need both those strategies.

Let me make it clear that I have no sympathy with Daesh, because 99% of the people killed by Daesh and Assad are actually Muslims. The slaughter of hundreds of thousands of Muslims is taking place, so I as a Muslim have no truck with Daesh. I would hardly support today’s motion if I genuinely believed that it was going to make a dent in Daesh and make the United Kingdom safer, which is an important point.

With all due respect to the Prime Minister and the Government, what I think is going on here is basically a symbolic gesture to show that we are in the international community and siding with France. Of course we were all devastated by what happened in Paris, but using that as the main reason to extend our involvement is wrong.

When I spoke to people in the middle east, apart from the armed troops, they thanked the UK for all the help we have provided to the Jordanians and to the Lebanese army and intelligence services, but they said that that sort of help has to be provided to the other
countries involved, such as Nigeria, Mali, Kenya—poor countries that do not have the intelligence or capability to deal with al-Shabaab or Boko Haram. All those groups have to be dealt with.

Assad has to be out of the picture for there to be any settlement, so the Russians and the Iranians have to come on board. We also need Saudi Arabia and the other Muslim countries around the area to be involved. In fact, there has been a suggestion that ground forces of Sunni Arab nations should be the ones going in. But the people out there said that if we cannot get the Sunni Muslims in, that is fine: western troops would be fine too, because what we need to do is to control and stop Daesh.

Finally, General Hitit of the Lebanese army, a Christian Maronite, explained what was central to the whole issue. Some people may strike me down on this, but it was said that the Israel-Palestine conflict has to be the key. That was said not just in Beirut but in Cairo and Amman. It is key; it is a big recruitment driver. Until that situation is sorted out, there will never be peace in the middle east.

On the extension of airstrikes, General Sir Richard Shirreff, who was the allied deputy NATO commander, recently said that the Americans had already put in 57,000 sorties in Iraq alone and that many different countries had bombed Daesh in Iraq, and that with the aid of some ground troops, a bit of the territory had been regained. We have no such troops in Syria.

3.27 pm

Mark Pritchard (The Wrekin) (Con): I pay tribute to the Leader of the Opposition, in his absence. All Members who have been here for some time know that he is a champion of human rights, but perhaps the greatest human right of all is the right to life. I ask the Leader of the Opposition and those who support him today to rethink their position. If we do not take on Daesh, more men, women and children—in their hundreds and thousands—will continue to be murdered.

I do not believe that anybody enters Parliament to make war. Indeed, I would hope that everyone in this Chamber is a peacemaker. There is enough war and conflict in this world already, as we are discussing today. Indeed, I pay tribute to the pacifists and peacemakers who sit on the Opposition Benches and on the Government Benches. Their views are both valid and respectable. Unfortunately, our enemies—Daesh—are neither peacemakers nor pacifists. They are a brutal, murderous and genocidal enemy that are killing men, women, children and peacemakers—probably at this very hour, as we speak.

Whether it is politically or intellectually palatable or not, it is a case, sadly, of kill or be killed. On a point of law for some of the waverers opposite, I would say that the motion before us is both legal and legitimate—both in terms of UN resolution 2249 and the right to self-defence in international law. As the Prime Minister reminded us, it is a UN resolution supported by both China and Russia—and, I may add, one supported by the Venezuelan Government, who are admired by some in the wider labour movement, such as the Unite leader Len McCluskey, and by many in Momentum. If Venezuela is prepared to support airstrikes in Syria, then why not Her Majesty’s Opposition? Let me say at this juncture that it should be the consciences of individual Members of Parliament that determine the fate of the sombre motion that is before us today, not the bullying and self-interested unions that appear to be engaged in their own insurgency campaign against Labour MPs.

Can there ever be a just war? Many faith leaders believe so, including faith leaders here in Britain. That is recognised by the Archbishop of Canterbury—who has said that “forceful force” should be used in the circumstances that we are discussing—as well as by other Christian bishops and religious minority leaders in the middle east. There is such a thing as a just war.

Dr Andrew Murrison (South West Wiltshire) (Con): My hon. Friend is describing the precepts of St Augustine very eloquently, but may I ask him to desist from describing this conflict as a war? Calling it a war gives the opposition a dignity that it does not deserve.

Mark Pritchard: My hon. and gallant Friend speaks with great experience and wisdom. I both agree and disagree with him, because I think we need to recognise this for what it is. We are at war, but it is a war that we have not chosen, or a conflict that we have not chosen. It is a conflict that our enemies have brought upon us, and we need to defend our interests and our citizens both at home and abroad.

Mr Robin Walker (Worcester) (Con): I agree with a great deal of what my hon. Friend has said so far, but I think that our hon. Friend the Member for Bracknell (Dr. Lee) put it very well the other day when, opening the debate on the middle east, he said that this could not be a war because ISIL was not a state. We should be clear about the fact that ISIL is the common enemy of humanity.

Mark Pritchard: As always, my hon. Friend speaks wisely, as did my hon. Friend the Member for South West Wiltshire (Dr Murrison). We are in conflict, or at war, or whatever phrase we wish to use. The fact is that we have a common enemy, and we must work with our allies to destroy that enemy. As I said earlier, it is, sadly, a case of kill or be killed. None of us wants to be in conflict. In an ideal world, we would all be at peace, but at present we do not live in that ideal world, certainly in this dispensation.

It could also be asked whether socialists ever fight just wars. The late, very great Jack Jones, the “union man” himself, stood up for freedom and democracy. So did Clement Attlee—Major Attlee—a wounded war hero, and Ernest Bevin, arguably Labour’s best Foreign Secretary. All of them fought for freedom and liberty in their own ways. Some were more to the left than others, I admit, but all were socialists, defending Britain, defending our allies, defending our values, defending the weak and marginalised, defending the persecuted and the repressed. I say to undecided Labour MPs, “Look to your proud socialist history”; but I also say to them, “Do not be bound by recent ‘new Labour’ history.” This is a new challenge and a new threat.

We may not all be where we want to be, but we are where we are. Today’s motion is a dose of reality for all of us. It is an internationalist motion, an inclusive motion, a protective motion, a motion that cannot be ignored, and a motion that I hope will be supported by Members in all parts of the House.
3.33 pm

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): It is easy to be brief at this point, because I can honestly say that I agreed with every word of two speeches made by Labour Members. My right hon. Friends the Members for Derby South (Margaret Beckett) and for Kingston upon Hull West and Hessle (Alan Johnson) both made an extraordinary case in explaining why action was necessary, and also why inaction would be so difficult to defend.

The decision that we are being asked to make is particularly important in the light of the social media that now exist. Our email inboxes are full of messages saying, “Don’t do it.” I am relieved that I am being asked not to do it, because I would be deeply troubled if my inbox was full of gung-ho messages saying, “Go and get them.” We have come here to make an extremely careful judgment, and we can only ever make the judgment that is best at any one time.

There are many unanswered questions about the part of the world that we are discussing, and none of us can claim to know what the next steps will be. However, there are some things that we do know, and one of them is that just as actions have consequences, so does inaction. The danger for Governments is not knowing when not to act; given that it is always possible for them to act, they must always ask whether it is the right thing to do.

The danger for Oppositions is in thinking that because they are in opposition, it is appropriate always to oppose. Occasionally it is right to do things, and occasionally it is right for an Opposition to support a Government, even when they do not entirely agree with a motion on the Order Paper.

I will support the motion tonight because it is good enough, and it is good enough for three reasons that are closely intertwined. We face a conflict with Daesh, because they are terrorists and bad people with, in my view, no redeeming features. We also face a potential civil war with Assad, and—this has not been mentioned so far—a very difficult conflict involving Turkey and Russia. However, the fact that the situation is complicated does not mean that we should not do anything.

Four things persuaded me that it was, on balance, better to do something than to do nothing. The starting point was the United Nations resolution, which was supremely important. Then there was the fact that our airstrikes are adding capacity, which will enhance the actions that we are already taking in Iraq. If we extend those actions to Syria, we will not only bring something to the table, but strengthen the coalition. As the motion rightly points out, we are looking at a political process. We also face a potential civil war with Assad, and—this has not been mentioned so far—a very difficult conflict involving Turkey and Russia. However, the fact that the situation is complicated does not mean that we should not do anything.

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There is one mistake that I hope we will not make again. We must not take our eye off the fact that we need functioning state institutions when we take military action. That was one of the errors that we made in Iraq. I hope that it will be different in Syria, because of the work that the Department for International Development is doing, and the work we are doing with the coalition to retain the state structures. We all know we cannot predict what will happen next, but we also know that, whatever happens next, we will be acting with our allies, because countries such as France are calling on us. If the situation had been reversed and the same thing had happened in London, and we asked France for help and it said no, we would have been appalled.

Finally, we have to answer the question: why now? Why do we not wait a few weeks? The dynamic changed when Russia entered the theatre, but most importantly, action is in the national interest, because Daesh’s ability to both operate in Syria and organise terrorist attacks on mainland Europe has increased tremendously. We must act now, because if we want to stop that war, this may not be the perfect first step, but at this stage, it is certainly the best first step that I am being asked to support.

3.38 pm

Mr David Davis (Haltemprice and Howden) (Con): I agree entirely with the excellent speeches by my hon. and gallant Friend the Member for Basildon and Billericay (Mr Baron), and by the Chairman of the Defence Committee, my right hon. Friend the Member for New Forest East (Dr Lewis). They both made eloquent speeches, and I shall therefore focus not on the high principle but on the practicalities. I shall start with the Prime Minister’s point that all Members on both sides of the House want to see the end of ISIS. We are therefore talking about not the aim but the practical method of achieving it.

I think that all hon. Members could agree with 90% of what is in the motion. The contentious part is whether we should engage in the bombing. That is being proposed for entirely understandable but symbolic reasons. Symbolic is not a small word; they are important symbolic reasons. The proposal is to add a few British fast jets to the American-led air campaign in Syria and Iraq. We should face some facts, however. That air campaign has so far, in both countries, mounted some 10,000 sorties, one third of them in Syria, against 16,000 targets. The avowed aim? To degrade ISIS, or Daesh. The outcome? In the period in which the campaign has been operating, recruitment to Daesh has doubled from 15,000 to 30,000 personnel. By a macabre coincidence, that is about one extra recruit for every target we destroyed. So, from that point of view, we are not achieving our aim, although we are doing some good things. The former Foreign Secretary, the right hon. Member for Derby South (Margaret Beckett), who is no longer in her place, talked about pinning ISIS down in Kobane, but we are not achieving what we intended to achieve. Arguably, we are achieving the opposite.

Last week, the greatest modern warrior, the American ex-special forces general Stanley McChrystal, was in the House and I spoke to him. He was talking principally about drones and aerial warfare, and he said, in terms, that we should never believe that we can cut off the head of the snake in this kind of war, because it always regenerates and reorganises. He said that that was the wrong metaphor for this kind of warfare, and that it would not work on any level.

Another point leapt out at me. I have heard arguments from many knowledgeable colleagues, but no matter how skilful and brave our pilots are—and they will be—any war will not be decided by military might alone but by the will to win. It is the will to win that will decide the outcome of any war. It is the will to win that will decide the outcome of any war.
with and might be better than Brimstone—the constraint will be the targets. The Americans are flying about seven sorties a day in Syria, while the Russians declare that they are flying more than 140. That is because the Russians are being given up to 800 targets a day by the Syrian army, while we are getting fewer than half a dozen, by the sound of it, from the Free Syrian Army. If you want a practical demonstration of the usefulness in war of the 70,000 fighters we are being told about, you have it there. They are not useful, even as target-spotters.

**Kwasi Kwarteng** (Spelthorne) (Con): My right hon. Friend has a clear view on what we may or may not do in Syria, but what is his opinion of the bombings taking place in Iraq?

**Mr Davis**: I have already told my hon. Friend that; he cannot have been listening. The simple truth is that the bombings have not achieved their aim; they are doing some useful things, including pinning some people down, but by themselves they cannot achieve what we have been told is their aim—namely, the reduction and removal of ISIS. That is their failure.

So where do we go from here? I will not go into elaborate detail on the long-term plan. We have heard about that from a number of colleagues, and all their arguments have been very well made. We know that the diplomatic creation of the future Syrian state and the creation of an army on the ground will be difficult and not very dramatic. However, people are looking for immediate action, and there are a couple of things that we could do pretty much straightaway. First, we could demand—not request—that Turkey shuts the Turkey-Syria border. ISIS gets $1 billion of income from putting oil across that border, and it sends weapons the other way. This gives freedom of movement to ISIS. Turkey is a NATO member, and it should not be giving any sort of support, no matter how accurate our Brimstone missiles are, and no matter how many strikes and sorties we can carry out. If we are able to wage that war from the air and defeat Daesh, there is a bigger issue: consistently, on the issue of terrorism and radicalisation, we have managed to jump out of the frying pan and into the fire.

When the Syria dispute started, there was the Muslim Brotherhood and al-Qaeda. That popped on for a bit and nobody took much notice—it was considered to be fine because they were having a go at Assad, and it was thought, “That’s okay, we can stand by and allow them to do that.” Also, of course, some of our allies wanted to supply arms to them. So we turned a blind eye and allowed them to carry on, but that turned into Daesh/ISIS. Not only is there the barbarity of those people and what they wanted to do, but they were joined by the Ba’athists in Iraq, and all those people—in some instances Sunnis—who call for a geographic state in Iraq. We now discuss how we can divide Iraq up to reflect the different religious groups, but that is complete nonsense. First, what we must do is take on this rag, tag and bobtail group of people who do not represent anybody, and the only way we will do that is by moving forward.

I also want to say very quickly that we need to tackle the assertions of 70,000 people whom we call the Free Syrian Army. That is, again, al-Qaeda and the Muslim Brotherhood, and those people who are never going to be our friends.
Earlier this year, I spoke in the House about the tragic shooting of one of my constituents, Scott Chalkey from Chaddesden, who was shot dead by terrorists while he was on holiday in Tunisia. That was followed by the tragedy in Paris, where the lives of people who were out enjoying themselves were ended. The lives of loved ones were taken, and the lives of others have been changed dramatically, both physically and emotionally. When such things happen, they bring home to us just how vulnerable we all really are. Such events take place all over the world, and I am clear that we cannot stand by and allow that to happen. Having listened to the Prime Minister on Monday and today, I am satisfied that intervention through airstrikes is absolutely necessary to protect our way of life so that we can all live reasonably as human beings.

I recently went on a trip to Jordan to visit refugee camps and host communities. I was really struck by the stories relayed about people fleeing their homes and leaving behind what many of us take for granted—such as a roof over our heads and the freedom to walk down the street—purely to ensure that their family members could stay alive. One mother told me that she fled after the death of one of her children, to safeguard the lives of her other children from ending so abruptly. It became clear that all the families I spoke to wanted to return home. We must ensure that we help to rebuild Syria, so that Syrians can return home to the country they love. I know that will take time and I feel great sadness that we cannot stand by and allow that to happen. Having listened to the Prime Minister on Monday and today, I am satisfied that intervention through airstrikes is absolutely necessary to protect our way of life so that we can all live reasonably as human beings.

I have nearly finished. Some may doubt it, but in my view there is growing public unease over what is being proposed. No one can possibly doubt the sheer murderous brutality of the people who are described by various names, including ISIL and Daesh. We know that and we knew it long before Paris. We knew about the atrocities, beheadings, the publicising of those beheadings, and the burning alive of the Jordanian airman. There is no doubt or argument about that type of foe, but there is unease—and I happen to share it—that the proposal to join our allies in bombing parts of Syria will make us feel good, but in the end it will make little or no difference.

I have supported more military action in the past 30 years than I have opposed, but I have done so on the basis that there is an objective. With the liberation of Kuwait, for example, there was quite clearly an objective. There was a clear objective over Kosovo, which I supported. I urged that the massacre of Muslims should be halted. We knew that if the Serbian leadership did not give way ground troops would be used by this country and the United States.

The point has been well made that no military chief and no one who has held senior military office here, in the United States or in France, nor the Government, states that airstrikes alone will defeat ISIL. Everyone knows that. There is no feeling that if we approve the motion at 10 o’clock we will be on the way to victory. We know that airstrikes alone will not do what is necessary. The Government argue that we are bombing in Iraq, so why not in Syria? My fear is how long it will take before the Government advance the argument that because Parliament has agreed to airstrikes, which are not sufficient, we should introduce ground troops. Ground troops are excluded in the motion, but is there not a possibility that in time the Government will come back with that argument? Ground troops will be necessary to defeat ISIL—I assume that no one doubts that—but they should not come from this country.

Finally, Sunni Muslim opinion asks why action is being taken against ISIL and not the other lot of mass murderers who rule Syria—the Assad regime, which is responsible for the civil war and all that has occurred. With some reluctance, I will not be able to support the Government tonight. I want to see ISIL defeated, but what is being proposed will not achieve that objective. That is why I will not be able to support the motion.

As one Member, I am simply not persuaded by the arguments advanced by the Government today. If I were, I would certainly vote with the Government and I would certainly not be put off doing so by threats, any more than a number of my right hon. and hon. Friend will be. We must be able to vote as we consider appropriate.
I have acknowledged publicly that that decision was a mistake. There were no weapons of mass destruction and going to war on a false premise was a serious matter, perhaps the most serious thing—the worst thing—that a Government can ever do in a mature democracy, but just because it was wrong to invade Iraq in 2003, that does not mean that it is wrong today to join our allies in the bombing of Daesh in Syria. If we are to keep our citizens safe here in the United Kingdom, we have to take the fight to Daesh and to destroy them where they are as well as protecting ourselves in our own land through our excellent security forces and police.

Ian Blackford: Will the hon. Gentleman reflect on what he has been saying about the dodgy dossier we had on Iraq, having heard from the Chairman of the Defence Committee, in particular, that the stories of the 70,000 troops are something of a fantasy? Given that they are central to the Government’s story and strategy, will he reflect on what we have been told about those 70,000?

Mr Streeter: I certainly do not accept that the Syrian Free Army of 70,000 is a fantasy. There are different views, but I prefer to trust the Prime Minister’s security briefing and I certainly take a lot of comfort from that.

I recognise that bombing alone will not solve the problem and that revenge for the Paris attacks is not a sufficient motivation, but I am fully persuaded that we cannot do nothing. I realise that bombing must be part of a much wider response—a response that the Prime Minister set out last week and again today in very credible terms—and I realise that it does not lie within the gift or power of European nations alone to resolve these deep-rooted and complex regional conflicts, but just because we cannot do everything, it does not mean we should do nothing.

James Cleverly (Braintree) (Con): Does my hon. Friend agree that just because the future is uncertain and we are not going to get a neat Hollywood-style finish, it does not mean we should not take action we know will at least take us in the right direction, even if the ultimate destination is unclear?

Mr Streeter: I agree with my hon. Friend. It is the case I am seeking to make: we must not do nothing, and we have to do the right thing.

Some of my constituents believe that this action will make matters worse for us in the UK, but I do not accept that. We are already a top target of these evil people. It is clear that our military capability will make a strategic difference to the fight to eradicate and destroy them. That is why France, the USA and the Gulf states are keen for us to join the action. As we have heard, there is a United Nations resolution authorising all means necessary. It surely makes no sense to carry out airstrikes in Iraq but to have to stop at a border not recognised by Daesh, especially given that its headquarters are in Syria. It is from these strongholds that they plan and launch attacks against the west.

We all know that in every conflict of which we have had recent experience, the long-term resolution was found in a political settlement—in the warring factions talking to each other and agreeing on a way forward. So it was in Northern Ireland. But how can anybody possibly believe we can negotiate with the fanatics behind the butchery in Iraq and Syria? It is simply not possible. I realise that the presence of ground forces is vital, and I hope that forces from the region, whether the Free Syrian Army or others, will be able to seize the opportunity to advance that airstrikes will bring.

It is vital that the Vienna talks make progress—I understand that good progress is being made—and deliver a long-term settlement for Syria that encompasses a transfer of power from the Assad regime in a way that maximises the prospect of stability. In both Iraq and Syria, we need to see Governments that represent all the people and which the international community can support. Syria is not like Libya, where removing the leader created chaos. Syria has a highly educated population and a strong middle class and civil society.

As many have said, the situation is a mess, and there are no easy answers, but in the end we are being attacked by a bunch of ruthless barbarians who seek to destroy the values that we hold dear. It is just and right that we should defend ourselves and the many innocent people they kill, maim and enslave on a daily basis. We are right to do all we can to eradicate this evil force from the face of the earth. I will be supporting the motion tonight.

4.3 pm

Alex Salmond (Gordon) (SNP): “We cannot do nothing”, said the hon. Member for South West Devon (Mr Streeter), but that is not an argument for doing anything; it is an argument for doing something that works, as part of an overall strategy that has some chance of success.

I find myself in the unusual position of complimenting some Conservative speakers. We have heard some fine speeches thus far, but some of the best have come from Conservative Members dissenting from the Government line. The right hon. Member for Haltemprice and Howden said, there is no conceivable balance of difference.

I agree with my hon. Friend. It is the case I am seeking to make: we must not do nothing, and we have to do the right thing.

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I find myself in the unusual position of complimenting some Conservative speakers. We have heard some fine speeches thus far, but some of the best have come from Conservative Members dissenting from the Government line. The right hon. Member for Haltemprice and Howden (Mr Davis) did the House a service by reminding us of the proportionality of what we are discussing. We are discussing adding perhaps an extra two Tornados and a segment of Typhoons to the bombing campaign in Iraq. We make up 10% of the current flights in Iraq. As the right hon. Gentleman said, we will not make any conceivable difference to the air campaign in Syria, where there are too many planes already, chasing too many targets.

Alberto Costa (South Leicestershire) (Con) rose—

Alex Salmond: I give way to my compatriot.

Alberto Costa: Does the right hon. Gentleman not agree that the RAF has the capability to destroy Daesh’s supply and funding lines without causing any civilian casualties of note? If the RAF is capable of doing that, why is he opposing this?

Alex Salmond: I cannot tell the hon. Gentleman the number of times I have heard the argument about minimising the civilian casualties from a bombing campaign. I bow to no one on the skill of our pilots and the sophistication of weapons, but if he actually believes we are going to engage in a bombing campaign in a concentrated urban area such as Raqqa without there being civilian casualties, he is living on a different planet. As the right hon. Member for Haltemprice and Howden said, there is no conceivable balance of difference that we are going to make to the campaign in Syria.
[Alex Salmond]

The Prime Minister said that we must not be haunted or hamstrung by past mistakes, by which he meant the war in Iraq. I am more interested in far more recent mistakes in terms of this House and its decision making and this Government and their decision making. First, we had last night’s mistake of describing opponents of the Government’s action as “terrorist sympathisers”. A hugely demeaning thing for a Prime Minister to do when he should be engaged in attempting to unite the country is to concentrate on accentuating divisions within the Labour party. Goodness knows, I have spent a lifetime in politics attacking the Labour party and replacing it, but I have not attacked its divisions on this issue because this is a matter of war and peace—it is about sending people into conflict. For a Prime Minister to demean himself in that way indicates that although he might be successful in dividing the Labour party, he will fail in uniting the country, and he should have apologised when given ample opportunity to do so.

The right hon. Member for New Forest East (Dr Lewis), the Chair of the Defence Committee, reminded us in his speech that only two years ago the same Prime Minister came to this House asking to bomb the other side in the Syrian civil war. That can be called many things by right hon. and hon. Members but it is not the sign of a coherent military or political strategy. Another mistake, which is less thought of, was spending 13 times as much on reconstructing Libya as we did on reconstructing that country after the carnage, and the total disarray and dysfunction of society that resulted.

Mr Burrowes: Let us bring this on to more recent history. On 26 September 2014, the SNP’s parliamentary leader, the right hon. Member for Moray (Angus Robertson) voted against the bombing of ISIL in Iraq. Would the right hon. Gentleman have joined in that position? Does he maintain the opposition to operations in Iraq against ISIL?

Alex Salmond: The SNP has been demonstrated to be correct, not least in Iraq, in being cautious about military interventions. The difficulty is that once we get in, it is hugely difficult to get out. What I will concede to the hon. Gentleman now is that there is in one part of Iraq a logical reason for having an assisted bombing campaign, whether by the US or by the 10% contribution of the UK; the peshmerga forces on the ground, probably our only reliable ally across the region, have had some success in pushing back Daesh. The Prime Minister referred to that earlier, but he did not develop the argument in response to my question about why we do not accent our action in Iraq as opposed to diverting to Syria. What he did not address was the second part of the question I asked at closed security briefings: why have we not given the peshmerga heavy armour and heavy weapons, and why do they have to dominate the road between Mosul and Raqqa using only machine guns? I suspect that the answer—I was not given the true answer—is because it would offend our NATO allies in Turkey, who spend as much time, if not more, bombing our allies in the Kurds than they do in pursuing the campaign against Daesh.

The hon. Member for South West Devon wanted something to be done, so we must consider what can be done. First, if we as a western liberal democracy cannot pursue a successful campaign of propaganda against a death cult, we should have a very good look at ourselves. I accept that, at last, we have made progress in calling these people for what they are. Daesh is a mocking term that mocks their claims to be a state and to represent the great religion of Islam. Much, much more can be done in carrying that forward. Infinitely more can be done by interrupting and dislocating the internet strategy that they pursue. For one of our fast smart bombs, we could have a whole squadron of people taking down their websites and stopping the communication and the contamination of the minds of young people across western Europe, and across the rest of the world.

I very much agree with the leader of the Labour party that, above all, we need to interrupt the financial resources of Daesh without which this evil cult could not function. Whenever I ask the Prime Minister about that, he tells me that he is sitting on a Committee. For two years, we have heard nothing. Little or nothing has been done to interrupt the flow of funds and to identify and stop the financial institutions without which Daesh could not have lifted a finger against us or anyone else.

Finally, we are being asked to intervene in a bloody civil war of huge complexity without an exit strategy and no reasonable means of saying that we are going to make a difference. We should not give the Prime Minister that permission.

4.10 pm

Dr Andrew Morrison (South West Wiltshire) (Con): May I start by drawing the attention of the House to my interest as a current member of the reserve forces?

The shadow of Iraq is clearly hanging heavy over this debate. In particular, it is hanging over the Labour party, and I understand that. I understand it because I have rebelled against my party only once—I am very pleased to see that my right hon. Friend the Prime Minister is in his place, because it gives me the opportunity to point out that fact. It was in 2003 and it was over Iraq. The debate around Iraq has overshadowed our politics in this place for 12 years, and I sense that the pain is particularly felt on the Opposition Benches.

What we are considering today has very little to do with what we were considering 12 years ago. Let us cast our minds back to 2003 when we were presented with the proposition of supporting, or otherwise, what the Prime Minister of the day had committed us to. This is different because this vote is permissive; it is different because this is not actually a war at all. That was; it was entering a conflict with all our armed forces against a sovereign state with a Government, however unsavoury it was—and boy was it unsavoury. This is quite different. This is the extension of a conflict that we are already joined in and, I would argue but others may disagree, a conflict in which we are making a real contribution.

The border between Syria and Iraq is not respected by our opponent. That opponent is not subject to any form of reasonable negotiation. It is a death cult. It is an organisation that gives us a grimy form of Hobson’s choice. A person can convert and subscribe to a murderous, barbaric and medieval ideology that crucifies people, cuts off their heads and subjugates women, or they can be killed. That is the choice; there is no middle way. There are no grounds for negotiation and very, very little room for politics. I do not want to convert and I do not want to be killed and neither do my
constituents, so the only way to deal with this organisation is by the use of lethal force within the comprehensive arrangements that we have discussed at length today.

Lethal force means the involvement of our armed forces and our armed forces are uniquely good at that kind of thing, as many of us who have been to a number of the theatres in which they have been effective recently have seen. They are better, much better, than those of our allies, however good those allies are.

Security Council resolution 2249 is quite clear. We are to use all necessary means, and means mean what words say. Sometimes, some on the Opposition Benches seem to have been reading too much Lewis Carroll given their interpretation of what words mean. Words mean what they say. The resolution gives a green light, in clear and unambiguous terms, for this country to do what is necessary. France has made a direct request. Those of us who stood in the Chamber only a few weeks ago and emoted about what was happening in Paris need to think about that very clearly. People who were happy to sing La Marseillaise and expressed solidarity, but are not prepared to support a direct request from our second closest European neighbour, need to think about that hubris, because that is what it is.

May I make a plea on the Vienna process? In Iraq, one of the biggest mistakes was de-Ba’athification, in which everyone, from a corporal or a clerk upwards, was generally stripped out at the behest of ex-pats with an axe to grind. That made our job of reconstruction extraordinarily difficult. We must not make the same mistake.

I should like to conclude with the words of the motion, which I wholeheartedly support, and to express support and admiration for our brilliant armed forces, who are truly the best in the world. Many of them are my constituents, and need the “wholehearted support” of the whole House this evening, and I am confident that we will give it to them.

4.16 pm

Dan Jarvis (Barnsley Central) (Lab): It is a great pleasure to follow the hon. Member for South West Wiltshire (Dr Murrrison).

These are always the most difficult judgments—there is never a perfect solution. I have reflected with the utmost care on the case for extending our airstrikes to target Daesh’s stronghold in Syria, conscious of what I heard at the National Security Council, and mindful of what is best for my constituents and our country. I support the motion, but before I set out why, let me say something about the way in which the debate has been conducted outside the Chamber. Let us be clear: there is principle in opposing military action, as there is principle in supporting it. Everyone must have freedom, either in the House or outside, to say what they believe to be right without fear of recrimination.

The question before us is not whether our country enters into a new conflict—it is whether we extend our existing commitment in a conflict that we cannot hide from. We are already engaged in a struggle with Daesh. Just over a year ago, the House voted overwhelmingly to support airstrikes against Daesh in Iraq. We did so because of the direct threat that it posed to our safety and to global security. Any idea that these fanatical terrorists will leave us alone if we leave them alone is simply misguided. The action that is taking place in Iraq is working.

There is no logic in opposing Daesh only in that country, as it does not recognise any border between its bases in Iraq and its stronghold in Syria. We must confront it over the same territory from which it is plotting attacks against us. The dangers projected from Daesh’s stronghold in Syria have multiplied, and we will not overcome it with piecemeal interventions. That is why I have made it clear that I would only support the extension of military action against Daesh if it was framed in a wider strategy that leveraged all the tools at our disposal.

There is agreement across the House that diplomacy to broker an end to the Syrian civil war must play an essential role. In an ideal world, we would perhaps wait for the transition timetable agreed at the Vienna conference to be concluded, but I do not believe the scale of the threat that we face affords us that luxury. I understand the voices cautioning against our broader engagement, but the test for all of us must be hastening the defeat of Daesh. There is no realistic strategy for bringing about Daesh’s defeat without degrading its command and control structures in Raqqa.

When will we begin that task, if not now? We have a firm legal basis in the UN resolution, and our allies have asked for our help and the capabilities that our brave Royal Air Force pilots can offer in precision targeting. In the words of the French socialist Defence Minister, “The use of these capabilities over Syria would put additional and extreme pressure on the ISIS terror network.” If we ignore those calls today, when will we answer them in the future?

I understand hon. Members who have listened to the case for extending airstrikes but who are reluctant to proceed without greater assurances from the Prime Minister about the strategy he is pursuing. In this sense I agree with them. The proposals before us are constructive and, in my view, meet the basic test for extending our action, but they need to be developed if we are ultimately to succeed in overcoming Daesh and restoring peace for the Syrian people. Let me say this to those on the Government Front Bench: on post-conflict reconstruction, the guarantee of a further £1 billion in humanitarian relief is significant, but we need to hold the international community to its responsibilities to Syria and refugees at the upcoming donors conference in London.

In conclusion, my party, the Labour party, has a long and proud tradition of standing up for the national interest when our country is under threat. When the War Cabinet met in 1940, it was the Labour Ministers Clement Attlee and Arthur Greenwood who tipped the balance in favour of resisting Nazism. Daesh are the fascists of our time. I believe there is still a dignity in uniting with our allies in common cause against a common enemy in defence of our common humanity. That is what I hope we will do.

4.21 pm

Mrs Caroline Spelman (Meriden) (Con): There is an important religious dimension to this debate and faith leaders shape public opinion, so I thought it might be helpful if I shared with the House the views expressed by the Church of England on the subject.

At a meeting of the General Synod last week, a motion on the migrant crisis called unanimously upon the Government
“to work with international partners in Europe and elsewhere to help establish safe and legal routes to places of safety, including this country, for refugees who are vulnerable and at severe risk.”

That motion passed with 333 votes and none opposing. The Archbishop of Canterbury made it clear that, in his view, force might be necessary to keep the refugees safe. He also said that the Church would not be forgiven if it turned inwards at this time of crisis. Rather, it must face the fact that extremism is now a feature of every major faith, including Christianity.

Cardinal Vincent Nichols has backed proportionate military intervention to tackle Daesh, and he cites Pope Francis saying that where aggression is unjust, aggression is licit against the aggressor. These are views which I share, which is why I will support the motion.

As the Prime Minister has said, this is not a war against Islam. Religious extremism is global and the key to solving this is the determination of people of faith to overcome it, not just in Syria, but right around the world. The Church is well placed to help, as the conflict is both theological and ideological. By reaching out to other people of faith and showing common cause in tackling extremism, we can demonstrate to a fearful secular world that faith leaders hold one of the keys to finding a solution. Where religion is being hijacked for political ends, we should say so.

The Anglican Communion offers a worldwide network of churches to deploy in the joint global endeavour to stamp out extremism. Together, the integration of hard and soft power is likely to produce a better outcome. I urge my right hon. Friend the Foreign Secretary, who will be replying to the debate, to consider this question: to combat Daesh, it is important that prominent theological and ideological strategy is alongside any potential military humanitarian intervention. Unless we understand our enemy and those we choose as our allies in the region, we are unlikely to properly understand the conflict. I hope he will be able to inform the House what thought the Government have given to this advice as they develop their strategy.

The Church can also play an important practical role in offering hospitality, accommodation, support and friendship to refugees, whatever their religious tradition, and advocacy for those who are being persecuted because of their faith. Hospitality is seen as a spiritual gift by the Church and explains why this country, with its Judeo-Christian roots, has a long tradition of providing safe haven to successive waves of migrants. We need to recognise that the conflict may affect the number of migrants and displaced people, and the Prime Minister is therefore right to convene a donors conference early in 2016.

We should also recognise that international development aid agencies, many of which are Christian in origin, would emphasise that it is better to help refugees in their own region, so that once it is safe they can more easily return and rebuild their country. My local imam, who is from Syria and has family still there, is very anxious about the safety of civilians and the need to avoid a power vacuum.

The public will need continuous assurance and transparency about why action is being taken and what outcomes are being achieved, so I welcome the commitment to quarterly updates for the House.
responsibility, and the Government as a whole have a responsibility, not just to take military action as a response to Paris and then move on; it is a big moral responsibility to use every means that we have, diplomatically with our soft power, and politically through the Vienna process, to get people around the table, including many who see one another as enemies or opponents, to try to carve out a better future for Syria. The use of hard power and soft power go hand in hand.

Similarly, if we are concerned about the flight of refugees, and the human desperation implied in that flight, then we have a duty to do something about its causes. That means both tackling Daesh/ISIS and trying to shape a better future for Syria—a future where people can live in that country rather than seeing it as place from which to flee.

4.30 pm

Johnny Mercer (Plymouth, Moor View) (Con): We have heard a lot about the complexities around this very difficult question, so I stand with humility not to add any particularly clever intellectual insight into the debate, but to lay out very briefly my view—and I hope, by extension, the views of most of those whom we ask to conduct these operations—of what this means for our country and the choice we face tonight.

I feel very strongly about national security. I have seen the threats that we face with my own eyes and I have felt them with my own hands. We have a privileged way of life in this country, with a free democracy, a free-speech society, and a healthy economy. We are privileged for reasons too numerous to enter into now, but chiefly blessed because throughout our generations we have had men and women who believe so much in this nation that they have taken difficult political decisions, and some have even taken up arms and sacrificed everything, to protect this way of life. I have become worried of late that we have lost some of that spirit—something that makes us recognise the dangerous threat to this precious way of life and resolve to deal with it appropriately. We must always remember how privileged we are in the sea of humanity of which we are a part. We earned this privilege through the years, from generation to generation. We protected this gift, and it is time to protect it again.

We are under threat from a group of individuals who seek to destroy our very way of life in this country. They hate everything about us and work night and day to disrupt and kill us whenever the opportunity presents itself. This is not the Iraq problem of 2003.

Gareth Johnson (Dartford) (Con): Does my hon. Friend agree that at the heart of this matter is that only last month one of our closest allies suffered the most hideous terrorist attack, that that same ally is asking us for military help, and that therefore quite the wrong message for us to send out would be simply to turn our back on one of our closest allies at this time?

Johnny Mercer: I thank my hon. Friend for his intervention. I completely agree. This is a hugely complex issue and there are no easy answers, but I do think we are in danger of almost over-complicating what it is—a threat to our national security, the capability of individuals to project force into this country, and the duty we have to defend it. These individuals have demonstrated that they have strategic reach. They can reach into our homelands, into our communities and into our families, and destroy all that we hold dear.

I understand the avalanche of questions from colleagues, and I think that in the history of this House it would be impossible to find a Prime Minister who has done more to answer them. We will add to the mission in that part of the world militarily. We will operate in a way that will—not might, but will—accelerate—

Hannah Bardell (Livingston) (SNP): Will the hon. Gentleman give way?

Johnny Mercer: In a moment.

We will add to that mission because we operate in a way that will—not might, but will—accelerate the process of destroying the networks and individuals who operate against us. We have been doing that in Iraq; we must also do it in Syria, where they regenerate themselves. We will use weapons—I have used them myself—that are specifically designed to limit collateral damage while retaining pinpoint accuracy and lethality. They are better at this than anything else currently being used. We have been asked by our international partners to step up, and we must deliver on that.

Overlaying these technical arguments must surely be a greater calling that, in the relative comfort of the United Kingdom in 2015, we cannot neglect. We have a duty in this House to keep our nation safe. That involves a multi-faceted approach. We must do all we can to stabilise the instability through aid. We must ensure that our security and intelligence services have the resources and powers to act here at home to retain an effective goal line defence. We must train and mentor indigenous forces. We must do everything possible to stop the source of funds for terrorist organisations, however uncomfortable the conversations with those in the region may be. I have personally interrogated the Government’s response to the threat, and I am satisfied that we are doing all those things.

In our comfortable existence in this country of ours, we must also accept some uncomfortable truths. There are some—thankfully few, but a significant few—in this world who trade on man’s inhumanity to man. They use fear, religion and violence to promote nothing more and nothing less than their own self-interest and power. The so-called religion they proclaim is as far removed from Islam, a religion of peace, and from any Muslims I have ever known and lived among as it is possible to get.

In 2008, I wrote a reconciliation strategy towards tier 1 al-Qaeda targets in Afghanistan and Pakistan. The truth then is as valid as it is today: this group of people will never be reconciled to the peaceful, democratic, equal society that they hate so much. They want to die. They want to kill all those who do not conform. Until they are killed they will not deviate from their path. Military action is therefore part of national security. As a society, we must get used to that in the barbaric world in which we now live. We cannot honestly say that we are doing all we can to our constituents at home if our full-spectrum response does not include military action.

Finally, I respect and to an extent understand those who disagree with me. We have made catastrophic mistakes of late, which have damaged our standing on the world stage, but they are done. They are history, and they
cannot be changed. We must wear them and carry them as our burden. That is the least we owe to the families of the men and women we have lost in pursuit of such actions. Similarly, I understand those who think that some of us are too quick to call for action and seem to take every opportunity to engage militarily abroad. All I would say to them is that conducting such operations makes you less, not more, likely to want to do so again or to ask anybody else to do it for you unless it was absolutely necessary.

Today, I say to the House that this action is absolutely necessary: we must do all we can to keep our people safe. A part of that involves surgical foreign military engagement, and if we neglect that part, we cannot honestly say we are doing everything we can to keep our families safe. I am not prepared to go back to Plymouth tomorrow night and say to my constituents that I was fully aware of the threat that we face from this particular angle, but was not prepared to do everything possible to protect them from this threat.

4.37 pm

Caroline Lucas (Brighton, Pavilion) (Green): I am pleased to follow the hon. Member for Plymouth, Moor View (Johnny Mercer). Although I do not agree with the position he put forward, I think he put it very clearly and passionately, for which I thank him. I thank the armed forces for the work they do.

I share the horror and revulsion at recent atrocities in Paris, Beirut, Syria itself and elsewhere. Yet I have still to hear convincing evidence to suggest that UK bombing of ISIS targets in Syria is likely to increase our security in Britain or help to bring about a lasting peace in the region. On the contrary, the evidence appears to suggest that it would make matters worse. I want to highlight that in the few minutes available.

If we are interested in evidence, a good place to start might be to examine the effect of the US-led bombing campaign so far, explore whether it has been successful and see whether our contribution would make a real difference. From what I have seen, the sustained bombings to date have not done much to push Daesh into retreat. According to the latest figures from the US Department of Defence, US-led forces have flown some 57,000 sorties, while completing 8,500 airstrikes over a 17-month period, but they have relatively little to show for it. While the air war has so far killed an estimated 20,000 ISIS supporters, the number of fighters ISIS can still deploy—between 20,000 and 30,000—remains unchanged.

Moreover, there are very real dangers that airstrikes on Syria have become increasingly western-driven. All four of the middle eastern states previously involved—Jordan, Bahrain, Saudi Arabia and the United Arab Emirates—have now withdrawn. That risks feeding the Daesh propaganda, in which it presents itself as the true guardian of Islam under attack from the crusader west. Although utterly pernicious and wrong, precisely that message is being reinforced by western bombings, with every indication that the attacks are an incredibly effective recruiting sergeant. According to US intelligence sources, last September, 15,000 recruits were reported to have joined Daesh from 80 countries; a year later, the figure has risen to 30,000 recruits from 100 countries. I have had no reassurance that western military action would not simply drive more recruitment.

I have not heard any evidence to contradict the conclusion of the Foreign Affairs Committee’s report about the military challenges. The report very clearly stated that its witnesses did not consider that extending air strikes into Syria “would have anything other than a marginal effect.”

Indeed, as other Members have pointed out, far from the issue being a lack of allied aircraft above Syria, the real problem is actually a shortage of viable targets on the ground. The dangers are compounded by ISIS’s deeply cruel use of human shields, which makes targeting more difficult and will add to the civilian death toll.

There is much talk of focusing on Raqqa, but according to recent exiles, many in the ISIS leadership have gone to ground in places such as Mosul. They suggest that to get rid of ISIS in a city like Mosul, which has 1.5 million people and perhaps 150,000 ISIS terrorists, we would literally have to flatten the entire city.

Those of us who are sceptical about the use of airstrikes are often accused of saying that we do not want anything to happen and that we want inaction. Nothing could be further from the truth. The Government can and should be playing a role in brokering peace and stability in the region. The Prime Minister could be redoubling his commendable efforts to find a diplomatic solution. The civil war is inextricably linked to the rise of ISIS in Syria, as the Foreign Affairs Committee report emphasised repeatedly. ISIS flourishes where chaos reigns, so renewed efforts are needed to end the Syrian civil war.

Lady Hermon (North Down) (Ind): Is the hon. Lady inviting the House to ignore completely UN Security Council resolution 2249?

Caroline Lucas: That resolution calls on us to use “all means”. I want to make sure that we are using all of the means short of military action. [Interruption.] I do not believe that we are doing that and I do not believe that we should use military action unless there is evidence that it would make things better. There is laughter on the Government Benches at the idea that we might not want to take military action if there is no evidence that it will work.

One reason I do not want to use military action is that there are no ground forces. We have heard again and again that air strikes will not work without ground forces, yet when we ask where the ground forces will come from, it turns out that they are mythical—they are “bogus battalions”, as the Chair of the Defence Committee said.

Let us not suggest that those of us who do not think that there is an instant military answer are not just as committed to seeing an end to ISIS as those on the other side of the House who seem to think that there is a military answer. All of us are committed to getting rid of ISIS. Some of us are more committed than others to looking at the full range of measures in front of us and to looking at the evidence that suggests that bombing, to date, has not been successful.

I was talking about the other measures that I would like to see taken forward. I talked about the diplomatic efforts, building on the Vienna peace talks. The diplomatic effort must extend to Iraq, where the Abadi Government
must be encouraged to reach out to the neglected Sunni minority, especially in those parts of the country where ISIS is recruiting.

Why are we not applying sanctions to Saudi Arabia and other Gulf states that have turned a blind eye and allowed the flow of finance to ISIS and, potentially, other terrorist groups? Why are we still selling weapons to Saudi Arabia, when they are then used in a vicious and destabilising war in Yemen that has killed thousands and made millions homeless, and that is creating yet more chaos in which al-Qaeda can thrive? Why are we not putting pressure on Turkey over the oil sales and the transit of fighters across its border?

Why are we not doing more on refugees? We should have more refugees here in the UK—of course we should—but we should also put more pressure on our allies to put more resources into the refugee camps in the region. I appreciate that the Prime Minister has done a lot on that. This country has been good on that issue. Let us make sure that our allies do the same, because those refugee camps are becoming absolutely desperate. It is cold, there is more poverty and desperation, and we can be sure that ISIS will be recruiting in those refugee camps too.

Mr David Jones (Clwyd West) (Con): I am bound to confess that I agreed with very little of what the Leader of the Opposition said in his contribution to this debate, but he was entirely right that whether to send British armed forces into action is possibly the most serious, solemn and morally challenging decision that Members of this House can be asked to make.

The principal questions that Members should consider are those of security, legality and utility. The first question we should ask ourselves is whether the security of this country is under threat. That is certainly the case. The terrorist organisation that dignifies itself by the title of Daesh, represents, in the words of Security Council resolution 2249, an "unprecedented threat to international peace and security".

That is certainly proving to be the case in this country. Daesh murderers have already beheaded our fellow citizens in front of TV cameras, and distributed those medieval scenes across the internet. Thirty of our fellow citizens were murdered on the beach at Sousse, and we have heard of seven plots disrupted by the security services. There can be no doubt about the threat that Daesh poses.

Many hon. Members will be concerned about issues of legality, but I believe that is properly addressed by resolution 2249, which calls on states to take “all necessary measures” to prevent terrorist attacks, and to eradicate the safe haven that Daesh has created in Iraq and Syria. After the experience of Iraq, it is hardly surprising that Members across the House are concerned about legality, but I do not believe that that issue arises in the current case. The international community clearly regards Daesh as such a unique threat to the peace of the world, that military action is not only justified, but positively encouraged.

On utility and whether British military action will make a difference, I believe that it will. Britain should not stand by while our strongest ally, the United States, and France, which has recently suffered so grievously, bear the greatest load to rid the world of this pernicious and evil organisation. As the Prime Minister rightly put it, we should not subcontract our security to our international partners. The Royal Air Force boasts some of the finest military pilots in the world. It possesses formidable weaponry, including the Brimstone missile, which is unique to the British armed forces and will make a considerable contribution to degrading the power of Daesh. Our allies are calling for us to join them.

Brendan O’Hara (Argyll and Bute) (SNP): The right hon. Gentleman says that the Brimstone missile is unique to the Royal Air Force. Is it the case—I asked the Prime Minister this the other day—that the Saudi Arabian air force has been using the Brimstone missile in Syria since February this year?

Mr Jones: As far as I know—I stand to be corrected by the hon. Gentleman, although I do not know whether he is right—the Brimstone missile is unique to British military forces, and we have the finest pilots in the world flying those planes.

To those who say that British engagement in Syria will put this country at risk of retribution by terrorists, I say yes, that is probably right. However, that will not change the state of affairs that currently prevails. ISIL/Daesh does not recognise the border between Iraq and Syria, and it regards land on both sides of that border as part of its territory. We are already taking action against Daesh in Iraq, and therefore we are already at risk of retribution. The danger to our citizens is already great, but I do not believe that it will be increased one jot by the action that I hope this House will support. The risk is already there, and we should continue to adopt the vigilance that we are already displaying to keep our citizens safe at home.

I believe that the case for action is strong as is the legal basis for it, and Britain can, and will, make a difference in the struggle against Daesh in Syria. I shall therefore support the motion, and I urge other hon. Members to do likewise. It is entirely honourable for Members to go through either Lobby this evening, but if the outcome of that vote means that we commit ourselves to military action in Syria, every Member of the House should—and I believe will—give all necessary support to our brave armed personnel in Syria.

Mr Ivan Lewis (Bury South) (Lab): The horrendous events in Paris sent shockwaves through the world, as innocent people were butchered in one of the world’s most beautiful cities. Such carnage inevitably demands a response from France’s Government and closest allies, and it is perfectly understandable that the Prime Minister decided to seek support from this House to extend UK airstrikes against Daesh from Iraq to Syria. As my hon. Friend the Member for Halton (Derek Twigg) said, however, the problem with the Prime Minister’s response is that it has exposed the failure of the Government and the international community to adopt a credible strategy.

Let me be clear: Daesh must be defeated. It represents a direct threat to our national security, and its fascist ideology and barbarism leave no space for negotiation or diplomacy. However, this will not be possible without significant ground forces from the region. In turn, this will
not happen unless and until a political agreement is reached to end the Syrian civil war, accompanied by reconstruction and a steady flow of humanitarian support. As other hon. Members have said, there must be a concerted effort to choke off the funding and weapons that are being made available to Daesh through a variety of sources.

In truth, extending our airstrikes will do little or nothing to increase the overall capacity to degrade Daesh. It is a short-term tactic that falls into the category of being seen to do something, rather than being prepared to do the heavy lifting necessary to produce a credible and coherent strategy. My right hon. Friend the Member for Wolverhampton South East (Mr McFadden), in his excellent speech, was right to say the Government have a duty to do that heavy lifting. I am not sure that that will exists.

It is rewriting history to equate being on the left with always opposing military action. I feel this more than most, as my grandfather fought in Spain for the International Brigade against Franco’s fascists. Like my right hon. Friend the Member for Derby South (Margaret Beckett), I am proud of the difficult choices that we made in Kosovo, Sierra Leone and Afghanistan. We saved hundreds of thousands of lives and, in the latter case, undoubtedly enhanced our national security. However, my generation of politicians must also show some humility. There were no weapons of mass destruction in Iraq and the post-conflict strategy was a disaster. In Afghanistan, it took far too long for us to adopt an integrated approach to security, political dialogue and development. In Libya, we had no strategy for dealing with the knock-on effects following the fall of the Gaddafi regime.

For some, the lessons of these conflicts is that military intervention is always wrong. I fundamentally disagree. Of course, military action must always be a last resort, but there are times when it is the right thing to do. However, a common denominator in recent years has been our failure, and the failure of our allies, to have a credible, sustainable strategy beyond our initial interventions, one that defeats tyranny but minimises the loss of innocent lives, and restores stability and belief in a better future. I am afraid that in the absence of such a strategy I am not prepared to risk making this mistake again. That is why tonight I will be voting against the Government’s motion.

4.52 pm

Mr James Gray (North Wiltshire) (Con): I have a great deal of sympathy for the way in which the hon. Member for Bury South (Mr Lewis) advanced his argument, although I disagree with the conclusion at which he arrived. As he and many in the debate have said, there can be no certainty that the motion we are being asked to vote for will necessarily lead to the result the Government are seeking to achieve. Of course we cannot say that. There are a great many very difficult questions to be asked and they need to be answered.

I am very glad the Defence Committee will address shortly some of the practical questions about how military force will be used. Will our modest eight Tornadoes, even with their magnificent Brimstone missiles, make much difference? We do not know. Who will carry out the ground operations necessary to secure the ultimate destruction of Daesh? There is also the central question: how can we prevent the deaths of innocent civilians? What effect will all have on security here at home? Will it make it better or worse? There are then the geopolitical questions we have not really addressed very much this afternoon. By fighting in Syria against Daesh, will we be on the same side as President Putin or even Mr Assad? Is our enemy’s enemy our friend? No one has really addressed that question.

Anyone who claims to have straightforward, clear answers to these questions is probably fooling himself. I do not believe that there are straightforward, clear answers. I do not believe that the motion can be supported simply on dogmatic or straightforward grounds. No one can be certain that what we are asking our armed forces to do will necessarily have the right outcome.

By the same token, if we cannot say with any certainty that the motion will achieve the result we seek, nor can we say that doing nothing will have a better outcome. We cannot say that at all. Who, after all, can really ignore Paris? Can we ignore Tunisia and Sharm el-Sheikh? Can we turn a blind eye to women sold into slavery, crucifixions, beheadings and gay people being thrown off buildings? Are we really too timid to react with force to mass rape, genocide and thousands of people being murdered? How will we look our constituents in the eye if doing nothing means an outrage of some kind in the UK? Can we really sit back and let the US, France, Russia and Hezbollah do our job for us?

Doing nothing is a safe option—there is no question about that at all—but action demands much tougher arguments. The fact is that the middle east is a cauldron, a viper’s nest, a maelstrom, and there can be no dogmatic certainty as to what is the best thing to do there. That leads me to three conclusions. First, our vote today cannot be based on certainty or on dogma, and it certainly cannot be based on party allegiance or on some claimed superior knowledge over other hon. Members. It is truly a conscience vote—a vote based on our instincts, on the balance of probabilities, on our feeling for things, on what our constituents said to us and, above all, our hopes for peace in the future.

Secondly, I have a real feeling that the importance of today’s vote is being somewhat over-egged. We are not “going to war with Syria”; we are not going to blast Syria to pieces, as some of my constituents have written to me to suggest. All we are doing is extending the existing campaign. We are going across an invisible line in the desert sand—the Sykes-Picot line invented by the French at some stage in the past, a line that means nothing at all. If we are committed to destroying Daesh, we must do so whether it is in Syria or Iraq.

I have been reasonably consensual up to this moment, but I am now going to jump to an area in which I am confident that I will be the only Member who agrees with me. Given the complexity of the matter and its insignificance in a sort of way, is it really right that all the debate and arguments committed to the issue we seek this evening? The only war in the history of Great Britain on which we voted was Mr Blair’s illegal war in 2003. I do not think that that vote by the House of Commons provides a very good precedent.

There is a moral argument for saying that the generals, the intelligence chiefs and the Prime Minister should be the people who take these difficult decisions, giving us
the opportunity to scrutinise and criticise what they have done. In asking to vote on the motion, we are in fact removing the right to disagree with our leaders subsequently. Surely there is an argument in favour of setting up some kind of structure—perhaps like the War Powers Act in the United States—and returning the royal prerogative. We need some structure by which the Prime Minister and the generals can take these decisions and it is then our right thereafter to criticise them, rather than emasculating ourselves by voting for them.

4.57 pm

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): In essence, this debate boils down to UK RAF jets going into Syria, into a war that is already in existence—a multi-cornered and multifaceted war. It is not the great squadrons imagined in the press, or in the minds of the public as a result of what has been put into their minds by the press. It is, as we have heard, eight jets, and as the Chairman of the Foreign Affairs Committee told me, probably only two would be active at any one time on any day in Syria.

For context—I am grateful to the hon. Member for Brighton, Pavilion (Caroline Lucas) for this—there have been 57,000 sorties in Syria, in 8,000 of which bombs have been dropped, in 17 months. That is 113 sorties a day, with 16 of them dropping bombs. We will deflect from what we are doing in Iraq, where 10% of sorties are by the UK. I asked the Prime Minister last week whether bombing Syria would mean bombing ISIL less in Iraq. He has made the choice to bomb ISIL in Iraq. He could not answer my question, though he should have been able to. He then claimed that he would have 75,000 Free Syrian Army troops. I have to tell the House that the Americans tried to raise a force of moderates and mobilise them, but it failed. David Wearing, who lectures on middle east politics in the University of London, explained on CNN:

“A US initiative to stand up even a 15,000 strong ‘moderate’ force to confront ISIS recently collapsed in failure, having put less than a half a dozen troops onto the battlefield.”

Mr Grieve: The one issue that does not seem to feature in the hon. Gentleman’s discourse, or that of any members of his party, is what would have happened if there had been no intervention in Iraq at all. Surely the consequences might well have been that Daesh spread very quickly and caused a generalised conflict. Ignoring that point seems remarkably selective on the part of those who argue that we should not take further steps now. I would be grateful if the hon. Gentleman cared to address that point.

Mr MacNeil: The right hon. and learned Gentleman might like to know something about the interventions in Iraq. Martin Chulov, an Australian who works for The Guardian, and who just got an award from the Foreign Press Association, noted, after speaking to ISI commanders who were incarcerated in the American camps in Iraq. That is what intervention has done. The right hon. and learned Gentleman knows full well that that is the result of intervention.

Only two months ago, one of the central views of the United States and its allied was that Russian involvement in Syria would only fuel more radicalism and extremism. Mehdi Hasan in The Guardian noted that the United States Defence Secretary, Ashton Carter, had warned of the “consequences for Russia itself”, which would become “rightly fearful” of terrorism. A point that is almost central to the public debate and discourse here in the United Kingdom in general, and in the House in particular, is that involvement in disastrous wars increases rather than decreases the threats to us in the west. I am also grateful to Mehdi Hasan for reporting the words of retired US general Mike Flynn, who used to run the US Defence Intelligence Agency, and who said “the more bombs we drop, that just…fuels the conflict”.

That is a very hard truth for some to hear, but it is indeed the truth.

The “war on terror” started by George W. Bush was straight from the “must do something” school of thought, a school of thought that is all too prevalent in the House today. It turned a few hundred terrorists in the Hindu Kush into a force of 100,000, almost globally—they were certainly active in 20 countries—and employed the classic recruiting tactics of the unjust war in Iraq, based on lies. Twelve years ago, the “must do something” rhetoric in the UK involved talk of “appeasement” and attempts were made to conjure up images of Neville Chamberlain, but all the while the unseen appeasement was that of George Bush by the poodle that we had as the UK leader, Tony Blair.

As the writer Jürgen Todenhöfer said in a recent article in The Guardian,

“War is a boomerang, and it will come to hit us back in the form of terrorism.”

We must be honest with the people about that very real possibility. The Daily Telegraph said as much recently when reporting the crash of the Russian Metrojet aircraft in Egypt, which it described as a direct consequence of Russia’s involvement in Syria. It went further, suggesting that Putin might have incited that attack on the Russians. We have to be very sure that we see in our own eyes what we see in the eyes of others.

What do we have in Syria? We have 10 countries bombing, we have Kurds fighting, and we have the Free Syrian Army, which, as we were told earlier by the Chairman of the Defence Committee, is a ragbag of 58 separate factions. We have Assad, and we have Daesh/ISIL. Meanwhile, significantly, Russia bombs our allies but it seems that we will not, or cannot, bomb theirs. We have Turkey bombing a Russian plane, and bombing the Kurds as well. When the Turks bombed the Russian plane, they were taunted by the Greeks; both are members of NATO. Throw in America, France, the United Kingdom and the regional powers, and we have the powder keg of 1914, of which we seem blissfully unaware. All in all, we have a debate about two jets that has led us into something that we should not be going into.

As will be clear to the House, I am against this action for many reasons, but I am also against the way in which the Government are handling the issue. They should have provided more time. They should not have bumped the House into this yesterday, and they know that full well. The United Kingdom is caught between its time of empire and Eisenhower’s military-industrial complex. For that reason, we are being urged that something must be done, even if it is the wrong thing.
5.3 pm

**Steve Double** (St Austell and Newquay) (Con): I am a recently elected Member, and one of the questions that I asked myself before putting myself up for election was whether I would be ready to stand up and be counted on a day like today. I am pleased to be able to add my voice to the debate, and to set out my position. Deciding how to vote on this motion marks one of the most serious and solemn occasions in my life, and I have agonised over how I will vote this evening for longer than I have about virtually any other decision that I have had to make so far.

Let us be clear about what we are deciding on today. This is not a new conflict, but an extension of a conflict in which we are already engaged. Daesh is already our mortal enemy: it hates us and everything that we stand for. What is at stake here is our national security. However, to me, it makes no sense whatever for us to be willing to attack Daesh from the air in Iraq while not being prepared to follow its members into Syria. They are our enemy, and they remain our enemy wherever they are to be found.

We also need to note that extending our air raids into Syria is only one part of the full package of measures in the motion. We all want peace in Syria and the region, and I am pleased that the motion commits us not only to the bombing but to a continuing involvement in finding a political solution in Syria. We want an end to the refugee crisis that has seen thousands upon thousands of Syrian people risking their lives to escape from the terror of Daesh. We want to be able to begin the work of reconstruction in Syria, and to see the country and the region rebuit and returned to economic stability. The motion commits our country to playing a part in all those things. However, none of them will be possible while Daesh remains able to continue its campaign of terror in that country.

In coming to my decision on how to vote, along with wanting to see a comprehensive package of measures, I had two specific questions to which I needed answers. These were reflected in many of the emails I received from my constituents. First, will extending our military involvement into Syria increase or decrease the risk to our nation? We have had to make so far.

Secondly, is there international support for military action against Daesh in Syria? The United Nations Security Council resolution states that Daesh poses an “unprecedented threat” to international peace and security, and calls on member states to take “all necessary measures” to deal with Daesh in Syria and Iraq. The resolution is unequivocal; it is asking us to act. Also, following the atrocity in Paris, the French President has made an explicit request to the UK to join airstrikes against Daesh in Syria.

Thirdly, I ask myself what the outcome has been of the UK’s involvement in Iraq against Daesh. The RAF has helped to shrink the territory controlled by Daesh by some 30% and has succeeded in doing great damage to its infrastructure; it has also helped Iraqi security forces and Kurdish peshmerga troops to liberate towns from Daesh.

Fourthly, is the UK already involved in confronting Daesh in Syria? The UK has reconnaissance drone aircraft operating over Syria, and we are providing equipment to forces opposed to both Daesh and Assad in the country. The primary motion under consideration is about not going to war, but extending military action against Daesh into Syria. Given that Daesh does not recognise borders, I see no sense in allowing it safe haven from RAF strikes in one country when we are confronting it in another.

**Kirsty Blackman:** Will the hon. Gentleman give way?

**Steve Double:** I will carry on if I can, please, as I am nearly out of time.

My second specific concern related to the risk of civilian casualties. None of us wants to see civilians casualties resulting from the action we take, but we have to face the fact that there are already civilian casualties in Syria as a result of Daesh’s actions. Thousands of people are being murdered, terrorised and enslaved as a result of its activity. Unfortunately, there are nearly always civilian casualties when we engage in war, but I believe that Daesh is already killing more civilians in Syria than are ever likely to be caught up in our aerial campaign. Not attacking Daesh will result in more and more civilian casualties. I am comforted to learn that, in the 15 months we have been bombing in Iraq, there have been no reported civilian casualties. That gives me confidence.

Some people say that this is not our fight, and that we should keep out of it and not get involved, but it is already our fight. Our people have already been killed on the beach in Tunisia, and British people were caught up in the attacks in Paris—and it will not end there. This is our fight, and I believe that we should stand shoulder to shoulder with our allies. I will vote with the Government and for the motion this evening.

**Several hon. Members rose—**

**Mr Speaker:** Order. A four-minute limit on Back-Bench speeches will now apply.

5.8 pm

**Joan Ryan** (Enfield North) (Lab): Like other hon. and right hon. Members, I have given a great deal of consideration to this matter, to the views of my constituents and colleagues, and to the contributions made in the House today. There is no doubt that these are difficult and complex issues, but I will vote this evening to extend our airstrikes into Syria. I want to outline the fundamental issues that have influenced my decision.

First, does Daesh pose a clear and present danger to the UK and our allies? Daesh is an appalling terrorist group, and it is responsible for terrible human rights abuses and war crimes. We have witnessed atrocities on the beaches of Tunisia, on the streets of Paris, Ankara and Beirut, and in the skies above Egypt, and we know that seven Daesh plots against the UK have been disrupted this year alone. There is no doubt that it poses a clear and present danger to the UK at home and abroad, and to our allies.

Secondly, is there international support for military action against Daesh in Syria? The United Nations Security Council resolution states that Daesh poses an “unprecedented threat” to international peace and security, and calls on member states to take “all necessary measures” to deal with Daesh in Syria and Iraq. The resolution is unequivocal; it is asking us to act. Also, following the atrocity in Paris, the French President has made an explicit request to the UK to join airstrikes against Daesh in Syria.

Thirdly, I ask myself what the outcome has been of the UK’s involvement in Iraq against Daesh. The RAF has helped to shrink the territory controlled by Daesh by some 30% and has succeeded in doing great damage to its infrastructure; it has also helped Iraqi security forces and Kurdish peshmerga troops to liberate towns from Daesh.

Fourthly, is the UK already involved in confronting Daesh in Syria? The UK has reconnaissance drone aircraft operating over Syria, and we are providing equipment to forces opposed to both Daesh and Assad in the country. The primary motion under consideration is about not going to war, but extending military action against Daesh into Syria. Given that Daesh does not recognise borders, I see no sense in allowing it safe haven from RAF strikes in one country when we are confronting it in another.
My fifth question is: is there a comprehensive plan to end the civil war in Syria? Military action can be only part of a wider process involving further political and diplomatic efforts to enable a Syrian peace process. The International Syria Support Group, which includes major regional players and our allies, has been holding constructive discussions in Vienna on this issue, and I am encouraged by the progress being made. A sustainable peace in Syria will help bring to an end the chaos that has allowed Daesh to thrive. On this issue, I would ask the Prime Minister to give assurances that the bravery shown by Kurdish peshmerga forces and the Kurdish community will be recognised, and that they will be engaged in the Vienna process.

I believe there is agreement in this House that Daesh poses a clear and present danger to the UK, and our first duty is to protect our citizens. Therefore, it is not right to expect our allies to fight Daesh in Syria on our behalf. Extending military action against it will not be the cause of plots against the UK—it has already attempted multiple attacks on us over the past year—but I believe that striking at Daesh has the potential to erode its capability of bringing terror to our streets. I will vote in favour of military action.

Sir Edward Leigh (Gainsborough) (Con): There have been many powerful speeches, and I admire those people who have such a certainty of view about this, which I do not share. I suspect that for that reason many people may find it difficult to support what I am going to say. I am full of doubts, as I think are many good people in this country listening to this debate.

I was talking only yesterday to an Arab friend who lives and works in the region and loves his country. He said, “Really, I think you in the British Parliament are not being honest. You have got to go to war, if you want to, on the basis that your closest friends and allies, the French and Americans, have asked you. If that’s what you want to do, go ahead and do it, but bear in mind that when you go to war, you almost certainly won’t make any difference, and you might make things a lot worse.”

I am afraid that is the rather nuanced opinion of many people in the middle east. I know there is a sense of wanting to be in solidarity with one’s own friends in this Chamber, but I was in this Chamber during that Iraq debate and I was one of only 15 Conservative MPs who voted against. I have not regretted that decision. I have been there and talked to people who have been horribly scarred by war. Tens of thousands of people have lost mothers and sons as a result of our actions, so we have to learn from history. We have to learn the lessons of our involvement in Afghanistan, Iraq and Libya. We have to approach this debate ultimately not from a party point of view or from a point of view of what is important for our own country, but with a deep sense of humanity and love of peace and care for some of the most vulnerable and traumatised people in the world. We have made terrible decisions that have made the lives of many people in the middle east much worse. So this is a nuanced decision.

I accept that our military involvement will make some difference. I will not repeat all the arguments. I am not competent to comment on Brimstone missiles, but I am sure they will help to degrade ISIL. I accept the argument that, if we are bombing ISIL in Iraq, why not in Syria? There is a difference, however, because in Iraq we are supporting a legitimate if inadequate Government, as well as ground forces, whereas the situation in Syria is hopelessly confused. I am afraid we cannot forget that many of us were asked to bomb Mr Assad two years ago. I have heard the phrase, “My enemy’s enemy is my friend,” but, “My enemy’s enemy is my enemy,” is rather more complex.

Mr Adam Holloway (Gravesham) (Con): I do not know whether my hon. Friend agrees with me, but so often we have gone into these places with minimal knowledge of the realities on the ground. For example, most of the people whom we call Daesh in Syria and Iraq are the ordinary Sunnis. We have to give them a more meaningful choice than living under either ISIS or Shia militias.

Sir Edward Leigh: I agree. I think we are rather arrogant in the way we look at this debate. We want to call ISIL Daesh, but we have to understand that, for whatever reason, many people in the Muslim world who live in the region support ISIL. We find that an extraordinary point of view.

If, by some miracle, our bombing campaign made a difference and we took Raqqa—although, as my right hon. Friend the Chairman of the Defence Committee has explained, there are no credible ground forces to achieve that—what would happen? Would ISIL go away? No, because ISIL is an idea, not just a criminal conspiracy. There are many people in the Muslim world who support this flawed ideology, and we in the west and in this House are not going to defeat it just by military action.

I am not a pacifist. My duty is not to my friends in France, much as I love them, or to the traumatised people in the middle east, but to the people we represent. If, in his summing up, the Foreign Secretary can convince us, not that some people are inspired, but that there is a direct threat to this country from Raqqa and that there is a command and control structure that is planning to kill our people—[Interruption.] Hon. Members are nodding. Let us hear it from the Secretary of State. If we are acting in self-defence, by all means let us go to war, but let it be a just war, defending our people and in a sense of deep humanity and love of peace.

Tom Elliott (Fermanagh and South Tyrone) (UUP): Obviously, this is a very difficult decision. I do not think that anybody present wants to be in the position we are in. None of us wants to believe that going into Syria or bombing in Syria is a good decision, but let us be clear that we are not planning to bomb Syria. My understanding is that we are planning to bomb the terrorist regime of ISIS in Syria. My goodness, coming from Northern Ireland, we know what it is like to fight terrorism and to experience people trying scrupulously to assess every movement we make. I have great sympathy for the Prime Minister, the Government and everyone else who has to take this decision, whichever voting Lobby they go through tonight, because it is not easy.

What are the alternatives? Yes, I would love to be able to negotiate with the Syrian Government and with those in the middle east who are genuinely interested in a peaceful outcome, but is that realistic on its own? The case has been made today that this is not going to be the
silver bullet—it will not be the resolution for everything that will happen—but I sincerely hope it will be part of a process that can bring a positive resolution and a positive outcome.

I would love to be able to say today that we will be at peace in the middle east for the foreseeable future, but that is not the reality. I hope that we have a strategy. I talked to the Prime Minister and some of his officials just last week and one of the challenges I put to them was whether we had a short-term and a long-term strategy to resolve things, rather than just bombings and military action. I asked whether there are overarching strategies to resolve the problem in principle. I have heard since then, I heard that evening when I met the Prime Minister and his officials, and I heard in his statement that there are strategies. None of us can guarantee that they will work positively, but I sincerely hope that they will.

I assure the House that I do not take this decision lightly, and I will be voting for the action proposed by the Prime Minister today. I sincerely want a genuine outcome. I reassure all the people of the western world and the people of the middle east that we stand for a peaceful society. We stand shoulder to shoulder with them and hope that we can reach a genuine resolution that will help not only the people in the Chamber today but our wider society. There is one overarching strategy that we must consider and that is protection for the citizens of the United Kingdom and of the western world. I hope that that is what we are providing today.

5.21 pm

Sir Gerald Howarth (Aldershot) (Con): No one who has taken part in the debate today has approached it lightly and I think that we would all agree that anyone who suffers recriminations as a result of whatever decision they reach should have the sympathy of the House. There can be no recriminations and we must be free to express our views as we think fit. We are accountable to our constituents for what we say and what we do.

Notwithstanding the enormous media hype about today’s debate, it is not about a decision to go to war. As my right hon. Friend the Member for North Somerset (Dr Fox) said, this is essentially an extension of the operations we have been carrying out in Iraq since the House decided last year by 524 votes to 43 that the Government should take that action.

It is important to make the point that our intervention in Iraq has been critical. Without that intervention, there is no doubt that ISIL/Daesh would have taken control of the whole country. Had they taken control of Iraq, the consequences for the entire region, let alone us, would have been catastrophic. They would have been in charge of the entire oil output of Iraq and would have caused absolute mayhem. Since we joined the coalition partners in Iraq, at least 30% of the land taken by Daesh has been recovered. The contribution has been worth while and, as so many have said, it clearly makes no sense for Tornado aircraft and the Royal Air Force to have to turn back at the border.

Many people have made the point—most effectively the Prime Minister, if I might say so—about the unique capability that the UK has and that France and the United States have asked us to contribute to this operation.

I say to the right hon. Member for Gordon (Alex Salmond), who is no longer in his place, and to my hon. Friend the Member for Gainsborough (Sir Edward Leigh), with whom I am normally in agreement but am not on this occasion, that the Brimstone missile is a unique capability that only the United Kingdom can deploy. One other country has it, but the United Kingdom is the only one that currently can deploy it. That missile has been proven to have a precision strike that reduces the likelihood of civilian casualties to a minimum. Of course there will never be a complete absence of civilian casualties, but Daesh is attacking people every day of the week.

It is also important to note that the United Kingdom has some of the most stringent rules of engagement. I know that from personal experience. I was a Defence Minister involved in the Libyan operations and the painstaking extent to which the military and the politicians act to ensure that the target is legitimate, that it is an important military target and that there is an absence of civilians is extraordinary. The House should be under no illusions: there is no cavalier approach to this. I make that point to the wider public as well.

This is a complex issue but there are some simple truths. First, Daesh’s medieval barbarity is a threat to the region and to us. Secondly, the United Nations Security Council has called unanimously on all states to take all necessary measures. Thirdly, we have that unique additional capability to which I have just referred. Fourthly, we are working flat out on the diplomatic front, through the International Syria Support Group, and there is more that could be done, as my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) said. However, Daesh will carry on killing, beheading and raping until we stop them doing it to innocent people, and it would be immoral for us to stand aside.

5.25 pm

Kate Hoey (Vauxhall) (Lab): I apologise for my voice, Mr Speaker, which is hurting me, but I wanted to speak today. Some 12 years ago, I sat over there listening to a very eloquent emotional speech from then Prime Minister. We Back Benchers had a lot of pressure on us in that debate, even more than there has been today. I listened to another eloquent speech from a Prime Minister today. Last time I felt an instinct that what we were doing in Iraq was wrong, and I feel that same instinct today.

I am certainly not a pacifist. I was one of the few people, along with Paddy Ashdown, who called for the bombing in Bosnia long before it was Government policy, and I am certainly not a supporter of terrorism, coming as I do from Northern Ireland. I hope the Prime Minister will apologise to me personally, in private, for accusing people such as me, who might be going to vote against this motion, of being in some way in support of terrorism. I take that very personally.

Lots of Members have cited generals and all sorts of important people, but I wish to mention a constituent of mine who was a soldier for nearly 20 years in the regular Army. He wrote to me to say:

“I view with dismay the current clamour to re-engage” in this war. He says that when we went into Iraq

“I was assured that we had a superb plan that could not fail”,

[Tom Elliott]
that when we went to Afghanistan
“I was told, ‘this is nothing like Iraq’, and when the RAF were sent to bomb Libya they were told ‘this is nothing like Afghanistan.’” They always get it wrong.

I would not be against bombing to remove Daesh if I really believed it would work, but so many questions need to be answered convincingly and if they cannot be, I believe the action is futile. Do we know who our enemy really is? Is it just Daesh or is it all or many of the multiple jihadi groups? Do we know who our allies are? Is Russia our ally? Is Assad perhaps one now? Is our ally anyone who is against Daesh? Do our allies share our objectives and those of all our other allies? We do not and cannot know that, as it is at least a five-sided war. Can we trust our allies? That shows the trouble with alliances of convenience. What happens when our allies’ interests conflict with ours, as they will? Do we then bomb our allies? Will they bomb us? Are Daesh sufficiently concentrated for us to bomb them without an unacceptable loss of civilian life? Is Daesh under a centralised command structure that can be destroyed through bombing? When Daesh is removed from an area, who will come in to rebuild, repopulate and keep the peace? That issue has been raised by so many people.

Mr Holloway: Will the hon. Lady give way?

Kate Hoey: No. Will removing Daesh from Syria by bombing reduce worldwide and, in particular, UK jihadism? Will it increase it, as Muslims react to the deaths? Why do we always have to be the policemen going in first? I have not yet heard a genuinely convincing answer to any of those questions. If they remain unanswered and we still go ahead and bomb civilians, we are being as unthinking and reactionary as some of those people we are fighting.

Daesh is an organisation that has no civilised values. We are fighting a cult that has no moral values whatsoever. Bombing will not change that. We have to look at other, cleverer ways and we have to spend some of the money that we are going to spend on this bombing on guarding our borders and making sure that the work against jihadism and fundamentalism in this country is carried out. There is no moral case for this action and I will be supporting the amendment.

5.29 pm

Nigel Huddleston (Mid Worcestershire) (Con): I do not wish to try the patience of either you, Mr Speaker, or the House by merely repeating comments and arguments that have been made by Members earlier today. If anybody wants to know my opinion, all they need to do is read the contribution of my right hon. Friend the Read the contribution of my right hon. Friend the

Richard Burden (Birmingham, Northfield) (Lab): We all know in our heart of hearts that this debate is not about certainties, but about judgment. I am talking about finely balanced judgment on which the lives of people depend both here and in Syria. What we do know is that defeating Daesh requires strategic action across a number of fronts. We have to take them on ideologically, tackle the causes of their rise, and thwart the grubby financial and trade paths that keep them in business. I accept that military action must be part of the strategy, too.

Last year, when the Yazidis, Christians, Muslims and others were encircled around Mount Sinjar, it was the right decision for the UK to join coalition airstrikes to push Daesh back, to stop further massacres taking place and to provide air cover for the Kurdish and Iraqi Government forces to take back territory from Daesh and to hold it.

Also, I do not accept that if it is morally defensible to use airstrikes against Daesh 200 miles in one direction it becomes morally indefensible to do so 200 miles in another direction simply because there is a border in the middle that Daesh does not recognise. If there is any doubt about the legal situation, it has been answered by UN resolution 2249, and we are already helping the coalition in Syria with refuelling, intelligence and so on.

Where my concerns lie, and what will influence my vote tonight, is whether under the circumstances that we now face RAF participation in airstrikes on the densely populated town of Raqqa makes sense. I have seen no evidence to suggest that there are ground forces there which are capable or have the intention of taking back that town.

Toby Perkins (Chesterfield) (Lab) rose—

Richard Burden: I am afraid that there is no time, because there are many others who wish to contribute.

That is not what these airstrikes are about. We have been told that they are about degrading Daesh capabilities and communications, which is certainly an important objective. We have also been told that that means not a generalised bombing campaign, but the use by the RAF of sophisticated weapons to minimise civilian casualties. I have asked the Prime Minister to give more information about the rules of engagement, but I have yet to receive a reply. However, I am prepared to believe that the RAF will target its strikes very closely on military targets. The point is that it is not simply RAF planes that will be hitting Raqqa. The town is already being bombed and, as far as I can tell, with a lot less selectivity than it has been suggested the RAF would use.

Recently, I read an article by a reporter in Raqqa who said that there has been a massive escalation in activity since 14 November. The reporter said that civilian casualties were dramatically on the rise and, proportionately, Daesh casualties were going down. Members may or may not like this, but we will be seen as part of that general coalition activity, and we have to ask ourselves whether that will increase or decrease the likelihood of indigenous forces joining us further down the line. Will it build
support for Daesh or will it reduce it? The risk is very, very real that we will be handing Daesh a propaganda victory on a plate, and we will allow impressionable people to be won over to their murderous brand of jihadism.

Therefore in the absence of evidence that these airstrikes will achieve their military objective, and in the absence of evidence about what that objective is, I have concluded that I shall not vote today for direct UK participation in those strikes on Raqqa.

5.34 pm

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con): It is a pleasure to follow the hon. Member for Birmingham, Northfield (Richard Burden), who made some thoughtful remarks. I have come to a different conclusion from him about how to vote, but it is worth reflecting that no Government or MP takes lightly decisions about committing UK forces to combat. Our debate has highlighted the fact that there are no easy answers or solutions to the complex questions raised by the conflict in Syria and the fight with Daesh.

In broad terms, there are three issues that we are considering. First, we are considering the issue of combating extremism at home and the impact that airstrikes may have on that. Secondly, is it right to engage in airstrikes against Daesh, given concerns about our ability to engage in ground combat in an effective and co-ordinated manner, or to support troops in Syria? I believe that the answer is yes, and I shall come on to that. Thirdly, we are considering the issue of protecting civilians and refugees.

On the issue of extremism at home, ISIS, I think we all agree, presents a clear and present danger to our national security as things stand before the vote. To those who say that we will become a focus for attack if we vote for airstrikes, I would say that it is clear that we are already a target for attack. We have heard that there have been seven plots in the UK linked to ISIS in Syria that have been foiled by the UK police and security services. There has been a fundamental threat to our national security, as is self-evident in the information that was passed to the Prime Minister, as he explained today. The answer to the question of whether ISIS presents a threat to our national security at home is clearly yes. In my view, given such a threat, it is in the interests of my constituents and of all hon. Members’ constituents to deal with it and strike ISIS at its heart in Syria and protect British citizens in the process.

On the issue of committing to airstrikes, there are concerns about capability on the ground and support for ground troops. We have heard that there is a patchwork of troops working to fight ISIS on the ground. Military action against ISIS has been taken by a number of our UN allies and other countries and concurrently the Vienna process is under way to build a broader diplomatic alliance. That is work in progress, both in diplomatic terms and in terms of supporting ground troops. The fact that we do not have a perfect solution on the ground and do not have absolutely the right capability to tackle ISIS and support the fight against it in a ground war by various Syrian forces is not a barrier to supporting airstrikes. This is an evolving process, and ISIS poses a threat not just to the UK but to other citizens.

Finally, on the issue of refugees and civilians, the biggest threat to civilian life in Syria is Daesh/ISIS. There is a refugee crisis in Syria because of Daesh/ISIS acts. On those three points, I support the Government, and I urge colleagues to do the same.

5.38 pm

John Woodcock (Barrow and Furness) (Lab/Co-op): It is a pleasure to follow the hon. Member for Central Suffolk and North Ipswich (Dr Poulter), who spoke well. I, too, share many of the concerns of my hon. Friend the Member for Birmingham, Northfield (Richard Burden), but like the hon. Member for Central Suffolk and North Ipswich I have come to a different conclusion. I have long argued—since the Government tabled a motion 14 months ago to begin airstrikes in Iraq—that it was illogical to stop at the Syrian border, which pinned down our forces. We were satisfied then, even before the recent UN Security Council resolution, of the legality of conflict, and we were prepared to provide extensive logistical support.

I share the concerns expressed so well by many of my colleagues about our ability to bring together ground forces, and in what number; about the viability of the Vienna peace process; about the need to stop the creation of a vacuum into which more extremists can flow; and about the need to recognise that this is not simply a struggle for a year or a couple of years. To defeat this evil ideology may take generations, and it may take far, far more than military ventures. It requires rethinking the way we have engaged on the international stage. We and all our allies need to do much better than we have done.

Setting such concerns as hurdles to be overcome before we allow an existing capability in the region to refocus—not to go to war, as has so often been evocatively stated in the media and in this House today—seems to fly in the face of military logic and common sense. I am concerned that my hon. Friend the Member for Birmingham, Northfield feels that he has not been given the information that he wants about the level of precision and the rules of engagement that our forces will bring to the campaign. I feel that I have been given that information. My sense is that our forces are far more precise and our rules of engagement are far tighter. We can therefore bring a great deal of effectiveness, above and beyond what is already there, and it makes sense to do that, rather than keep our forces in an area which is away from the headquarters, particularly as we have been given clear information that that command centre is even now planning missions that would strike at the UK and other countries.

Finally, I have been proud today to sit on the Labour Benches next to my right hon. Friend the Members for Derby South (Margaret Beckett) and for Kingston upon Hull West and Hessle (Alan Johnson), who made superb speeches. Although there are deeply held views on either side, I will do everything I can to stop my party becoming the vanguard of an angry, intolerant pacifism which sets myriad preconditions that it knows will never be met, and which will ultimately say no to any military intervention. [Interruption.] Some of those on the Front Bench and those heckling behind me need to think carefully about the way in which they have conducted themselves over recent weeks. We need to do better than this to be a credible official Opposition.
The ruling out of western ground forces is very significant. It tells us that, after Iraq and Afghanistan, the west appears to lack the will, and perhaps the military strength, to commit the resources that might be needed to construct a new order from the shaken kaleidoscope of Syria. As in Libya, it would be relatively easy to remove a brutal dictator from the air, and perhaps also to suppress ISIL, but it would be extremely difficult to construct a regime more favourable to our long-term interests.

We do not need to look into a crystal ball to see that; we can read the book. The result of over a decade of intervention in the middle east has been not the creation of a regional order more attuned to western values and interests, but the destruction of an existing order of dictatorships that, however odious, was at least effective in suppressing the sectarian conflicts and resulting terrorism that have taken root in the middle east. Regime change in Iraq brought anarchy and terrible suffering. It has also made us less safe.

Above all, it has created the conditions for the growth of militant extremism. We should be under no illusions: today’s vote is not a small step. Once we have deployed military forces in Syria, we will be militarily, politically and morally deeply engaged in that country, and probably for many years to come. That is why the Government’s description of the extension of bombing to Syria as merely an extension of what we were already doing in Iraq is misplaced. We simply have not heard enough from the Government about exactly what the reconstruction will mean.

The timing of this vote has everything to do with the opportunity to secure a majority provided by the shocking attacks in Paris. Everybody feels a bond with the French, but an emotional reflex is not enough. Military action might be effective at some point, but military action without a political strategy is folly. We have yet to hear that strategy, so I cannot support the Government’s motion tonight.

5.48 pm

Paul Flynn (Newport West) (Lab): We are fighting and losing the wrong war. This is a war of hearts and minds that can never be won with bombs and bullets. The situation is truly terrifying, and we underestimate it if we imagine that it is confined to a couple of countries. People who have been brought up in this country, gone to our schools and absorbed our culture and values find themselves seduced by the message of Daesh. Two such people went to Syria from Cardiff and are now dead. They gave their lives to this mad, murderous cult. We must challenge that dialogue of hate. We must have a political plan is absolutely essential. That will require at least a measure of agreement on a policy for regional stability. That can be achieved only in collaboration with the Russians, and probably the Iranians. There are some grounds for cautious optimism in that regard. I have very little time to talk about it but, in a nutshell, I do not think that there is enough.

5.42 pm

Mr Andrew Tyrie (Chichester) (Con): Intervention will succeed only if it is part of a coherent military strategy and a coherent political strategy. Both are needed. I have yet to hear them in the statements from Ministers, although I very much want to hear them.

First, on the military strategy, degrading ISIL’s capacity from the air will achieve little unless it is followed by effective use of ground forces. But President Obama has ruled out committing ground troops, as has the Prime Minister, so the question of where those troops are going to come from is paramount. The Prime Minister appears to be insisting that Assad, who still has significant forces in theatre, has no part in the future of Syria. In that case, the ground war rests largely with the Kurds, who are less well organised than they are in Iraq, and on the reported 70,000 non-extremist fighters, but the reality of those seems to have faded somewhat in recent days.

Secondly, and even more important, there is the political strategy. Before military action can be justified, we need to have arrived at the point where the main intervening powers are agreed at least about the broad outlines of a settlement. But that is not evident either. In fact, the military action that has recently been taking place in Syria vividly illustrates the absence of a strategy. A handful of outside powers are attacking or assisting a patchwork of different opponents, some of whom are fighting each other. The political objectives of the western powers and current military action to further them and the political objectives of the Russians are contradictory. The Russians have attacked the groups that the west sees as the potential salvation of Syria. The US and France want to remove the regime that the Russians have been seeking to entrench.

For military action to have a reasonable prospect of succeeding, we will need agreement among the major powers about the use and objectives of air power, about whom we are and are not targeting, about how the boots on the ground will get there, and about whose boots they will be.

James Cartlidge (South Suffolk) (Con): My right hon. Friend refers to the objectives of air power. For those of us who have been listening to the debate, there is a feeling that those arguing against the motion have failed to answer the question of whether they support the action in Iraq, where since last September air power has been deployed very effectively in restricting ISIL’s progress and defending Baghdad against terrorists.

Mr Tyrie: I agree with that. There is a fundamental difference between Iraq and Syria. Iraq is a democracy, at least of sorts, and it has invited us in and is sharing with us the enduring responsibility for what goes on there. If we engage in Syria, we will be picking up the enduring responsibility for a failed state.

A political plan is absolutely essential. That will require at least a measure of agreement on a policy for regional stability. That can be achieved only in collaboration with the Russians and probably the Iranians. There are some grounds for cautious optimism in that regard. I have very little time to talk about it but, in a nutshell, I do not think that there is enough.

In the absence of both a military and a political strategy, the west might only succeed in suppressing ISIL temporarily. In time, an equally virulent Islamist-inspired, anti-western militancy may well return.

The reason is that Daesh’s narrative is very cleverly conceived to appeal to adolescents. It offers danger, adventure in foreign parts and martyrdom. It also deepens the sense of victimhood by churning up all the stories from the middle ages about how the wicked Christian crusaders slaughtered without mercy the Muslims. We must challenge that dialogue of hate. We must have a different narrative. There is a good narrative for us to take up, because in the past 200 years we have had great success in places like Cardiff and Newport in building up mixed communities of races and religions.

We must not imagine that anything will be over as a result of what happens in Syria or Iraq. This has spread throughout the world—throughout Asia and throughout
South America. There is hardly a country in the world where Daesh does not want to spread its hatred. It has a worldwide plan to divide the world into Muslim communities and Christian communities that are at war. In other countries there is great suffering in many of the Christian communities that are being persecuted. We are falling into the trap designed in Sharm el-Sheikh, Tunisia and Paris to pull us on to the punch. It is saying, “This is the way to get a world war going. This is the way to incite the west to send in military people and have a world war.” This is precisely what it wants—it has said so. It wants a world war and we must not fall into the trap.

We have heard today throughout this House some very good, sincere speeches, but I believe that the combination of two dangerous views, “Something must be done” and “Give war a chance”, leads us to the position that we are now in. Those of us who were in the House when we went to war in Iraq were told, by the same people who are telling us now that there are 70,000 friendly troops, that there were definitely weapons of mass destruction there. There were not. In 2006, we were told that we could go into Helmand with no chance of a shot being fired. We lost 454 of our soldiers there. Little has been achieved. Because of decisions taken in this House in the past 20 years, we have lost the lives of 633 of our soldiers. I believe that if we go in now, nothing much will happen. There will be no improvement—we will rearrange the rubble, perhaps—but we will strengthen the antagonism and deepen the sense of victimhood among Muslims worldwide; they will have another excuse. We must not fall into that trap. We need to have a counter-dialogue, and get it into the media and on to the world wide web, to say that there is a great story to be told of harmony in our country. We must put that forward as a genuine alternative.

5.52 pm

Mr Dominic Grieve (Beaconsfield) (Con): It is a pleasure to follow my right hon. Friend the Member for Chichester (Mr Tyrie) and the hon. Member for Newport West (Paul Flynn). I shall have to endeavour to explain to them why I think they are both mistaken in their conclusions.

All of us in this House have acknowledged, and indeed it is a legitimate subject of debate, that the condition of the middle east is frankly pretty close to catastrophic. There are powerful forces at work pulling civil society apart. There is sectarian conflict. There are a whole variety of grievances that have been exploited by various dictators throughout the ages, and that is regularly being repeated. All the signs are that in many places the structure is extremely fragile, and we are very fortunate that in one or two areas it is subsisting.

We can all agree on that, and I also agree that the situation is not amenable to any easy solution, or we would have found it a long time ago, but none of that explains to me logically why some hon. Members in this House consider that action in extending our military operations against Daesh into Syria is wrong. If it is indeed wrong, then our intervention in Iraq 12 months ago was wrong, whereas all the analysis that I have seen suggests to me that it is the one thing that has prevented the situation from wholly spinning out of control. We have a remarkable tendency in this House—perhaps it is a good thing in a democracy—to look at our shortcomings and not look at the benefits of what we may have achieved. It seems to me that if we had not intervened, there was a serious risk that generalised war would have broken out in the middle east, with Iranian intervention in Iraq to prop up the Iraqi regime and, ultimately, intervention by Saudi Arabia as well. We ought to look on the bright side of what has been achieved and then consider whether the limited steps that have been proposed are reasonable. It seems to me that they are. They are not a solution to the problem, and to that extent, the challenge remaining for my right hon. Friends through the Vienna process is a very real one. It does not seem to me that those limited steps will make matters worse. What they show is a comity of interest with our allies, to whom we are committed, to try to do something to address this problem and to keep it under control until better solutions can be found. That seems to me to be a legitimate and proportionate response to the problem that we face.

It has been suggested that this will all in some way run away with itself. It will not do so if the House is vigilant. The legal basis for intervention is very limited: every action that is taken hereafter will have to be necessary and proportionate to achieve a legitimate aim that is severely circumscribed. I have every confidence that my right hon. and learned Friend and my hon. and learned Friend the Law Officers will be able to deal with that, and every confidence that my colleagues in the Government will observe the limits.

It has been suggested that we will not be able to engage in diplomacy. I have to say I was staggered to hear my hon. Friend the Member for Basildon and Billericay (Mr Baron) say that we ought to emulate the Chinese in this matter, rather than the French. I find that an extraordinary notion.

Stephen Gethins: As a member of the Foreign Affairs Committee, the hon. Member for Basildon and Billericay (Mr Baron) quite rightly made the point that the UK can maintain its influence without taking military action that will have a marginal effect.

Mr Grieve: If I may say so, the question that should be asked is a different one: does our involvement diminish our ability to exercise diplomatic influence? The hon. Gentleman fails to take into account that by withdrawing from the military process entirely, as he is clearly advocating, we diminish our ability to influence the allies who share our values in this matter. That is why I found the suggestion that we should emulate China so astonishing.

Finally, there is an issue of great importance about Islamophobia and the structures of our own society. The hon. Member for Newport West touched on it, and he has my very considerable sympathy; he probably knows that I have had an interest in this matter for many years. I have absolutely no doubt that Islamophobia is on the rise in this country and, indeed, that the backwash coming out of the middle east threatens to undermine our civil society. That is a very real challenge that everybody in the House ought to address. In that regard, my criticisms of the Prevent strategy are well known. I must say that I do not believe what we are doing in Syria undermines that one jot. On the contrary, I would have thought that a sense of powerlessness in
the face of the murderous cruelty of Daesh is one of the most likely causes fuelling Islamophobia in this country. A rational policy enacted and proceeded with by the Government—with, I hope, the support of many Members of the House—seems to me to be a better way forward.

5.57 pm

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Since our election in May, all new MPs have faced a range of new experiences and challenges. Today’s vote will of course mark one of the most significant decisions we have taken in our careers to date, and we do not weigh it lightly.

I respect the sincerity with which the Prime Minister made his case today, but I express disappointment at the words he chose to use last night to describe those who, with equal sincerity, disagree with his view. Those of us who find ourselves supporting the amendment to the Government’s motion have also thought long and hard about our decision and the enormous consequences it will have for so many. We have each listened to our constituents and organisations the length and breadth of the country who have contacted us to share their views. We have also considered, and we acknowledge, the outstanding service of the brave women and men of our armed forces, who put their lives on the line to protect us every day.

As well as thinking about our own security, we have thought about the security of the people of Syria. Although much of today’s discussion has been about the Government’s motion and the efficacy or otherwise of military action, there is another important perspective on this catastrophic situation—that of the people of Syria and those in the middle east who have been so deeply and tragically affected by this conflict, and whether adding to the multiple countries already bombing Syria will help them, or indeed our security, at all.

Hannah Bardell: Does my hon. Friend agree that in all our discussions and considerations, we must think about the human cost on the ground, in particular among vulnerable groups, such as the lesbian, gay, bisexual, transgender and intersex community, which we have not talked about and which is being persecuted—[Interruption.] One Member made a brief mention of it. Those communities are already being persecuted and further bombing will only make the situation worse.

Ms Ahmed-Sheikh: I implore Members of the House to show the same respect to us that we have given to them in listening to their interventions. My hon. Friend’s intervention has been heard and I agree with it in its entirety.

More than half the Syrian population are living in poverty and civilian casualties are on the rise. The recent Russian airstrikes have killed 485 civilians, including 117 children and 47 women. The facts relating to this vicious conflict are alarming and it is difficult to imagine the human stories that lie behind them. That is why I visited the Nizip refugee camp near Gaziantep to see for myself the scale of the humanitarian disaster and to hear at first hand the accounts of refugees who have fled Syria. I listened as people told me how their families had been uprooted by violence. They wanted nothing more than to return home. I heard that their towns and villages had been reduced to rubble by airstrikes—airstrikes ordered by President Assad.

I spoke to Nafa al Hasan from Idlib, whose house was flattened by Assad’s forces in an attack that killed her mother, father, brother and husband. I met Basil from Damascus, who had spent two years in prison being tortured by Assad’s security services. He is now unable to walk and is confined to a wheelchair. Mohammed was a pilot in the Syrian air force. He fled the country with his family when he was asked to take part in bombing raids on civilian targets in his own country. Salwa, who is a writer, said to me:

“We are not numbers. We are not animals. We want to be human beings, not numbers on a page. I am not a woman after this. I have no dreams. I just want to go home, but Daesh are occupying my home now.”

Those individuals and families were united in their desire to return home one day to rebuild their lives.

Those people are human beings with a story, and that story should be heard. It is a story that confirms to us all the complex nature of what is happening in the region and the number of protagonists who are already involved. Crucially, those protagonists have different agendas and different targets.

Many issues must be addressed if Syria is to be returned to peace, but the proposals before us today will not do that. We need a plan to defeat the terrorist cult Daesh and to replace Assad. We also need a plan to rebuild Syria and to provide a better future for the people I have mentioned and so many more. To join the ongoing bombing campaign in the skies over Syria will only compound the human suffering. A military intervention without credible peace-building plans will only make the situation worse, just as it did in Libya, Iraq and Afghanistan.

A comprehensive strategy to act against Daesh is required. The UK could take the lead in a more co-ordinated effort to identify and squeeze Daesh’s finances and disrupt its illegal trade. We could lead a diplomatic initiative, using our non-combative position to secure a long-term peace plan. That is not in today’s motion. That is why I will support the amendment and vote against the Government motion.

6.3 pm

Mr Adam Holloway (Gravesham) (Con): Since I was 18, I have spent a large portion of my life as a soldier, television reporter and MP in some of the more unhappy places in the world. What has struck me is the blindingly obvious point that war and conflict are the result of broken politics. Over the past 15 years or so, our country has made some disastrous decisions that have left tens of millions of people in the middle east and north Africa in a very difficult position.

One middle eastern ambassador told me last week on the Foreign Affairs Committee’s trip to Iraq and Turkey, “You have to diagnose a sickness properly in order to treat its root causes. Palliative therapy is not a cure.” So what do we have in Syria and Iraq? When we think of ISIS, we think of Jihadi John, with the terrifying offering in orange in front of him, but the reality is that ISIS is mostly made up of the Sunni populations of those areas. Our challenge, if we ever want to cure this problem, is to separate those disfranchised Sunnis from what we might call core ISIS.

We have got to give the Sunni in the middle east a different choice. At the moment their choice is ISIS and security from Shi’a militias, or Shi’a militias. Of course
airstrikes play their part, but to me they are much lower down the "to do" list. We must have a proper political and security strategy so that we can separate those mass populations from ISIS. Those people are ultimately our ground troops against ISIS, and until we realise that, we're stuffed.

Last week a very senior coalition commander in Iraq told us:

"We have a military campaign. We don't have a political one." Russia, Iran, Saudi Arabia, Turkey and the US are all doing their own thing. Think about that—I do not have time to go through it now.

Politicians in the Chamber this afternoon have given expert opinions on military matters, but we have come up a bit short when talking about the politics. Nevertheless, it is mainly politics that will fix this situation. The biggest thing that the United Kingdom can do right now is to use the influence that we think we do not have to talk to people seriously, so that we have a proper long-term strategy that results in a cure. Bombing can only ever be palliative. [Interruption.] I cannot take an intervention because I'm done.

Mr Speaker: We are extremely grateful to the hon. Gentleman. Most helpful indeed.

6.6 pm

Hywel Williams (Arfon) (PC): I will be voting for the amendment tonight, as will my colleagues in Plaid Cymru.

Earlier this afternoon, the hon. Member for The Wrekin (Mark Pritchard)—he is no longer in his place—referred, with a magisterial wave, to parties on these Opposition Benches as the "pacifist parties." Plaid Cymru is not a pacifist party, as was confirmed only yesterday by our leader in the national Assembly. We opposed military action in Iraq, but we supported it in Libya, although now I have my doubts.

I have many concerns about the Government's proposals, but I will not list them all. The Prime Minister said that 70,000 moderate Syrian fighters would supply the boots on the ground that he—rightly, in my view—will not commit to himself. That assertion is absent from the debate. Nevertheless, it is mainly politics that will fix this situation. The biggest thing that the United Kingdom can do right now is to use the influence that we think we do not have to talk to people seriously, so that we have a proper long-term strategy that results in a cure. Bombing can only ever be palliative. [Interruption.] I cannot take an intervention because I'm done.

Mr Speaker: We are extremely grateful to the hon. Gentleman. Most helpful indeed.

6.10 pm

Richard Benyon (Newbury) (Con): There is a strong pacifist tradition in this country that often requires courage to hold to. We have seen that in conflicts down the years. I have respect for those who could never support military action in any circumstances, wrong though I believe them sometimes to be. The rest of us have to reach a settled view on whether the proposal before us tonight is right or wrong. My view is that, on balance, it is right.

I come, like many hon. Members, from what one might call the post-Iraq generation. My default position is to apply a healthy dose of scepticism to any request for military intervention. We can all think of a great many reasons—they have been listed on all sides of the House—why not going ahead with an extension of the air campaign is the right thing to do. I entirely concede that it is not without risks. We have to understand, however, the true impact of saying that we will sit this out. If we say that and accept that air attacks have limited Daesh's ability to operate in mass formations and conduct clear command and control operations and so on, we are, in the words of the Prime Minister, subcontracting our security to our friends.

In the past few days, we have seen many of the reasons not to proceed fall away: a unanimous UN resolution; a political and diplomatic process involving key parties is under way; and a greater understanding of what an air campaign is and is not.

Neil Parish (Tiverton and Honiton) (Con): I agree with my hon. Friend wholeheartedly that we need to
take action, however difficult. ISIL wants to destroy everything we believe in through its murderous acts. We need to act and to act now.

Richard Benyon: I entirely agree with my hon. Friend. One of the main arguments put by a number of colleagues—even by the Chairman of the Defence Committee, on which I sit, a few days ago—is that air campaigns are only successful with little green men in battalions moving along the ground underneath the top cover provided by the RAF. In a perfect world, that is how we use air cover. We do not live a perfect world, however. I asked one of my constituents—someone who knows a bit about this, General Sir Mike Jackson—whether he could remember any conflict where air power alone made a difference. He thought and said one word: Kosovo. He then started to recite other circumstances in which an air campaign can diminish an enemy, a point very ably made by the right hon. Member for Derby South (Margaret Beckett).

We have now moved on to question the existence of the so-called 70,000 combatants. We can all dance on the head of a pin and say the reason why we cannot support the motion tonight is that they may not all be the kind of people we like, or that they might not immediately be an effective force on the ground. But they are there. They have not signed up to Assad or to the evil death cult we are targeting, and we have to use them. After the failures of the Iraq war, we have at least an independent and analytical organisation, the Joint Intelligence Committee, to provide the details. They are not being provided by politicians or their advisers. We can quibble about who these people are, but broadly speaking, since the Prime Minister mentioned the figure of 70,000 it has more or less stacked up. They are militias, some local, but through the four-year civil war they are still there and we should use them.

Standing by our allies at this time, particularly France, matters. Not stepping up now would give the impression that we are happy to subcontract our security. That would leave Britain’s role in the world in a very different place in the minds of our friends and our enemies. Britain’s place in the world, however, is not reason enough for armed conflict. Reason enough is found by recognising that the threat is right here and right now to Britain’s place in the world, that is not being provided by politicians or their advisers. We can quibble about who these people are, but broadly speaking, since the Prime Minister mentioned the figure of 70,000 it has more or less stacked up. They are militias, some local, but through the four-year civil war they are still there and we should use them.

6.15 pm

Phil Wilson (Sedgefield) (Lab): There are obviously strongly held views both for and against taking action, and I believe that we should respect views that are contrary to our own. I am convinced, however, of the merits of the case to extend military action into Syria.

It seems to me impractical to take military action on the Iraqi side of the border without being able to participate in military action on the Syrian side where Daesh/ISIL is strong, where its headquarters are situated, from where it supplies its forces in Iraq and from where it is organising attacks on the streets of the UK. This is a matter of national security and we need to act in self-defence. I do not accept that if we take action in Syria, it will increase the possibility of terrorist threats on the streets of the UK, because that threat exists now. They are out to get us, because they do not agree with our way of life and want to end it. It is a fallacy to believe that if we leave ISIL alone, it will leave us alone. We need to degrade and destroy it; we need to play our part. We bring to the table military ordnance that will help to target ISIL operatively specifically, while limiting the threat to civilian life.

We have heard a lot about the Brimstone missile—a missile that can be launched from an RAF jet and target ISIL in such a way as to avoid civilian casualties. Lieutenant-General Gordon Messenger, the deputy chief of the defence staff, said:

“The thresholds for approving the strikes are high and the skills sets are high, as yet the UK has not had a civilian casualty incident after months of bombing”— and he means in Iraq. We have heard much about the Syrian ground forces that can or cannot help to destroy ISIL. The strategy on the ground should not prevent the RAF’s involvement in air strikes. The ISIL strategy must be implemented first to suppress its ability to launch attacks on our streets. If the air strikes limit the opportunity of ISIL to attack us, we should take part in them. I believe it is important that we support our allies.

I do not know how I could face my constituents if we voted no tonight and, God forbid, there was a terrorist attack in the UK or on a beach in Tunisia and we had not done everything in our power to prevent it. What do we say to our allies who are taking military action when we are not with them after such an incident? Do we say, “Get on with it, but sorry, our involvement in military action in Syria stops on the Iraqi side of the border”, even though we know the attack on the UK was organised from Syria? If we do not take part in this action, I believe we will be letting down our country and our allies, and will reduce our credibility in the international arena.

My prime motivation for supporting this motion today is the protection of our citizens. The wider strategy, both political and diplomatic, is important. It will not happen overnight, and neither will the involvement of ground forces. Our military involvement may be small, but our aircraft can use weaponry that the coalition does not have—weaponry that is precise, limits casualties and can suppress ISIL activities. It is not a complete answer in itself, but it is a start. It will buy us time to deploy a wider strategy. I feel uneasy about Britain not taking part in air strikes when we know that it is a matter of self-defence. I will therefore support the motion tonight.

6.24 pm

Dr Sarah Wollaston (Totnes) (Con): I have the greatest respect for all colleagues in all parties who have spoken so eloquently against military action in Syria. The right hon. Member for Gordon (Alex Salmond) spoke passionately about the risks of being drawn into a vicious civil war. That is why I voted against taking action in Syria two years ago. However, I believe that this has gone beyond a civil war and that ISIS is
bringing the fight to us and would do so again on the streets of Britain as it has on the beaches of Tunisia and in Paris. This is an enemy with which there can be no dialogue. This is an enemy that has perpetrated enslavement, rape, child rape, torture and mass murder throughout the territories that it now controls. I believe that there is a compelling case for us not only to stand with our allies tonight, but to stand with the United Nations as it calls for us to take every action that we can against Daesh. I believe that there is also a case for standing with the civilians on the ground, given that our military action against Daesh in Iraq has so far helped to push it back, and to prevent the kind of atrocities that we have been witnessing across Syria and Iraq today.

Kirsty Blackman: Airstrikes, by their nature, are intended to inflict death, pain and suffering on people and families, some of whom will be innocent. Will someone please tell me how this action will stop new terrorists, and how it will improve the human rights situation on the ground?

Dr Wollaston: I thank the hon. Lady for her intervention, because I think that it goes to the heart of the matter—and the heart of the matter, I would say to her, is that people are already suffering and being tortured throughout these territories. I would say to her that the action we have taken so far in Iraq—very careful, measured action—has, in fact, reduced the kind of civilian casualties to which she has referred. I am wrestling with this, just as she is, on behalf of my constituents, and I would say that the majority of my constituents who have contacted me agree with her. It is, therefore, with a very heavy heart that I am trying to make the case to them for my belief that action is now not only in our national interest, but in the interest of the civilians who risk being taken over by an evil that is beyond our imagining, here in the comfortable world that we inhabit in the UK.

I would say to the hon. Lady that these people have no hesitation whatsoever in perpetrating the most barbaric atrocities. I would point to the Yazidi women and girls—more than 5,000 of them—who have been kidnapped and are being held in conditions of enforced slavery, and, indeed, to child rape, which is allowed by Daesh. I would ask the hon. Lady whether she would like to spare civilians across Iraq and Syria that fate—the fate that awaits them. But I agree that these are very heavy considerations.

I would also say, as the proud daughter of an air force family, that our air forces are already putting their lives on the line in the skies above Iraq. I would like to call on the Chamber—to reflect on how much it will mean to our action to Syria, it is essential for him to state unequivocally his support for our armed forces in the skies above Iraq.

For the benefit of any of us who are considering how to vote, let me focus for a moment on the consequences of inaction. Our first responsibility in the House is to protect the citizens of this country, and I believe that it is only a matter of time before mass casualty attacks such as those that we have witnessed on the streets of Paris and around the world are perpetrated in the UK. I think that we must all ask ourselves whether there is a greater sin in omission than in commission. I feel, very strongly, that there is now a compelling case for us to be able to look in the eye the families of those who may lose their lives in future, and to be able to say that we did absolutely everything we could to diminish the powers of this evil organisation.

This is the fascist war of our generation. We had to take action against fascism in Europe, and I think there is a compelling case for us to say that we have done everything we can today.

6.24 pm

Jim Dowd (Lewisham West and Penge) (Lab): It is a pleasure to follow the hon. Member for Totnes (Dr Wollaston). She says she is from an RAF family; my father served in the Royal Air Force for 15 years, including all the years of the second world war, so we have that in common. In fact, I was born at the RAF base in Gütersloh in Germany.

When Bill Clinton was first elected President of the USA, the slogan was, “It’s the economy, stupid.” That was thought to be the primary reason for people voting as they do in elections. I do not disagree with that entirely, but I believe that people have a higher consideration as well. It is the primary duty of any Government, or any party purporting to form a Government, to do anything and everything necessary to protect the people, their families and their homes. If any party, Parliament or Government do not do that, they will pay a terrible price. That is what people expect the Government to do. I am sure that everyone in the Chamber agrees with that. Perhaps the only question we have to answer is how best we can protect our citizens and communities.

Hon. Members have said that we should accept the genuine depth of feeling on this issue on both sides. I am grateful to the many constituents who have contacted me with their views. Many have sent formalised messages given to them by other organisations, but I do not dispute their belief in what they were saying and doing. I am particularly grateful to the constituents who said, “Even if you don’t agree with me, I hope you will do what you think is right,” and that is what I intend to do this evening.

Others have said that the debate is out of all proportion, because we are not talking about a new engagement. We are talking about a variation on the commitment that the House overwhelmingly endorsed not so long ago. There will of course be complications. Actually, I have some sympathy with those who have said that the effect will be only marginal. That might well be true, but the question is: is it worth doing or not? We need to decide which side of the argument to come down on.

I will certainly not vote for the amendment, for a number of reasons, not least because of the weasel words and sophistry it employs to suggest that the case has not been made. That is the kind of thing the Liberals used to say before 2010, when they had to face up to genuine responsibility. It is like when people say, “I take a principled stand on this.” They seem to be suggesting that they are principled and that anyone who
opposes them is unprincipled, but that is not true. The fact is that people can have genuine, deeply held views on this matter, and we should respect their views—

Alex Salmond: Will the hon. Gentleman give way?

Jim Dowd: No I will not, thank you very much, because there are plenty of people waiting to get in—

Alex Salmond rose—

Jim Dowd: Oh all right, as you’ve got your gang with you. Go on!

Alex Salmond: For the hon. Gentleman’s information, the wording of the cross-party amendment is exactly the same as that of the amendment that tried to stop the war in Iraq. A lot of people think that it would have been a better thing if that amendment had been carried that day.

Jim Dowd: I do not dispute that for a moment, but I am not sure what point the right hon. Gentleman is making, so I shall move on.

People set up barriers. They say, “We must have a UN resolution.” Then, when the UN comes forward with a resolution, they say, “Oh no! That’s not good enough. We want a better-quality UN resolution. Tell it to do its homework. Tell it to do better.” It is ridiculous. These are weasel words in the amendment; they are euphemisms. It is almost as though those who say that the case has not been made think they have a higher moral standard, a transcendent judgment superior to that of those who disagree with them.

I just want to say this to the Prime Minister: the Brimstone missile about which we have heard so much is known as a fire-and-forget weapon—[Interruption.] Well, it is known by some as that; maybe not by Conservative Members. It has been described as a fire-and-forget weapon, but the motion, which I find comprehensive and persuasive, is not a fire-and-forget motion. If we pass it tonight, we will have to come back to it and address all the issues raised in it. We must make sure that nobody is pretending that airstrikes alone will solve the problems in the middle east. There is much more to be done, and we will need dedication, effort and application to ensure that we do as much as we can to bring peace and a degree of stability to that troubled part of the world.

6.29 pm

John Glen (Salisbury) (Con): I rise to speak in this debate with a degree of apprehension—appréhension that I am sure everyone who has contributed felt—about the implications and outcomes of what I hope we will this evening collectively mandate our brave forces to do.

In Daesh, we face an enemy that will not ever be willing to sit down and discuss its grievances, and will not bargain with the west through intermediaries, because it does not have any. Why is that? It is because it despises us simply for who we are. When we meet an enemy like that, we cannot back off. We cannot cite past misjudgments in Iraq, the nature of the Saudi arms trade, or the lack of progress in disrupting the oil trade as justification for not supporting this motion. We must realise that this evil force does threaten our security. It cannot be contained in some far-off land as we continue to close our eyes, stick our fingers in our ears and imagine it will go away; it will not, and Daesh will not.

Jim Shannon (Strangford) (DUP): The decision for us in the House tonight is this: to protect our citizens in the United Kingdom of Great Britain and Northern Ireland, the decision must be taken to go to Raqqa and ensure that those involved in the campaign to organise attacks in France, Belgium and elsewhere are stopped, that the source of money is stopped, and that Raqqa is taken over and the people who live there have their freedom and their liberty.

John Glen: Not for the first time, I agree entirely with the hon. Gentleman. As we saw in Paris, as our domestic security leaders tell us, and as the many desperate refugees flooding into continental Europe testify, the implications of this evil are real, and I do not believe any realistic alternative course of action exists that properly deals with the nature of this threat.

My concern is this: we must accept that to defeat this evil we need a grand strategy covering humanitarian, military, political and security dimensions, and this will likely require more time than many of us, and perhaps many of our constituents, want to contemplate. Special precision-strike Tornadoes will not be enough. We will need to embrace uncomfortable compromises with Iran, Russia and Assad himself.

Syria will not become benign in its outlook until a comprehensive long-term political solution is found that demonstrates acute sensitivity to many conflicting but co-existing outlooks. Yet this political solution does not have a hope of success until we realise that some enemies of our way of life and freedoms cannot be hidden from. They cannot, and will not, become less lethal. They will not diminish unless we take military action to degrade them—a task we cannot justifiably outsource to our French and American allies.

Let us be clear: although I believe it is true that air power will not defeat this enemy by itself, it will not be defeated on the ground alone either. We will need a co-ordinated approach involving an Arab coalition, NATO, Iraqi and Syrian Kurds, and the Iraqi and Syrian armies, but our airstrikes are instrumental to our task of defeating this evil.

I want to address the argument that bombing Syria will not stop jihadi bombers already in the UK or France. No, I do not believe it will, but that is to misunderstand the comprehensive strategy that must be employed, and is now being employed. Special forces, the police and the intelligence services are well positioned to prevent these atrocities, but the severe risk we currently face is unlikely to diminish if we fail to support today’s motion. If we fail to act, the evil heart pumping life into this death cult will remain healthy. Finally, we must not underestimate the scale of the humanitarian crisis facing Syria, or the time and resources needed to help bring order to that country.

I have thought very carefully about these matters. There is much I do not know—I concede that—but my conscience is clear. We must act and begin the long,
intense, delicate and difficult process of facing up to a profound evil. I support the motion and our Prime Minister’s compelling case.

6.35 pm

Barry Gardiner (Brent North) (Lab): I pay tribute to the hon. Member for Salisbury (John Glen), who spoke with great integrity.

The Prime Minister has been plausible in public, but graceless in private. I and other colleagues who will vote against his motion tonight are not “terrorist sympathisers”. He was wrong to say that we are. The Prime Minister wants us to take action, but he is not prepared to take action that, in my view, is adequate to the task. The House is being presented with a false choice. The Prime Minister wants us to believe that the choice is between taking the inadequate action proposed by the Government and taking no action. That is vacuous. I want effective, comprehensive action that will ensure an adequate ground force, under United Nations authority, made up not of western countries, whose presence can only inflame the situation, but of predominantly Islamic countries, particularly Sunni countries.

The Prime Minister’s statement and the Government response to the Foreign Affairs Committee talked repeatedly of the moderate opposition, but the opposition in Syria is neither unitary nor moderate. It is wrong of the Government to try to present it as being otherwise.

The Prime Minister knows that the United States had a programme to train and equip Syrian rebels to fight against Daesh. It was so unsuccessful in identifying any capable, trustworthy allies in action against Daesh that it was abandoned in September. Every single expert witness to the Select Committee said that there are “thousands” of disparate groups; allegiances are like shifting sands, and there are few moderates left.

In September the US announced that, instead of training people, it would focus on distributing weapons and ammunition to existing groups. The House may consider that distributing arms to groups whose members are increasingly radicalised and defecting to Daesh is a very foolish strategy indeed that risks doing more to strengthen Daesh than to eradicate it.

Imran Hussain: Does my hon. Friend agree that a number of individuals who trained on that programme ended up joining al-Qaeda?

Barry Gardiner: My hon. Friend is absolutely right and simply reinforces my point. I want to eradicate Daesh. Doing so requires an effective ground force that can co-ordinate with the existing allied airstrikes in Syria—airstrikes that, in the words of Lieutenant General Sir Simon Mayall, are “not a war-winning...campaign”.

Airstrikes can create a temporary opportunity for territorial gain, but in default of a competent ground force, that opportunity is squandered—and at what cost?

The population of Raqqa who are subjugated under Daesh will not be allowed into the tunnels. They will not be whisked out of the city in armoured jeeps with Daesh commanders. They will remain in the city and wait for British bombs. All military action comes with the risk that innocent lives will be lost; I understand that. Sometimes that risk must be accepted, but only when the military and diplomatic strategy that is put forward is coherent and comprehensive and has a reasonable chance of achieving its objective. The Government’s motion does not.

The Government have argued that it makes no military sense to curtail our pilots at an arbitrary border. They correctly point out that we are already engaged in military action. That is in itself a reasonable argument about the efficient use of military resources—I accept that—but the Government cannot also try to argue that by voting against today’s motion, we are voting to do nothing. We are still engaged in Iraq, where the Kurdish peshmerga and the Iraqi army can provide a limited but credible ground force. The Government have also argued—it is a powerful argument—that in the face of a request from our allies, we should respond. Of course we should, but we should not respond by doing just anything. We should respond by doing something that is effective, and what the Government propose is not. I will vote against the motion tonight.

Finally, Mr Speaker, I applaud the fact that you have spent the entirety of this debate in the Chair. I also admire your bladder.

Mr Speaker: I am extremely grateful.

6.40 pm

Tom Tugendhat (Tonbridge and Malling) (Con): I praise your endurance, Mr Speaker, rather than any part of your anatomy.

I have sat in the Chamber all day listening to this debate and I remember a debate I heard in this place when I was somewhere else. I was sitting in a forward operating base waiting to go to war in 2003. When many people in this place were talking about it, I was preparing for it. I remember vividly the fear in my heart and in those of the men and women with whom I had the honour to serve. I remember the nervousness, and I feel it again here today. Again, we are making a similar decision and I feel that burden heavily, but I know the courage with which the men and women who will be asked to serve will serve and I know that the Prime Minister’s case is right, honourable and true. That is why I am supporting him.

This is an enormously sad moment for me. I grew up as a young journalist in Lebanon, spending my holidays in Syria. I know the country well and I love the people dearly. They gave me a kindness that no one else showed and they gave me warmth and the richness of their culture and history. It has been the most extraordinary sorrow for me to watch the destruction of Damascus, Aleppo, Homs and Hama, to see the Christians driven from Maaloula, and to see friends of mine, priests and monks, driven from their monasteries and murdered. I know who is doing it. We know who is doing it. Yes, it is the so-called Islamic State, this twisted perversion of Islam that is to Islam what fascism is to nationalism and what communism is to socialism.

This vile Stalinist death cult, this dreadful regime, must, I am sorry to say, be stopped. Sadly, the only way to stop it is not through talks. These are people and this is a group who do not wish to speak to us. They have defined us clearly in their theology as infidels. They have taken the readings of Muhammad Abd al-Wahhab
and have interpreted them for the modern age. They have defined us as people who must die or convert. I will do neither; I will fight.

It is not enough for us to look at Syria today and wish for peace. It is not enough for us to stand here and hope for it. We must fight for it. When our friends were attacked, as they were in France—here I declare a close interest as my wife is French—when we see our friends injured and murdered and when they ask for our help, we must think not only of what is the right thing to do for them but of what is the right thing to do for us. Militarily, and for very good reasons, we keep armed forces that are too small. They are too small in technical terms, because our armed forces are not limited to our own planes, our own men and our own ships.

**Simon Hoare:** My hon. Friend is making his point incredibly powerfully, and it will resonate across the House. Does he agree that that is the important reason why we must build an international coalition? No one country can defeat ISIS. We need international western and Muslim resolve against these people.

**Tom Tugendhat:** I agree entirely with my hon. Friend. He is absolutely right; our defences do not start at Dover. They include the Emiratis, alongside whom I was proud to serve. They include the Kuwaitis, the Bahrainis, the French and the Estonians. They include so many of our allies. Our defence is their defence and, similarly, their defence is ours. We must stand with the French today; they may need to stand with us tomorrow.

This is not just about bombing, about which people have spoken a lot; it is about territory. Denying territory to the enemy and degrading their capabilities through air attack is an essential part of warfare. I have heard so much about military strategy here from armchair generals. May I say to the academic generals that even academics need universities in which to associate and places in which to meet? So too do terrorists: they need space, land and freedom of movement. That is what they have now and that is what we must deny them.

I say again that it is not enough to wish for peace—we must fight for it. As Ibn Khaldun said when he wrote his histories of the 13th and 14th centuries and “The Muqaddimah”, history does come round, and one day I am sure we will all be pleased to see the middle east regaining its rightful position as the heart of light in the region—as a centre of science, excellence and innovation. But today it is our duty to stand with those who strive for it and fight those who would destroy it. We must stand today against ISIS and with the Government.

6.45 pm

**Stephen Twigg** (Liverpool, West Derby) (Lab/Co-op): I congratulate the hon. Member for Tonbridge and Malling (Tom Tugendhat) on a powerful speech. I have reached a different conclusion from him, but he made a powerful case none the less.

May I draw the House’s attention to my entry in the Register of Members’ Financial Interests? I visited Jordan in October, with my right hon. Friend the shadow Foreign Secretary. The visit was arranged by Oxfam so that we could meet Syrian refugees in the Zaatari camp and living in host communities.

I welcome the Government motion’s renewed commitment “to providing humanitarian support to Syrian refugees”. Members from all parts of this House can be proud of the role played by our country, particularly the Department for International Development, alongside civil society, in the humanitarian effort. I also pay tribute to the countries in the region that have welcomed very large numbers of refugees from Syria, notably Jordan, Lebanon and Turkey. It is vital that we maintain our support for those neighbouring countries, but it is also increasingly important that we focus on the needs of people displaced within Syria itself. It is estimated that just in October about 120,000 Syrians fled their homes in Aleppo, Hama and Idlib. Our support for multilateral organisations such as the World Food Programme and UNICEF is therefore crucial. The International Development Committee is looking at the Syrian refugee crisis and we plan to publish our report in early January. We are examining both the challenges in the region and what more our country can do to help refugees.

The people at the Zaatari refugee camp told us that they wanted to return home to Syria but they live in fear of their own Government and their barrel bombs. That is part of the context of today’s debate. As the Prime Minister said, our debate today is not about whether we want to defeat Daesh—we all want that. The evil actions of that organisation are well documented and have been covered during his debate. The question is: how do we do it? Last year, I supported the decision to join airstrikes against Daesh in Iraq. I agree with those on both sides of today’s argument who have said that our airstrikes have played an important role in helping the Iraqi Government forces and the peshmerga to take territory from Daesh in Iraq. But I also agree with those colleagues on both sides of the House who have said that the situation on the ground in Raqqa is very different from the one in Iraq. I do not necessarily question the 70,000 figure. The issue for me is where those troops are. They are Syrian opposition forces who are typically in other parts of Syria and fighting the Assad regime. It is fanciful to suppose that they will provide a ground force for an operation combined with airstrikes in Raqqa. I am not convinced, therefore, that there is a credible ground force for Raqqa.

After the Prime Minister’s statement last Thursday, I went back to Liverpool, where I met a Syrian doctor who lives there. He expressed the view of many Syrians living in exile when he said that for them the biggest threat comes from Assad. Indeed, the moderate forces that we seem to be relying on are currently being bombed by Assad and by Russia. I fear that the lack of ground forces will limit the effectiveness of airstrikes and that the strategy the Prime Minister set out last week of ISIL-first—in other words, Daesh-first—will have the unintended consequence of strengthening the brutal and murderous Assad regime. For those reasons, I will vote against the Government tonight.

6.49 pm

**David Warburton** (Somerton and Frome) (Con): One or two Members of this House may not have read the Daesh propaganda sheet, Dabiq, or indeed heard the address in Mosul of their leader, Abu Bakr al-Baghdadi, to mark his leadership. He spoke about territory and about establishing his hard-line caliphate in that territory. He described how his organisation will “trample the idol of nationalism, destroy the idol of democracy and uncover its deviant nature.”
That perspective is rather important in our debate. Unlike the threat from al-Qaeda, without the occupation of territory, Daesh’s claims to authority are literally baseless. Its notional caliphate has quickly turned from a spiritual aspiration into a geographic reality, and so loosening its grip on that territory is an essential pre-condition of meeting the wider challenge that it poses.

Dabiq consistently emphasises the fact that the existence and the integrity of this territorial caliphate are necessary for Daesh to function. Even the name “Dabiq” refers to the site of a mythical future battle between it and the west. Even in that name, the emphasis is on territory.

From reading the material, it seems that the short and medium-term foreign policy of Daesh, such as it is, has two distinct aims. The first is to consolidate its holdings in the Levant, which already cover an area larger than the UK. The second aim, which is wholly contingent on that, is the spread of Daesh’s contorted version of soft power into western societies where it hopes it might calcify into extremism.

The Paris attacks tragically highlighted Balzac’s principle that the cool measured gaze of Paris was an arbiter not only of French values, but of universal human values. Alongside a clear articulation of enlightenment values, the search for a political solution, the humanitarian effort and our commitment to the post-conflict reconstruction, we must also respond militarily. These people are implacably opposed to our way of life in all its aspects. For them, plurality, diversity and individual freedoms indicate weakness rather than strength.

Furthermore, I do not believe that we should abdicate our moral duty to others. It is not only nonsensical, but counterproductive to join with coalition forces in Iraq and to threaten fewer civilians there because of the Brimstone missile system and then not to do so in Daesh-held territory in Syria, where the French, the coalition and the allies are all asking for help.

I see no place for any kind of twisted moral relativism whereby the Daesh threat is seen in some way as a consequence of our own foreign policy. In fact, Daesh can only be defeated as a result of our foreign policy—a policy directed at the very caliphate from which it seeks to attack us. I am talking about the territory that it has won, that they celebrate and on which it intends to build.

Of course we all feel the enormous weight of responsibility that is devolved to us today, but our message must continue to be unambiguous that we will not allow terrorists to build a platform from which to attack us, that we will continue to stand up for those universal rights and that we are prepared to meet murderous fanaticism with force.

6.53 pm

John Nicolson (East Dunbartonshire) (SNP): Let me begin with where, surely, we all agree. None of us in this House supports Daesh. All of us want to see it defeated. As an atheist, I shiver with horror when I see and read about Christians being beheaded. As a gay man I weep to see homosexuals being thrown from buildings in Syria. So let no one, on either side of the House, impugn the motives of those who speak in this debate. However, let us remember recent debates. It is not unkind to remind those who claimed that bombing would bring order to Iraq 12 years ago, and to Syria two years ago, of how wrong they were.

In the debate on the Iraq war, the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) said:

“The idea that this action would become a recruiting sergeant for...those who are anti any nation in the west is, I am afraid, nonsense.”—[Official Report, 18 March 2003; Vol. 401, c. 774.]

He now sits in the Cabinet and advocates a new bombing campaign against another foe in the middle east, but uses much the same line. This debate puts mostly the same arguments, with the same proponents, as the debate on the Iraq war. I was a journalist at the time, and interviewed all the main political players and the country’s leading experts in chemical warfare, missile accuracy and Sunni-Shi’ite politics. I concluded that, while Saddam was a monster, he was a monster who controlled the monsters. The then Labour Government and Tory Front-Bench team disagreed and removed Saddam, thereby unleashing the forces of medieval hell on Iraq and its neighbours. Eliza Manningham-Buller, director general of MI5 during the invasion, said:

“The bombing increased the terrorist threat by convincing more people in the region that Islam was under attack. It provided an arena for jihad.”

The armchair generals would be chastened, one might think, but two years ago, by then in government, the Conservatives asked the House to bomb the region again. This time, they wanted to bomb another secular despot—President Assad—but wisely, the House refused.

Alberto Costa: The hon. Gentleman said that we all want to see the end of Daesh. I invite him to join us in the Lobby to agree the motion. Our position is that airstrikes can destroy Daesh supply lines and, more importantly, the terror training facilities, which are a danger to his constituents in East Dunbartonshire, as they are to South Leicestershire and the whole United Kingdom. Why does he not support that?

Mr Speaker: Order. Interventions must be brief, not mini-speeches, however eloquent.

John Nicolson: If bombing could destroy Daesh, surely the dozen countries that are already bombing it would have succeeded in that aim.

Without a blush, the Government, who 24 months ago wanted to bomb President Assad, now want us to bomb his enemies. As Members, we are offered ever more florid claims by Ministers and their Labour allies. Perhaps the most absurd that we have heard today is that 70,000 fighters, spread across Iraq, consisting of disparate groups and with no central command or shared vision, will march collectively thousands of miles to support a British bombing mission. It is utterly absurd, and that argument has fallen apart during today’s debate.

Let us examine whether UK bombing would make a difference, as the hon. Member for South Leicestershire (Alberto Costa) contends. I do not think so. Between August 2014 and August this year, 17,000 bombs were dropped on Iraq. Twelve countries are bombing Syria, including Russia, the United States, Canada and France. It is reported that 2,104 civilians have been killed as
collateral damage in 267 separate bombing incidents in the past year alone. It is a disgrace, and further bombing will not help.

The UN envoy to Syria says that

"all evidence shows that the overwhelming majority of all the civilian victims in the Syrian conflict have been caused so far by the use of aerial weapons."

Daesh is not a Napoleonic army standing out in the open waiting to be attacked. It wants to draw us into the conflict. It hides in civilian areas, and it uses human shields. It relies on our folly, our arrogance and our lack of cultural understanding. Dr Shuja Shafi of the Muslim Council of Britain says:

"As more innocent people die from air strikes, the appeal of Daesh will strengthen. Daesh craves more Western military intervention in the region. We urge MPs to learn lessons from the past, and not to vote for extending bombing. Let us not repeat the mistakes of the past. We will kill numerous civilians. We will radicalise the bereaved survivors. We have no credible peace plan in place. We are being fed ludicrous statistics, and on a wing and a prayer we are hoping for better luck this time."

6.59 pm

Kwasi Kwarteng (Spelthorne) (Con): I am grateful, Mr Speaker, to be called in this important debate.

We have heard many speeches from both sides which have shown considerable passion and a surprising degree of knowledge and commitment. This has been one of the best debates that I have had the privilege to participate in. If we are to look at the question cleanly and lucidly, we have to try to remove the impassioned speeches. As others have mentioned, everyone in the House is equally appalled by the barbarous crimes of ISIL or Daesh. We are united in that. No one can claim the moral high ground by being more against ISIL or Daesh than anyone else. What we have to do as legislators is look at the premise of the argument and at what the Government are trying to do.

The Government, in a way that is historically and constitutionally not usual, are asking the House of Commons to extend a campaign for which the House voted overwhelmingly in a previous Parliament only 18 months ago. The vote was something like 524 to 43. This gave the Prime Minister and the Government authority to launch attacks on Daesh in Iraq. For the life of me I have not been able to understand why those people who in the last Parliament voted for intervention in Iraq draw the line, so to speak, in Syria.

Those borders, as everyone knows, are incredibly artificial. After 1918, they moved around two or three times. The Sykes-Picot agreement that people go on about did not define Iraq and Syria. It simply defined regions within those countries, which were under British and French rule in the form of a mandate.

Ian Blackford: I ask the hon. Gentleman to understand some of the problems for those of us who oppose the motion. We all want to see peace and stability. All of us in the House agree on that, but the difficulty we have is that we cannot see that the air campaign in itself will defeat Daesh. We now know that the 70,000 troops do not exist. How are we going to defeat Daesh? It is not clear.

Kwasi Kwarteng: The hon. Gentleman is right. I am pleased to see him in his place. He was not in the last Parliament, where we had an extensive debate about intervention. No one ever believed that an air campaign on its own would defeat and destroy that terrorist organisation. That was never the case that was made. I hear people say that an air attack is no good because Daesh will survive it, but that is not what anyone has suggested. It is part of a suite of things we can do to fight against this evil terrorist organisation.

Mr Anderson rose—

Kwasi Kwarteng: I have given way once; I shall make progress.

I hear Members opposed to the Government’s motion saying, “Why don’t we challenge Daesh on the internet?” I hear colleagues today ask why we do not try to attack the ideology. We can do all these things. None of them militates against the other; it is not a question of either/or. These actions are part of a range of responses that we need to deploy against something that we have never seen in the modern world.

When people look at what the Government are trying to do, it is no good talking about the 2003 invasion of Iraq. That was a completely different set of circumstances. It involved the commitment of British ground troops in a transnational coalition. What the Government are asking for today is an extension of what has already happened. People cannot, on the one hand, say that it will be the most devastating thing in the world if we bomb ISIS targets, and on the other hand say, “It wouldn’t do very much so what’s the point?” It is one thing or the other, but people on the other side of the argument have said both. They have said that airstrikes are so insignificant that we should not bother, and they have said that they will devastate and bomb Syria into oblivion. Both of those statements cannot be true.

It has never been part of the Government’s case that a bombing campaign in itself would destroy ISIS. Three things have happened: the Sharm el-Sheikh outrage, the Tunisian outrage and the particularly savage attacks in Paris. These have completely shifted the circumstances in which we find ourselves, and it is entirely justified for the Government to extend the provision to attack Syria, as they have done in Iraq.

7.4 pm

Mark Durkan (Foyle) (SDLP): I will not dwell on any sense of resentment that the Social Democratic and Labour party might have about the Prime Minister’s line about terrorist sympathisers, but I will say that I think it was unworthy and that it warranted an apology in this debate. However, today is not about any personal offence that Members of this House might feel; it is about the real fears and threats and the dire suffering faced by people in Syria and the concern that so many hon. Members have expressed for the safety and security of our constituents.

People in Syria, as we know, are caught between the barrel bombs of Assad and the barbarism of Daesh, and they struggle to reach the barbed wire now going up in Europe. Yes, their plight demands a comprehensive strategy and compels a much stronger response from this Government and others across Europe. The Prime Minister has told us that he is offering a comprehensive strategy. He told us in his opening statement today that
he has listened to many of the considerations and concerns raised by hon. Members, and in effect he has collated them and co-opted them in the rolling references we now see in the motion, which is presented as a comprehensive strategy. I do not believe that it is coherent or complete. It does not believe that it is convincing in the collateral considerations and claims that are or are not addressed. I do not believe that it is cohesive in how its different dimensions meet and join.

Like the hon. Member for Spelthorne (Kwasi Kwarteng), I think that it is right that we test the logic of what we are hearing on both sides of the debate. I am not among those who, in arguing against the motion, claim that airstrikes will increase the risk of a terrorist attack in any constituency in the near term; I do not think that it makes a difference one way or another to a threat that is real and live. However, I think that there is a severe risk of feeding what we are trying to fight—of feeding a wider agenda of radicalisation—by agreeing to airstrikes and so adopting the role that the jihadism playbook craves us to adopt.

We are told that we should agree to airstrikes in Syria because they are merely an extension of what is already happening. The people who tell us that are the same people who tell us that there is no danger of mission creep in what the Government propose, yet there has already been an absolute mission flip. Only two years ago the idea was to go in and airstrike against Assad, and now it is to go in and airstrike against the very people we would have been assisting had we conducted airstrikes two years ago.

Mr Burrowes: What feeds the terrorists’ agenda is territory, and the more territory they gain, the bigger their so-called caliphate becomes and the greater their ability to recruit other jihadists, including from this country. The fact that we have been able to reduce that territory—and hence degraded their ability to recruit other jihadists, including from this country—is a disparate group, and so we are asked to believe that this disparate group is capable of bringing order out of chaos. Maintaining order in a war-torn country with so many different factions is a massive challenge, as we have seen elsewhere. So we have a vacuum, and as we know, vacuums will always be filled.

Mark Durkan: But let us remember that their concept of the caliphate is not merely geographical; it is an altogether different concept.

There is a danger of western powers piling in because we think that what is proposed is merely an extension of what we are already doing. It has been argued that we should not recognise the border between Iraq and Syria because ISIL does not recognise it, so is ISIL to dictate the terms by which judgments are made? We should not be taking our standards from Daesh.

It has also been argued that we have to take such action to stand by our allies. Does that mean that this House will have to agree to the next thing our allies do? What about ground troops, for instance? Many hon. Members who support airstrikes have been very clear that they would not agree to the deployment of ground forces. Indeed, we are told that one of the merits of the motion is that it contains no commitment to ground forces. What if people say that that is what is required? What if the operational circumstances and exigencies of the conflict are such that ground forces are required, because the 70,000 Free Syrian Army people are not there? They cannot be provided by CGI. What if everybody agrees that ground forces are needed to achieve what the Government want in Raqqa?

What happens when Assad decides that he is moving into Raqqa, supported by Russia? We will then have a conflict within the alliance itself, because what the Government propose is on the basis of a shifting alliance with some very shifty allies, including some who have been the syndicators of terrorism, powers and personages within the Gulf states. Members should question what Turkey has been doing in relation to oil and arms and Daesh; question what Saudi Arabia has been doing, and they are our allies. When the Government’s mission changes, where will we go? We will have mission creep.

Mr Durkan: What if they say that that is what is required? What if the operational circumstances and exigencies of the conflict are such that ground forces are required, because the 70,000 Free Syrian Army people are not there? They cannot be provided by CGI. What if everybody agrees that ground forces are needed to achieve what the Government want in Raqqa?
American allies, quite rightly, when we were shown TV pictures of beheadings, crucifixions and other unspeakable crimes. Now we see exactly the same pictures from a different location supposed to be carried out by a different group, and again, of course, we want to go and help. But sometimes helping our friends and allies can mean putting a hand on their shoulder and saying, “Perhaps this is not the time to be doing what you are doing.” Of course, that was the case with our French allies at the time of the 2003 Iraq situation, when President Bush and Mr Blair were planning their particular adventure in the middle east.

I want to support the Government’s aims and objectives, but I feel that a longer-term strategy has not yet been sufficiently put forward. My hon. Friend the Member for North Wiltshire (Mr Gray) said that if we are undecided we should perhaps fall back on our instincts. My instinct is to say to the Government, “Hold back at this stage.” ISIL/Daesh is an evil force that must be overcome, but I am not yet convinced that what is being proposed is the way to achieve that.

7.14 pm

Mary Creagh (Wakefield) (Lab): It is a pleasure to follow the hon. Member for Cleethorpes (Martin Vickers), although I disagree with the position he takes. I pay tribute to the hon. and gallant Member for Tonbridge and Malling (Tom Tugendhat), my hon. and gallant Friend the Member for Barnsley Central (Dan Jarvis) and the hon. and gallant Member for Plymouth, Moor View (Johnny Mercer) for their thoughtful speeches, and also to my right hon. Friends the Members for Wolverhampton South East (Mr McFadden), for Kingston upon Hull West and Hessle (Alan Johnson) and for Derby South (Margaret Beckett), with whom I agree entirely.

This is one of the most important decisions an MP can make, and it is not one I have taken lightly. As a Labour MP, I believe we have to choose and shape Britain’s place in the world if we are to create a world in which power, wealth and opportunity are in the hands of the many, not the few. ISIL poses a clear threat to Britain. Thirty British holidaymakers were murdered in Tunisia in July, and we know that seven ISIL-related terror attacks against British people have been stopped in the past year. Paris could have happened in London.

There is no hope of negotiating with ISIL. We must stop the flow of fighters, finance and arms to its headquarters in Raqqa. We need military action to stop it murdering Syrians and Iraqis, and to disrupt its propaganda machine, which poisons the minds of our young people and leads them to commit appalling acts at home and abroad. For the past 14 months, UK forces have carried out airstrikes against ISIL in Iraq, with no civilian casualties, so for me it makes no sense to turn back our planes at the Syrian border and allow ISIL to regroup in Syria.

In September, as Labour’s shadow International Development Secretary, I visited Lebanon, where 1.5 million Syrian refugees have sought sanctuary. One in four people in Lebanon is a Syrian refugee. The Department for International Development has made a huge contribution to the aid effort there, opening up Lebanese schools to Syrian children so that they can continue their education and have some form of normality after witnessing the horrors of that war.

I met Iman, a 65-year-old grandmother from Aleppo, who was imprisoned by President Assad for two weeks when she bravely returned from Lebanon to Syria, after her son was killed, to rescue her five orphaned grandchildren. She lives in a shack made of breeze blocks in the port city of Sidon. Hadia told me how her husband, a Red Cross volunteer, was killed in Syria, and how her four older children are still trapped in Homs. She did not want to go to Germany under a resettlement programme, because she could not take her elderly mother with her and did not want to leave her alone to die in a camp. I met Ahmed from Raqqa and 10-year-old girls working in the fields as agricultural labourers—their childhoods stolen from them—after ISIL had taken over their town, although that is still better than staying in Raqqa and being enslaved there.

There is a massive humanitarian crisis in Syria: 250,000 people have been killed, there are 4.7 million refugees outside the country and 6 million have been internally displaced.

George Kerevan: Will the hon. Lady give way?

Mary Creagh: I will not. I want other Members to have the chance to speak, as we have all been waiting to do.

The UK has given aid to Jordan and Syria, but aid is not the answer to the problems of Syria. Peace is the answer, and we need a fresh diplomatic effort to bring peace to that country. The Vienna talks offer real hope of that, with Russia, Saudi Arabia and Iran all around the table for the first time.

We voted against action in 2013, after the sarin gas attacks—a vote I regret and now believe to be wrong. We now have the largest refugee crisis since world war two. The war in Syria has no end and no laws, and ISIL is expanding its caliphate there. We have had no strategy for Syria, and now we have no easy choices. We need a ceasefire, a political settlement and a path to democratic elections, which is why I shall support the Government tonight.

7.18 pm

Helen Whately (Faversham and Mid Kent) (Con): May I pay tribute to you, Mr Speaker, for your incredible stamina this afternoon, which I have been unable to match?

I pay tribute to the hon. Member for Wakefield (Mary Creagh) for her impassioned speech. Like her, I have recently visited refugee camps. A few weeks ago, I was in Gaziantep, talking to refugees in a camp near the border between Turkey and Syria. There were rows of containers converted into two-room dwellings, a school and a clinic. It was basic, but sufficient. Without exception, however, every refugee I spoke to was desperate to leave, desperate for an end to the chaos and desperate for their children to grow up to live a decent life. There are millions of people who share that plea in countries around Syria and within it, and who want us to help bring about peace in Syria.

Compelling though that may sound, it is not a case for war. The justification for airstrikes in Syria is, first and foremost, that Daesh is a threat to our national security. It and its affiliates have targeted British people and foremost, that Daesh is a threat to our national security.
on holiday in Tunisia; through social media, where they incite young people to leave their homes and fight in Syria; and here in the UK, although their plots have been foiled so far.

As other Members have said, targeting Daesh in Iraq but stopping at the border does not make sense. If we are serious about reducing its ability to attack us, we have to degrade its capabilities in its heartland in Syria.

Secondly, we should stand by our allies. If we do not stand with France after the Paris attack, when will we? What confidence can our allies in the middle east have in us if we sit on our hands now? For months, they have called for us to play a leading role in the coalition against Daesh. We cannot ignore that call any longer. We have to restore their faith in us as an ally.

Of course there are concerns, and we in this House are right to raise them. Is this another Iraq? My hon. Friend the Member for Spelthorne (Kwasi Kwarteng) spoke sagely on that point. I am reassured that we have learned the lessons, but we should be careful that the mistakes of the past do not mar our judgment in the present.

Airstrikes will degrade Daesh but not defeat it, so what will happen next? Some boots on the ground will be needed and one group of terrorists must not be replaced by another. However, as my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan) said, we may search in vain for certainty. One thing that I believe for certain is that the coalition, with Britain as part of it, must commit to seeing this through.

Ian Blackford: Will the hon. Lady give way?
Hon. Members: No.

Helen Whately: My colleagues are keen to speak, so I will press on. I am sorry.

This action needs to be part of a serious and long-term commitment, not only to Syria, but to the region. We must use our influence to promote stability and legitimate Governments there, for there are many fragile states in the middle east. As I heard time and again on my recent visit to the region, stability in almost any form is better than chaos. We will need to be pragmatic, because democracies take generations to develop.

This action is just one part of the battle we need to wage against Daesh and Islamic extremism. It is a battle that we must wage culturally, ideologically, economically and militarily. It is the battle of our generation and it is imperative that we win it.

Rebecca Pow (Taunton Deane) (Con): Will my hon. Friend give way?

Helen Whately: I am just wrapping up.

We must commit. For that reason, I will support the motion tonight.

7.22 pm

Albert Owen (Ynys Môn) (Lab): I begin by paying tribute to the RAF and its men and women, many of whom will have done their training in my constituency. They are part of my community. Many of those who are posted to RAF Valley stay in the community. They are a source of advice to me. They are measured and do not always, as the hon. Member for Toxteth (Dr Wollaston) said, think as one. They think as individuals and I have listened to what many of them have had to say over the past few weeks.

I listened also to the Prime Minister last Thursday and agreed with a lot of what he said. However, I do not think that he had a coherent plan for the action that he is asking us to take tonight. I believe that it is flawed on the grounds that we do not have sufficient ground forces. I did not come to that decision lightly. I listened when we debated taking action in Iraq and I supported it then because the Prime Minister convinced us that the very reason we were taking that action was that there were solid troops on the ground and a solid Government.

We do not have those things in Syria. Those who say that it is just the same and there is an artificial boundary should listen to what the Prime Minister has said.

I will quote the Prime Minister, but unlike you, Mr Speaker, when you were on these Benches, I have to read the column because I do not have your memory. In column 1257 on 26 September 2014, in an answer to the hon. Member for Gainsborough (Sir Edward Leigh), who suggested that airstrikes without ground forces would be just gesture politics, the Prime Minister said:

“...To be absolutely direct, I am not claiming that by air strikes alone we can roll back this problem. What this problem requires is a comprehensive strategy, including a well formed Iraqi Government and well formed Iraqi armed forces, because they in the end will be the ones who have to defeat this on the ground.”—[Official Report, 26 September 2014; Vol. 585, c. 1257.]

The lack of that in Syria makes it unfortunate and wrong for us to proceed with the proposed action, and for that reason I will not support the Government motion. I believe in consistency, and the Prime Minister is not being consistent, given his arguments at that time and what he is saying today. External factors have changed, but practical ability on the ground has not.

Let me ask the Foreign Secretary a direct question. I intervened on the Prime Minister early in the debate, but I believe that the Foreign Secretary can answer this question directly. My constituent's son was killed in an accident as a trainee pilot in 2012. His father has asked me to ask the Government whether all the Tornadoes and Typhoons now in Iraq will have a collision warning system. When we are sending people to war, it is important that they have the correct kit, and we have argued for that for years.

I wanted to hear the Prime Minister come up with something today—perhaps a move towards a UN resolution that includes chapter 7 status. That does not exist today, and I therefore do not think that there is a comprehensive strategy. I voted for action in Libya, and I am certainly not a pacifist. I did not vote on Iraq because I did not think the case had been made, but my colleague, Peter Kyle, tabled that motion, and he is no woolly liberal.

7.26 pm

Antoinette Sandbach (Eddisbury) (Con): In his response to the Prime Minister, the Leader of the Opposition quoted part of an email from Abdulaziz Almarshi. I would like to go on and read some of the rest of it:

“We have driven ISIS out of our towns before, but it is becoming impossible to do so while we are facing the relentless bombardment of the Assad regime and Russia. The territory that
ISIL in Syria

Isis controls is crucial to their growth, their capture of resources, and their ability to conduct terror attacks abroad. We need help in order to keep them out of our town.

The Syrian regime has killed 7 times more civilians than Isis this year. No, it is not as Julian Lewis says, that Assad is the lesser of two evils. Assad and Russian airstrike have been focused on our hospitals and schools and homes, and much less so on Isis assets. As their bombardments continue, our towns are weakened. Isis comes in to fill the void, and amidst economic collapse, provides services and the promise of steady salaries, beffing up their recruitment and their hold on the land.

Make no mistake, however, Syrians are resisting. Just last week in my own hometown of Manbij, women were kidnapped, an activist was tortured to death, and protesters were shot for trying to keep Isis out.

These people deserve your support—and supporting them is the only way to defeat Isis.”

I was not present in the Parliament that refused to take action against Assad and his regime, but as Edmund Burke said, the only thing necessary for the triumph of evil is for good men to walk by. This has not been easy, but my decision to support the motion is based on a clear plan that was agreed in the Vienna process, support from the UN to tackle the barbaric operations of Daesh, and the commitment of the United Kingdom to action that is focused on diplomatic, humanitarian, military and national security issues. I have read every email from my constituents on this matter. I agree wholeheartedly with the speeches made by my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) and the right hon. Member for Derby South (Margaret Beckett).

I have asked myself this question: if an attack masterminded from Raqqa happened in Chester and my constituents were caught up in it and I had voted no to further intervention in Syria, would I have acted in their best interests, or indeed in the interests of the civilian populations under the devastating rule of Daesh? I believe the answer to that question is no. I will be voting with the Government tonight.

7.30 pm

Mr Roger Godsiff (Birmingham, Hall Green) (Lab): As has been said on many occasions during the debate, everybody agrees Daesh is a threat to us all, to our way of life and to our liberties, and that it has to be destroyed. However, I am not convinced that dropping more bombs on Syria will add anything to the defeat of this organisation. There are already a lot of bombs being dropped by Russia, America and France. Apart from not destroying Daesh, they are creating terror among the population, resulting in the mass displacement of the Syrian population. This, in turn, is causing huge problems for European Governments who are trying to cope with the flood of refugees.

We in this country should of course support France. We should provide that support and solidarity in various other ways. The right hon. Member for Haltemprice and Howden (Mr Davis) outlined some of them. Other Members have outlined other ways in which we can assist. We should provide logistical, intelligence and special forces support to the Kurds and the elements of the Free Syrian Army who are actually doing the fighting on the ground. It is only ground forces—Arab ground forces—who will eventually bring about the displacement and defeat of Daesh in Syria.

The Prime Minister has said that there are 70,000 Syrians ready to fight. I take him at his word and we shall have to see. I suspect, however, that this assertion will come back to haunt him in the same way that the assertion made at the very same Dispatch Box, that the UK was only 45 minutes away from a nuclear or chemical attack by Saddam Hussein, has continued to shred the legacy of a former Prime Minister.

We can also share with the French and our allies our expertise in monitoring and breaking up terrorist cells, because we have long experience of doing that in the UK. Furthermore, we should go to the UN and seek support for safe havens to be created within Syria. This would be in our interests and in the interests of other European countries. It would also be humanitarian in helping not to force the population out of Syria.

There has been one voice, among the many that have been raised today, that has not been heard: a voice from somebody who has experienced Daesh and been a hostage of that organisation. I refer to the French journalist, Nicolas Henin. In a recent article he wrote:

“I know for sure that our pain, our grief, our hopes, our lives do not touch them. Theirs is a world apart…Central to their world view is the belief that communities cannot live together with Muslims”.

But he went on to say:

“They came to Paris with Kalashnikovs, claiming that they wanted to stop the bombing, but knowing all too well that the attack would force us to keep bombing or even to intensify these counterproductive attacks.”

He ended by saying:

“I know them: bombing they expect. What they fear is unity.”

We must have unity of purpose in speaking out and destroying Daesh. The Prime Minister will have his majority tonight and he will win the vote, but I do not believe he has won the argument.

7.34 pm

Richard Drax (South Dorset) (Con): I first pay tribute to the brave pilots and crew of the RAF who are already flying in operations over Iraq. As always, they do our nation proud, and we are indebted to them.

Let me start by quoting from the great man himself, Winston Churchill:

“Never, never, never believe that any war will be smooth and easy or that anyone who embarks on a strange voyage can measure the tides and hurricanes he will encounter. The statesman who yields to war fever must realise that once the signal is given, he is no longer the master of policy but the slave of unforeseeable and uncontrollable events.”

That is a cautionary observation and one that runs through all the speeches I have heard tonight. The Government’s laudable aim is to safeguard the peoples of this great nation, to stand with our allies and to degrade Daesh. Members should please note that I did not say “destroy” Daesh, as bombing alone will not achieve that aim. What, then, does success look like? The only way Daesh can be truly destroyed in Iraq and Syria is by a large-scale multinational ground offensive, for which there is no appetite for a multitude of reasons—not least the ghosts of the past, which clearly stalk this Chamber tonight. But if we truly intend to tackle this problem, destroy Daesh in its lair and follow through on UN resolution 2249, a ground offensive is the only practical and logical conclusion.
[Richard Drax]

Bombing will degrade Daesh, kill its operatives and give heart to those fighting this organisation on the ground, but it will not destroy it. The Government have made it clear that they have no wish to put boots on the ground, which today’s motion specifically excludes. I suspect, however, that that is exactly where it might lead, as one consequence of a bombing campaign. We are a major player and must play a prominent role, standing up for values that are envied across the globe.

Islamic fundamentalism is, regrettably, our generation’s scourge, and it is not going to dissipate in the short term. Could this be our Thirty Years war? The current threat is real and present: it can and must be fought. So let us not discard the idea of boots on the ground—no matter whose boots they are—but explore that option in the eventuality. As Churchill indicated, conflict subjects us to forces outside our control. Subsequently, every eventuality needs to be examined.

Bombing alone will not solve this vexed question, which has divided the House and will do so again later, but it will demonstrate to the world that we will defend our island and her people, stand by our allies and meet our international obligations. As I said here on Monday night, evil thrives when good men and women do nothing. Tonight, I shall go into the Lobby with the Government. I am with the Government, our allies and the thousands of innocent victims who are looking to us for help.

Several hon. Members rose—

Mr Speaker: Order. I am sorry to say it, but a three-minute limit on Back-Bench speeches will now have to apply.

7.37 pm

Douglas Chapman (Dunfermline and West Fife) (SNP): Thank you, Mr Speaker, for the huge advance notice of that.

Despite many of the good and measured speeches we have heard today, the drums of war are still beating in the background. I know that that does not always make for good, rational decision making. We do not disagree that Daesh is a wicked and evil group, who must be defeated. I am not a pacifist, and I do not doubt that military power may play a part in the defeat of Daesh at some point, but I am utterly unconvinced by the case the Prime Minister has made here today.

Those speaking in favour of this motion seem to be deploying three main arguments for the necessity of British action in Syria. The first is that we should do so to help our allies; the second is that the UK has special capabilities vital to the completion of coalition aims; and the third is that doing so will make us safer at home. Such arguments may be seductive, but I caution the Government to ask themselves whether this bombing campaign will bring us any closer to a solution or stability in the region.

The most emotive argument is the one about helping our allies, particularly France, which had to endure horrific attacks that struck at the heart of its capital city just over a fortnight ago. I followed Scotland’s First Minister—and I was the first MP to sign—in signing the book of condolence in the French consulate in Edinburgh, so I and my SNP colleagues beside me here take our duties to France, and indeed our other NATO partners, extremely seriously. Our determination to go after the financiers, the planners and the enablers of that terrible attack will never cease; it just so happens that I think bombing Syria will not bring justice any closer.

The Prime Minister has, I believe, made a terrible mistake in forcing the issue through the House despite the extreme unease of many people, in this place and outside, about the efficacy of airstrikes. Why has he not focused instead on the many other ways in which the United Kingdom could help Syria militarily? UK bases in Cyprus have already been offered, UK logistics and support forces are in the area, and intelligence-sharing has increased. At a time when it is widely accepted that the UK has lost its strategic edge, the Prime Minister’s attempt to make up for that is to say, “There is a fight somewhere; why is Britain not in it?” There is so much more that we could do to help our allies. Churchill once said that jaw-jaw was better than war-war. I think that we need to reinvent that tonight, and say that jaw-jaw is not bom-bom. Let me end by saying that my party will support the amendment tabled by the Scottish National party.

7.40 pm

James Heappey (Wells) (Con): On three occasions, I left my family and boarded a plane bound for Afghanistan or Iraq. As the plane went through the clouds, I took what could have been my final look out of the window at this country. When you do that, you cannot help wondering whether the people who have stood in this place have made the right decision, whether the nation is with you, and whether what you are going to do is worth while.

Today, I rise to contribute to that decision-making process, and I can tell the House that the responsibility weighs heavily on my shoulders. However, I am certain that the motion should be supported. It clearly states that the continuation of airstrikes in Syria is just one part of the solution that is required to defeat Daesh, and to secure a peace both there and in Iraq. Bombing, diplomacy, aid, and countering radicalisation at home and abroad are not mutually exclusive. Indeed, in Iraq, Afghanistan and Libya, we have surely seen that they are utterly interdependent. Today, we must decide on whether to take military action, and I want to speak briefly about four themes in support of that action.

First, we are being asked to join a coalition—a coalition of our closest allies and some of our most important partners in the region—and we must answer their call. Secondly, our contribution does enhance the capability of the coalition. Difficult targets present themselves only fleetingly, and prosecuting those targets requires constant air cover involving highly skilled pilots and deadly accurate munitions. Our Royal Air Force offers that. Thirdly, there is the necessity for indigenous ground manoeuvre. In Basra, my battle group was fighting an insurgency that existed almost entirely because we were not there. The 70,000 Syrians and 20,000 Kurds under arms could, and should, become a cohesive and capable force, but the bombing campaign will buy the time for
them to be manoeuvred into the place where we need them to be, so that we can co-ordinate their efforts in support of the airstrikes.

It is, of course, important to note that those airstrikes degrade Daesh in the meantime. It has a military effect of its own. It is clear to me from today’s debate—this is my final point—that the House agrees on the ends that we seek to achieve, and that most of us agree on the means by which we seek to achieve them, diplomatic, humanitarian and military. The disagreement is on when, and in what order. I say from personal experience that when we are trying to buy time in a combat zone, we need to suppress the enemy. We need to keep their heads down, and deny them any freedom of action. Nothing in a combat zone is perfect—the timing is never right—but we must get on with this, because we are required to do so to help the Syrian people.

7.43 pm

Alison McGovern (Wirral South) (Lab): I think that I speak for the whole House, Mr Speaker, in expressing my admiration for you today.

I pay tribute to my right hon. Friends the Members for Derby South (Margaret Beckett) and for Kingston upon Hull West and Hessle (Alan Johnson). I agree with what they said. We come to this House to choose. Yes, we come here to criticise and, at times, to express our anger, but we do not come here to commentate. The purpose of our debate is not entertainment, but education: the education that we need in order to choose. The choice that we must make today is not, as some have implied, on a grand new strategy. It is a relatively narrow choice between a motion that extends our involvement in our existing battle and a vote for the status quo.

Angela Smith (Penistone and Stocksbridge) (Lab): Does not this choice involve risk? The risk involved in doing something has to be balanced against the risk involved in doing nothing, which equally carries great risk for this country and for the world.

Alison McGovern: I could not have put that better myself.

I have to confess that, not for the first time, I am angry with the Government. I am angry because I believe that they have turned their backs on vulnerable refugees from the conflict in Syria, to whom we should have held out our hands. The process that will take in 20,000 refugees by 2020 is too slow. The Government could have demonstrated to the world what it means to be British, but they have not done enough. I know we must put party politics to one side, but that is hard when the Prime Minister tells us we must do our bit and in what order. I say from personal experience that when we are trying to buy time in a combat zone, we need to suppress the enemy. We need to keep their heads down, and deny them any freedom of action. Nothing in a combat zone is perfect—the timing is never right—but we must get on with this, because we are required to do so to help the Syrian people.

The biggest recruiting sergeant for vile extremism is want. It is the dissatisfaction with the chances that the world is offering, whether in the back streets of Britain or the cities of Africa and the middle east, where young people find that the powerful in our world forget them far too quickly. It is this pervasive want that creates fertile ground for the blame and resentment that extremists cultivate.

We are right to be sceptical of our own capacities, but we should not be sceptical about the Syrian people. Rather, we should offer them refuge now, and our backing tomorrow. Whatever choice we make tonight, we will have to live with it. I will have to face my constituents and explain my decision to them, but that is absolutely nothing compared with what the Syrian people have faced. Too often in the past five years, we have seen people in need and we have turned away. We must not do that now.

I might not trust the Prime Minister that much, but in the end the solution to that mistrust is in my hands. I want him to know that, if I vote for his motion today, I will be here every week holding him to account. We have Back-Bench motions now, and if I do not believe that he has lived up to the trust of the British people, I will waste not a moment before using them. Any support I give to him is conditional, and we will return to this question again and again. As my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) said so well, if our job is to work for peace, we will do it with scrutiny. We will scrutinise the Vienna process to make sure that it happens.

We are voting today on just one tactic in this greater struggle, and I see the limits in the choice in front of us. My party, the Labour party, has a bigger task, and it is one that I will never just leave to the Prime Minister. The end to the extremism that we face today will come with a decent and fair society, and we must not waste a moment in fighting for that.

7.48 pm

Wendy Morton (Aldridge-Brownhills) (Con): The first duty of a Government is to protect their citizens and their country, and the decision on whether to use military force is one of the toughest and most significant that a Government, and we as individual MPs, have to take. That is especially so for me, as a new Member of this place. Much of what I have to say has already been said, with far greater eloquence, by hon. Friends and other Members. However, this is a serious matter, and one that my constituents take an interest in, too.

In recent months and weeks, we have been watching an already fragile and serious situation in Syria further unfold and deteriorate. We have heard statements here in the Chamber and listened to debates, and we have rightly been able to ask questions. We all agree that we are appalled by the crimes that ISIL commits daily against Syrian civilians, and we cannot fail to be deeply moved by the plight of the millions of Syrian refugees forced to flee their homes for safety, and of the many more who are displaced in their own country.

The events in Paris have brought the seriousness of the situation even closer to home. As we have heard and as we see, this is a complex situation needing a complex and comprehensive response. The UK, through DFID, is already providing humanitarian aid to the region.
That is why what I wanted today was sustained, short-term acquired the capability to plan attacks here in Europe. We know that Daesh has and Islamic freedom. We can see that in the refugee camps of northern Iraq. We know that Daesh has emphasis on this being a joint struggle for both western and unity of purpose at home for what will be a very long fight. That is why we cannot afford in this House to put forward strategies that we think carry too great a risk of failure, as I am afraid the Government strategy to have a plan for that from the Government today.

Like others in this place, I have visited a Syrian refugee camp—on the border with Turkey—albeit two years ago, and I saw for myself the work being done there. A political solution is also required, and I welcome news that this process is beginning with the Vienna talks. Working towards transitional government will be a key step towards long-term peace and reconciliation and establishing democracy, but there comes a point when humanitarian, political and diplomatic responses alone are no longer enough. As the direct threat posed by ISIL to the UK increases, so too does our responsibility to protect our country and our citizens. ISIL is extreme and must be isolated. We need military action, not inaction.

What message would it send if, as the Prime Minister said, we subcontracted our responsibilities out to others? It is time to stand with our allies. It is not logical for our planes to have to stop at the Iraqi border with Syria. ISIL does not recognise the border; it does not stop there. Its headquarters are not in Iraq; they are in Raqqa. Our RAF is already in the region, operating precision airstrikes. I believe British action can and will make a difference, and I will therefore support the Government this evening.

7.51 pm

Liam Byrne (Birmingham, Hodge Hill) (Lab): It is a pleasure to follow the hon. Member for Aldridge-Brownhills (Wendy Morton). She is right that this is a serious debate. It is one I have considered, too, and I am sorry, but I have come to a different conclusion from her.

I speak against this motion, and I speak with a great sense of frustration. I am frustrated because I agree with the Prime Minister that we are at war; we are under attack, and we face an enemy the like of which we have never faced before. We are fighting against shadowy networks and nebulous states. Today’s debate is about the theatre of Syria, but we all know there are other theatres. We know there is conflict that we may need to come to in Yemen, on the border of Afghanistan and Pakistan, in the Khorasan region, in Libya and in parts of Nigeria. The enemy we are debating tonight is Daesh, but we all know there are other enemies. We know there is the core of al-Qaeda still present somewhere around Afghanistan and Pakistan. We know there is al-Qaeda in the Arabian Peninsula. We know there is the Khorasan group at work against us. We know there is Jabhat al-Nusra in Iraq, and its allies.

What this reveals to us is that this will be a long march. As my hon. Friend the Member for Birmingham, Hall Green (Mr Godsiff) said, we must maintain solidarity and unity of purpose at home for what will be a very long fight. That is why we cannot afford in this House to put forward strategies that we think carry too great a risk of failure, as I am afraid the Government strategy does.

I was grateful to hear the Prime Minister put such emphasis on this being a joint struggle for both western and Islamic freedom. We can see that in the refugee camps of northern Iraq. We know that Daesh has acquired the capability to plan attacks here in Europe. That is why what I wanted today was sustained, short-term action to take out that external planning capability of ISIS, whether that needs air cover or boots on the ground. In the longer term, like the Chair of the Defence Committee, I want to see an overwhelming coalition brought to bear, to smash Daesh into history. That needs Vienna first, not Vienna second.

We dare not risk defeat. That would hand our enemies a propaganda victory that we would hear about for years to come. However, victory means bringing together air cover, ground forces and politics—and, heavens above, if we cannot sustain that combination to take back Mosul, how on earth will we take back Raqqa in Syria? That is why I was disappointed that the Prime Minister was not able to specify this afternoon just what the ground forces are that will help us take back Raqqa under the air cover of the RAF. That is the difference between Iraq and Syria. In Iraq, there are ground forces; in Syria, frankly, there are not. I do not want a half-hearted fight; I want a full-on fight, and we did not have a plan for that from the Government today.

7.54 pm

Mr Ranil Jayawardena (North East Hampshire) (Con): I have considered this matter very carefully. I respect the views of other Members, including the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), and, indeed, the views of my constituents, whatever side of the debate they find themselves on. Having listened to the arguments, I rise to support the motion. It is absolutely imperative that Britain and her allies work together to eliminate the so-called Islamic State: a group whose continued existence is an affront to humanity; a group responsible for unparalleled brutality over recent years; a group that loathes freedom and democracy, and despises every value we hold dear.

At around the turn of the fifth century, St Augustine laid out his preconditions for a just war, among which were a desire for peace, and for it to be the final decision when all other means had failed. I believe that his words remain pertinent in the 21st century, as negotiating with the so-called Islamic State would be both impossible and abhorrent.

I am glad that the motion proposes to target the so-called Islamic State exclusively, for it is that group of terrorists who have attacked us and who pose a danger to our people. They hate us for who we are, not what we do. They must be stopped.

Although we may not approve of the actions undertaken by the Assad regime, our overwhelming priority must be to protect the United Kingdom and support our allies. To do that, we must stabilise Syria, avoiding the creation of further ungoverned spaces in which terrorism will thrive.

Had the motion mandated a complete overthrow of the Syrian regime by force, leading to the destruction of the apparatus of government, I would not in all conscience have been able to support it, for we would not have learned the lessons from past conflicts; we would not have been helping to stabilise Syria; and we would not have been making Britain safer. Under the motion, however, I believe we have, we are and we will.

7.56 pm

Natalie McGarry (Glasgow East) (Ind): I admire your fortitude, Mr Speaker, in sitting in the Chair for so long. I am very pleased to be able to speak, because I
visited Rojava in north-eastern Syria for eight days in October, to speak to the commanders of the YPJ and the YPG, who are fighting Daesh directly on the frontline, and to the leaders of democratic non-confederalism about the democratic revolution happening in that part of the world.

The Kurds I met were very clear that they were working to protect areas and to retake areas taken by Daesh, such as Kobane. They are limiting their actions to those areas inhabited by the Kurdish population. They are not expansionist. If they are to be considered as part of the alleged 70,000 moderate ground forces put forward by the Government, their geographic limitation must give us all pause for thought. They told me that, in the first instance, they want a democratic solution to the ongoing civil war. Daesh exists and thrives in the vacuum and chaos of the uprising, and the continued instability of Syria lies in a fractured, multifaceted, multi-layered and multi-factioned response to Assad’s brutality and suppression.

Dr Lisa Cameron: Does the hon. Lady share my concerns that the allies involved appear to have conflicting goals and outcomes that they wish to achieve in Syria, and that we would simply be adding to the chaos and destruction of Syria?

Natalie McGarry: I thank my hon. Friend for making that point. I will come to it later; I completely agree with her. Syria will continue to be unstable until the point. I will come to it later; I completely agree with her. Syria will continue to be unstable until that point. I will come to it later; I completely agree with her. Syria will continue to be unstable until the point. I will come to it later; I completely agree with her. Syria will continue to be unstable until that point.

The Prime Minister refers to allies such as the French, the Russians, the Turks and the Kurds, but the Turks recently exploded a Russian military aircraft, and they continue to bomb the Kurds who are fighting Daesh in north-eastern Syria and in the Kurdish Regional Government area of northern Iraq. They are also accused of closing the trade border, necessitating a pontoon bridge that is subject to intermittent trade embargoes—the only relatively safe trade and transport route from the KRG. Turkey is making it harder for the Kurds to tackle Daesh.

The Russians were accused by the Syrians, while I was there, of bombing moderate opposition to Assad. Meanwhile, I spotted Hezbollah fighters in the Assad-controlled parts and streets of al-Qamishli. There are already too many agents in this conflict. The French, the Americans, the Russians, Israel, Turkey and others are already destroying Syria and deploying airstrikes there, with no strategic plans and little success. How can we proceed when we are not even sure who our allies are and who they are allied to? Why would the UK think that repeating the same mistakes could lead to a different conclusion?

The UK needs to support the creation of a safe no-bomb zone in Syria in the first instance to protect ground troops, such as they are, in tackling Assad and Daesh, and to protect internal refugees. We need to support Vienna, and a more comprehensive strategy aimed at a democratic solution to the civil war. Key to defeating Daesh is stopping the money flow. Contrary to some impressions, Daesh operates extremely strategically, closing supply routes and controlling infrastructure. Serious money props that up. Where is it coming from? Who supplies the arms? Who is purchasing the oil? Cutting the funding will kill Daesh more effectively than gesture airstrikes.

The people I spoke to in Syria stayed in Syria because they want to fight Assad and Daesh. We owe them better than treating them merely as statistics, and their country as a casualty of perceived international obligations.

8 pm

Fiona Bruce (Congleton) (Con): None of us comes lightly to the decision we make today, but one thing that I am sure of is that at the forefront of all our minds is the safety and security of every one of our constituents. In coming to my decision today, I have read all my constituents’ letters and emails. I have also asked myself a number of time-honoured questions about whether a conflict is just. Will this military action promote a just cause? Are our intentions right? Is there legislative authority? Is this a last resort? Is there a probability of success? Is the action proportionate?

Time prohibits a detailed response, but although in an ideal world no right-thinking person would advocate military action, we do not live in an ideal world—far from it. We and our constituents live with the very real, present and vicious threat of the evil ideology of ISIL, whose ultimate aim is nothing less than to destroy civilised society as we know it. The motion asks for authority for military action—airstrikes—“exclusively against ISIL in Syria” in order “to defend the UK” and “prevent terrorist acts by ISIL.” Can anyone doubt that that is a just cause?

Do we have the right intentions? Just as the UK is compassionately motivated in seeking humanitarian efforts in Syria, supporting refugee camps in Lebanon and Jordan and welcoming refugees here, I believe the support for this motion in many parts of the House is born out of the same compassion for the suffering Syrian people—children raped, Christians tortured, aid workers beheaded, and whole families dispossessed, having been given three choices by ISIL: submit, leave or die. If our end goal for them is successful post-conflict stabilisation, and we want protection for them in the meantime from an evil and barbaric oppressor that threatens not only their peace and security but ours, I believe that we have the right intentions.

Do we have legitimate authority? If this House supports our Government, it will note that we have a clear legal basis for defending the UK under the UN charter.

Mr Steve Baker (Wycombe) (Con): Will my hon. Friend join me in welcoming the unanimous nature of the Security Council resolution? There can be no question but that the Russians and the Chinese are with us in standing against this dreadful threat.

Fiona Bruce: I do indeed. The wider international community, through the Security Council resolution, says that ISIL constitutes “an unprecedented threat to international peace and security”
and called on states to take “all necessary measures” to prevent terrorist acts by ISIL. We note, too, the request from other sovereign states, including our allies, France and the US, for military support.

The next question is whether this is a last resort. Ongoing diplomatic, humanitarian and political endeavours are continuing, but airstrikes, while not enough in themselves, will be an essential component if we are to degrade and defeat this terrible force.

Finally, what of the probability of success? That is the hardest question of all. There can be no guarantees, as we have been told, but yes, I believe that there is a probability of success, in terms of degrading ISIL; weakening its capacity to attack our citizens; preventing the spread of its hideous caliphates in Syria; reducing its training bases, with their allure to those at risk of radicalisation; attacking ISIL’s control centres in Raqqa and elsewhere, from which jihadists are sent out to other lands; and reducing the spread of its terrible ideology. Considering all of that, I have concluded in good conscience and good faith that supporting the Government’s motion tonight and the action proposed is both right and just.

8.5 pm

**Barbara Keeley** (Worsley and Eccles South) (Lab): We have heard some excellent and thoughtful speeches today. Deep issues are involved in this debate, but I want to touch on a matter that many right hon. and hon. Members raised earlier: the Prime Minister’s use of the abusive term “terrorist sympathisers” to describe those Members who vote against the Government’s motion tonight as they believe that he has not adequately addressed concerns that have been raised. ISIL/Daesh struck and deeply hurt the Eccles community through the savage murder of my constituent Alan Henning. That community came together—Muslims and Christians—to mourn our loss and to celebrate the life of our local hero. If I choose to vote against airstrikes in Syria today, as I will do, it will be deeply offensive to me and to that community for me to be labelled a terrorist sympathiser for my decision. Not a single person in Eccles or the rest of my constituency has said to me that we should authorise airstrikes in Syria because of the hurt caused to our community by the savage murder of Alan Henning.

I have listened carefully to the arguments in the debate. The issue about the 70,000 troops the Prime Minister says we can work with has been raised many times. Those at the briefing MPs were given heard that actually only 40,000 of those troops are open to western influence, with 30,000 being more strongly Islamist and only potentially open to political participation.

This is a key question and we did not hear many answers. The Prime Minister says that the troops are “not ideal”, the hon. Member for Basildon and Billericay (Mr Baron) has called them “mythical” and the right hon. Member for New Forest East (Dr Lewis) called them “bogus battalions”. It is important to be clear about the numbers, as has been said, the strategy does not address what can stop the moderates splitting into many separate militias, given that they are already splintered. It would have been better to work through the issues relating to the possibility of co-ordinating action with those ground troops before this decision had to be taken.

My right hon. Friend the Member for Manchester, Gorton (Sir Gerald Kaufman) gave his reasons for not supporting the motion, describing the military action the Prime Minister asks us to support as a “gesture” and not “effective” military action—a gesture that would not get rid of Daesh and would not get rid of Assad. I agree with my right hon. Friend, and I also agree with colleagues who say that we must be sure we are taking the right action, the justified action and the action that will be effective. I am not convinced about the proposed action and I will be voting against the Government’s motion.

8.7 pm

**Mr David Burrowes** (Enfield, Southgate) (Con): We can often have too partial a view of parliamentary history when dealing with issues of military intervention. I believe the relevant history is not so much the votes on Iraq in 2003, but those on Iraq in 2014. The motion on 26 September 2014 was agreed by a majority of 491, so should we now be extending it and extending RAF operations from Iraq to Syria?

It should not surprise us that my hon. Friend the Member for Basildon and Billericay (Mr Baron) opposes the extension to Syria, because he opposed the motion on operations in Iraq. The same is true of the hon. Members for Newport West (Paul Flynn) and for Vauxhall (Kate Hoey), the right hon. Member for Moray (Angus Robertson) and the hon. Member for Foyle (Mark Durkan), who have all spoken against today and all voted against operations in Iraq. It particularly should not surprise us that the Leader of the Opposition, the right hon. Member for Islington North (Jeremy Corbyn), opposes extending operations to Syria, because not only did he oppose that September 2014 motion, but he was a teller in the No Lobby. He made it very clear then, as I am sure he would have done if he had had more of an opportunity to respond to my intervention, that he, seemingly in principle, opposed the operations in Iraq.

By implication, that means that those Members do not support what has been happening in Iraq, doing good there and regaining 30% of the territory held by Daesh. They are going against the context of our operations in Iraq. I remind the House that those operations sought to go to the aid of Iraq and support people’s right to defend themselves. We were seeking to support them in their efforts to defend themselves against those ISIL genocidal jihadists who were going against Muslims, Christians and Yazidis. We should not forget that context, because that is what led us to vote in favour of action by such an overwhelming majority. The history behind this vote is as much about Kosovo in 1998 as it is about Iraq in 2003. When we look at the liberation of Sinjar, which was brought about because of the support of RAF pilots and our allies, we should remember that it was opposed by the Leader of the Opposition. We saw the horrors of Sinjar.

**Mr Robin Walker:** My hon. Friend is making some powerful points. Does he agree that crucial in our intervention in Iraq to date has been the fact that there have not been civilian casualties from the RAF action?
That shows that we have the capability to take incisive action against terrorist targets without putting civilian lives at risk.

**Mr Burrowes:** That is right. The hon. Member for East Dunbartonshire (John Nicolson) described as a disgrace the operations that are taking place. However, it was not a disgrace to liberate Sinjar. [HON. MEMBERS: “Hear, hear.”] The action has been effective, proportionate and is not leading to the loss of civilian lives. The grim reality, the horrors in Sinjar were revealed: the mass graves of older women who had been butchered by ISIL.

We should stand four-square behind these operations, which should be extended. Along with the hon. Member for Barrow and Furness (John Woodcock), I wanted the motion in 2014 to go further. Like him, I recognise the important international principle of a treaty to protect people from genocide. That is what we were seeing in Iraq and Syria. The duty to authorise force extended logically both to Iraq and Syria. So I wanted us to go further then. To be consistent with the decision in 2014, I want us to extend our operations to Syria. As I said to the Prime Minister then, the genocidal actions of ISIL jihadists have no borders. We need to understand that ISIL has the same intent now as it did in 2014. The right to defend Iraqis and the right to defend our UK citizens means that there should be no border in our operations between Iraq and Syria.

We have heard many Members offer their expert opinion about the effectiveness of the operations. We must be careful that we do not become armchair—generals. Surely we should accept the evidence from the armed forces, security services and the Joint Intelligence Committee that we have a very clear and imminent threat to our citizens, and that we have a proportionate response to it. My question to my constituents is this: if one of those seven planned attacks on the UK in the past 12 months had not been thwarted and had got through, what would I have done? I would have had to look my constituents and their families in the eye and say that we must tackle the threat by going—

**Mr Speaker:** Order. I call Ruth Smeeth.

8.12 pm

**Ruth Smeeth (Stoke-on-Trent North) (Lab):** There is no more solemn or important duty of this House than the decision to authorise military action, and it has weighed heavily on me in recent days. To risk putting our servicemen and women in harm’s way is a great and heavy burden, as indeed it should be.

In recent months, we have seen the horror of the attacks in Paris, Tunisia, Lebanon and Turkey committed by Daesh. Even those acts of terror fail to tell the story of the full scale of the threat that faces us and the fact that it is growing. In 2014, there were 15 global attacks perpetuated by Daesh. This year, we have seen 150 so far.

**Angela Smith:** May I add to my hon. Friend’s list by pointing out that seven potential attacks in the UK over the past year have been prevented by our counter-terrorism services? Will she take this opportunity to put on the record our appreciation of our intelligence services and the role they have played in preventing terrorism here in the UK?

**Ruth Smeeth:** Absolutely, and I thank my hon. Friend for her intervention.

The threat to us is not theoretical. Our friends and allies across the world have to live with the consequences, and now they are asking for our help. We must not forget the murder and mayhem being visited on the people of Syria and Iraq. When Daesh began pushing north from Mosul to capture Yazidi villages, the men and women were separated. First, the Yazidi men and boys were taken out to the countryside and machine-gunned en masse. After that, the women were separated by age: those who were too old to be kept as slaves for Daesh were shot, and the rest were rounded up as spoils of war. The mass graves from those killings are beginning to be unearthed following the liberation of Sinjar by Kurdish forces, which was supported by us.

The sheer barbarism of this organisation is difficult to comprehend, and I cannot look myself in the mirror every day if I know that we are allowing this evil to thrive. Members across the House have rightly pointed out that recent events across the middle east must give us pause for thought whenever and wherever we consider any further intervention. I agree, but my country and my party have a proud history of standing up to tyranny and intervening to protect people from poisonous ideologies and evil despots.

That began with the fight against fascism in the 1930s. If you were to visit the town hall in Stoke-on-Trent you would find a plaque commemorating the veterans of the International Brigades. The men and women of that movement risked their lives for their commitment to internationalism and solidarity, standing against an ideology that posed an existential threat to our way of life. Daesh poses no less a threat. For the Opposition, the spirit of internationalism, humanitarian intervention and solidarity with people across the world is one of the longest and proudest traditions of the British left, which is why we must not fall into the mindset of isolationism.

We must recognise that issues of war are never clear cut. There is a cost of inaction, as much as there is a cost of action, and if we allow atrocities to go unpunished and unrestrained we will bear the burden. As a permanent member of the UN Security Council, we have a duty to come to the aid of our allies in times of war. As a liberal democracy, we have a duty to stamp out the evils of religious fascism wherever it rears its head. As an outward-looking internationalist nation we have a duty to play our part against a global threat.

**Rebecca Pow:** Will the hon. Lady give way?

**Ruth Smeeth:** It is too late, sorry.

If we grow to fear the responsibility of our actions, we will find ourselves incapable of meeting our obligations to the country, to our allies and to our values. We will all enter the Division Lobbies tonight with a heavy heart, knowing that there are consequences to our vote, whichever way we choose to act. I am making the difficult decision to vote for extended action against Daesh. No one seeks war, but I genuinely believe that this is the best way to support Syrians and protect our citizens.

8.16 pm

**Dr Tania Mathias (Twickenham) (Con):** May I say that I value greatly the speeches by my hon. Friends the Members for South Dorset (Richard Drax), for Tonbridge and Malling (Tom Tugendhat), and for Plymouth,
Moor View (Johnny Mercer): I also value all the constituents who have contacted me. I also value constituents who I know have been praying.

I believe that Daesh has effectively declared war on us. I believe that Tunisia and the seven thwarted attacks are effectively acts of war. In my constituency, I am incredibly grateful for the services of the security forces and the police. During the rugby world cup most of the blood spilled was on the rugby field. Of course, today and tomorrow, I am concerned. I am amazed by the RAF and the work that it has done in Iraq. I am amazed that we have made airstrikes and that there have not been any civilian casualties. It is right that we should allow our forces to cross that border, which the enemy does not recognise, but I am also aware that airstrikes in Syria may result in civilian casualties. Whether I walk through the Lobby to your right, Mr Speaker, or to your left, I believe that civilians will die.

I am pleased, however, that in the motion the Government have linked military action with humanitarian and diplomatic action. I am grateful to the Secretary of State for International Development and to the Under-Secretary of State for Refugees, as I have asked them not to forget the refugees in this area who were there before the crisis. I am reassured that all our action will be for those refugees as well—the Palestinian refugees in the camp provided by the United Nations Relief and Works Agency in Syria.

Over 10 years ago, I marched with 1 million other people against the war. Today, I believe that it is different; there is a United Nations resolution and there are Arab countries that will align with us. When I go into the Aye Lobby, it will be for the refugees and it will be for the security of Twickenham.

Dr Philippa Whitford (Central Ayrshire) (SNP): I am glad to follow the hon. Member for Twickenham (Dr Mathias). We overlapped slightly in Gaza, where we both served. I served there as a surgeon for a year and a half, having started my career in Belfast, where I grew up, so I have seen the human results of violence, whether it is due to terrorism or to bombing. It is not pretty and it is not something that any of us would wish.

Having grown up in Northern Ireland—obviously, there are Members on these Benches who are based there—I wonder how we would have felt if someone thought we could have solved that problem by airstrikes. We are talking about a situation that is complex. We have heard all the objections to military intervention. I will not go over them again as I have only three minutes, but the chance of chaos is high. Russia wants one thing, Turkey wants another. Has anyone informed the Kurds, to whom we are all paying great tribute, that no one has any plans to give them a homeland at the end of this? A hundred years on, yet again they are being allowed to fight, but we are promising them nothing.

Going into any military action, it is important to understand the basics. Who are our enemies? Who are our friends? What is the goal? How will we define victory, and what will our exit strategy be? We have had a complex, fairly tragic and incoherent approach to the middle east for decades. When I worked in Gaza, people described to me death falling from the sky all the time—sometimes directly from western powers, sometimes from regimes that we either supported or created, all the way from the Shah of Iran to Saddam Hussein. We have supported militias and rebels when we thought they could be of use, but what have they turned into—the mujahedden becoming the Taliban; the rebels and chaos in Libya.

We hear about a patchwork of 70,000 boots on the ground in Syria. What will they become? Are they our next problem? It is not that anyone here supports Daesh, despite intemperate comments. It is the fact that we do not believe airstrikes will work. The two points that were raised were national security and stability in the middle east. We will recruit extremists there; we will radicalise people here.

We all have sympathy with Paris, but that will not make bombing any more effective, so for those who have been struggling with their consciences and how to vote, I beg them please to think again and vote against the motion.
The attacks in Paris were an act of war. We have been suffering such acts of war against our country since 9/11, and even before. The west is going to have to become more coherent and meet the threat in its response. Perhaps the most significant strategic effect of this decision is that we will be joining our coalition partners and helping to create that diplomatic and political process.

8.25 pm

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): In 2013 I voted against military action in Syria, and I was happy to do so, because I did not think that the case had been made or that a plan was in place. I thought that through extraordinarily carefully, because I was very conscious of what the Assad regime was doing, and is still doing, to civilians in Syria. In all the sound and fury and rhetoric around that debate and this debate, it is absolutely vital to cut through and get to the heart of what we are actually discussing. I am very much taken with what has been said about this being an extension of existing action. This is not about starting a war or carpet bombing civilians, as one person has suggested to me; it is about extending military action against a barbarous regime that threatens our own citizens.

Like the hon. Member for Congleton (Fiona Bruce), I believe what is proposed meets the criteria of a just war. It meets the criteria on legality, proportionality, prospects of success and last resort. We also have a clear UN resolution. The idea has been put around that we somehow need a chapter 7 resolution, but that is simply not the case. The House of Commons Library has set out the situation carefully, stating:

“Phrases such as ‘all necessary measures’, as used in UNSCR 2249, are usually code for the use of force in other Security Council Resolutions...It is immaterial that they do not mention using force.”

It then points to a number of examples of different ways in which the UN has argued for that.

There is a case for self-defence in international law. There is also a case for operating against a non-state actor that threatens us when the sovereign state in that area is unable or unwilling to act against it. We have a call from our allies, from France and others, including Jordan and the United Arab Emirates, and the Germans are getting involved as well. There is also the military practicality to consider, with this imaginary border on which we can only operate on one side.

Then there is the direct threat to the UK and our citizens. I say that carefully, because of the individuals who were recruited from my constituency and went to fight in Syria. They communicated with people in this country and may well have been involved in plots against this country. That is a very serious thing to consider, because dealing with Daesh’s ideology will require more than a military strategy. We also have to tackle it here, for example by disrupting its communications methods, and in terms of security, tackling ideology, community relations and local policing. As long as that regime remains a beacon in the region, inspiring, recruiting and directing people, we will continue to have a problem, even if we meet all the other criteria.

I have my doubts about ground troops and the hopes being placed in the political process, and I have concerns about the Government’s failure to follow through on reconstruction in the past. However, we cannot let perfection be the enemy. I have had to consider whether those concerns outweigh the reasons I outlined at the beginning of my remarks. My answer is no, which is why I will be supporting the Government’s motion tonight.

8.28 pm

Neil Carmichael (Stroud) (Con): It is a great pleasure to follow the hon. Member for Cardiff South and Penarth (Stephen Doughty), because I agree with virtually everything he said. The key point is this: something dreadful and totally unacceptable is happening, and we have to act. UN resolution 2249 gives us the scope to do something. It sets out the reason for urgency and the reason why we have to take action.

We have to remember that Daesh is operating in a state that is broken in Syria, and in a state that is almost broken in northern Iraq. We are extending the same treatment from Iraq to Syria. It is not a huge expansion; it is simply a question of moving to Syria because there is a need to do so. That need is about ensuring that we really strike at the heart of this dreadful regime.

It is also imperative that we do a series of other things. We cannot avoid the need to operate through the Vienna process, for instance, because we need our allies. The key point about resolution 2249 and the request from France and from the United States is that we are wanted—we are actually needed—in this fight. By demonstrating resolution and commitment, we are strengthening the cause of the allies generally to deal with this problem.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Does the hon. Gentleman think it is rather perplexing that more effort has not been made by the Government and others to deal with the arms trade in the middle east, to close the Turkish border, which is so fluid, to the terrorists, and to tackle the problem of funding from Saudi Arabia?

Neil Carmichael: The Prime Minister made it very clear in his speech, as he has done previously, that we are taking those steps. Of course more needs to be done, but things are happening, and with rigour and appropriateness to the challenges ahead. Absolutely we need to do more, and more will be done.

The battle of ideas is absolutely crucial. It is a fact that our way of life is being challenged—it is under attack. Our democracy, our internationalism and our tolerance are under attack. That is what we have to defend, and that is why it is important that we stand up and fight against what is absolutely awful. It is important that we state those three things, among others, because that is how we remind moderate Muslims that it is important to value those things too.

Dr Philippa Whitford: Does the hon. Gentleman not see a danger in Saudi Arabia being given such a huge role? The Saudis do not share our way of life—women are not well treated there—and yet we are giving them a huge role in the region.

Neil Carmichael: That is an important intervention. However, the danger I see is one where we do not participate and do not apply our values, our skills and our leadership in this cause.
The difference between now and before is that we need unity on this more than ever. The interesting thing about the vote we had on Syria last time is that we should have acted then, because the chaos that has raged in Syria since has made it possible for Islamic State to do so well in developing its infrastructure and reach. We have to bear that in mind. We do not want to make the same mistake again. That would be fatal to our interests in the western world and to our ambition to create a new middle east where good governance thrives, the economy is successful, and the culture is great. My hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) hit the nail on the head when he talked about that future, that ambition, that desire for the middle east.

As I have said so often in this House, this is about working together as nations, sharing our capacities, our policies, and our willingness to make a difference. That is why I am voting with the Government tonight. I do so on the basis of considerable thought and considerable discussion with people in my constituency. Ultimately our responsibility is to stand firm with our allies, defeat a terrible scourge on our globe, and make sure that we can rebuild, as rebuild we must.

8.33 pm

Keir Starmer (Holborn and St Pancras) (Lab): Following the horrifying attacks in Sousse, in Ankara, over Sinai, in Beirut, and most recently in Paris, no one should be in any doubt about the capability and intention of Daesh to carry out further acts of terrorism across the globe. There has to be a strong international response, and the UK should be part of that. Enough has been said about comments the Prime Minister may have made last night. For my part, having prosecuted some of the most serious terrorist plots in this country and worked with a number of members of the Prime Minister’s Front Bench to thwart terrorism, I hope the House is clear about where my sympathies are on this matter.

The question is whether there is a lawful, coherent and compelling case for airstrikes. So far as lawful is concerned, much has been said about UN resolution 2249. In and of itself, it does not authorise force, but I accept it implies a reference to self-defence, which would be a lawful basis for action that has been taken and that may be taken in future.

For me, the question is whether, if lawful, the action is none the less compelling and coherent. The argument that there is no logic in taking military action in Iraq but not in Syria is seductive and powerful, but in the end unconvincing. The situation in Syria is very different from the situation in Iraq. The civil war has a different dynamic, the opposition forces are differently constituted and Russia is of course more heavily involved in support of the Assad Government.

That does not mean that there should be no response in Syria, and there is much in the Prime Minister’s motion—in relation to the Vienna process, the talks for a transition to an inclusive Syria and humanitarian suffering—with which I would agree; but whether there should be airstrikes is another matter. I am not against airstrikes per se, and I accept that it is difficult to see how territory can be taken from Daesh without them. In my view, however, airstrikes without an effective ground force are unlikely to make any meaningful contribution to defeating Daesh, and there is no effective ground force.

Graham Evans: Will the hon. and learned Gentleman give way?

Keir Starmer: I will not give way, because lots of people have been waiting to speak.

The Prime Minister’s reliance on what he calls “70,000 Syrian opposition fighters” on the ground is wholly unrealistic. They are a disparate group of individuals with varying motivations and capabilities. By definition, they are oppositional, and it is hard to see how we could honour and protect them without being drawn into conflict with Russia. On that basis, I will vote against the motion tonight. I will, however, say this: I respect Members from both sides of the House who hold a different view, and if the Prime Minister’s motion is passed, I will support our forces in action.

Richard Graham (Gloucester) (Con): Tonight’s motion on Daesh or ISIL is a defining moment of this Parliament. I follow the hon. and learned Member for Holborn and St Pancras (Keir Starmer), who made a typically thoughtful speech, and outstanding speeches were made from the Labour Benches earlier by the right hon. Members for Derby South (Margaret Beckett), for Kingston upon Hull West and Hessle (Alan Johnson) and for Normanton, Pontefract and Castleford (Yvette Cooper), and the hon. Member for Wakefield (Mary Creagh), all of whom highlighted the seriousness of the threat to our nation, the powerful United Nations Security Council resolution and the urging of regional Governments and our closest neighbour, France, for us to take action.

Many other Members have argued—rightly, I believe—that tonight’s motion covers a logical extension of what we have already voted overwhelmingly for in Iraq across a boundary that the terrorists do not recognise. However, some have argued that the RAF would make no difference to what our allies are already doing, and that the risks to civilians in Syria are too great. If either were true, why would our allies want us in Syria and why would the Iraqi Government want us in Iraq? If the House felt it was true that we were achieving nothing in Iraq, we would surely be criticising the Government and calling not just for debates, but for the return of our armed forces. If it was true, the right hon. Member for Moray (Angus Robertson) would surely be calling for no airstrikes at all from RAF Lossiemouth. He is not and we are not, and I believe that there is a good cause for saying that we have made a difference in Iraq.

Tonight, I believe we can find much common ground across all parties through supporting a close European partner and our closest ally, through the umbrella legitimacy of the UN, through the competence of the RAF and through the logic of extending our operational boundaries. To those of my constituents with doubts, I say that it is important to remember that we are not invading Syria, that we are not waging war against Islam or Muslims and that, as the motion says, this is one part of a broader political strategy.

Our Government’s big challenge is to defeat ISIL so that a peace settlement can have meaning on the ground. It will be unbelievably difficult, given the blood under
the bridge and the political, tribal, religious and war-scarred differences of those around the table in Vienna. However, as with Dayton a generation ago, a difficult settlement and transition is the eventual key. Unlike with Dayton, we have a role to play in the peace making and subsequent regeneration. That agreement and the governance that follows are what Syria needs. Its success or failure will determine, a generation on, whether we are seen to have played a positive role.

I did not enter this House with any enthusiasm to commission our armed forces to take lives and risk their own, but we have a duty to protect our constituents and the threat is real, so I will vote for the motion and I urge colleagues from all parties to do so, for a decision not to do so would send the wrong message to friend and foe alike.

8.40 pm

Shabana Mahmood (Birmingham, Ladywood) (Lab): Like other Members, I have struggled to work out what is the right thing to do this evening, faced with a very difficult decision, as I have done with every decision regarding military action since I have been a Member of this House. In the last Parliament, I voted in favour of action in Libya and in Iraq in 2014, and I voted against action in Syria in 2013. I know how hard it is to vote both in favour of action and against action. I have learned in the five and a half years that I have been a Member of this place that it is almost impossible to say, with the benefit of hindsight, which of those decisions was 100% right or 100% wrong. Having weighed up the arguments on tonight’s motion, I will be voting against it.

Before I explain my reasons for that, let me say that, as the House knows, I am a Muslim. Those who know me well know that my belief in God and in my religion is not just a small part of my identity or simply a box that I tick on the census, but the defining characteristic of my life. I am a Sunni too—Sunni born, Sunni raised and, since I have been old enough to make my own mind up about these things, a Sunni by choice.

Although there is a wide variety of opinion and practice within Sunni Islam, we can all agree that ISIL is not representative of our faith and not representative of Sunni Muslims. They are Nazi-esque totalitarianists who are outlaws from Islam, who engage in indiscriminate slaughter and who murder any Muslim who does not agree with them. If you are different or if you disagree, you die. I am well aware that under ISIL, a Muslim like myself would be killed, so please believe me when I say that I do not simply want to see ISIL defeated; I want to see it eradicated.

However, I believe that the proposed action will not work. That is why I cannot vote for it. I fear, primarily, the chaos that might come from a vacuum or ungoverned space. Many Members have said that airstrikes alone will not work, and I agree. We cannot simply bomb the ground; we need a strategy to hold it as well. On that point, I have listened carefully to the arguments about the 70,000 moderates. Normally, we believe that our enemy’s enemy is our friend, but in this case I believe that our enemy’s enemy will turn out not to be our friend. There are too many different groups, with too many shifting allegiances and objectives.

Imran Hussain: Does my hon. Friend agree that many British Sunni Muslims and other British Muslims would agree with her sentiments on this evil sect of Daesh?

Shabana Mahmood: I agree with that point and believe that, on this matter, I am able to speak for the wider British Muslim and British Sunni community.

What of Russia? It, too, is acting against ISIL, but it is also bombing the very moderates that the Government will rely on to hold the ground following the airstrikes. I think back to the decision regarding Syria in 2013, when I feared that action against Assad without a more comprehensive strategy would create a vacuum that would lead to more militancy, for which we would be responsible. Now I believe that an ISIL-first strategy risks strengthening Assad and creating another deeper crisis, for which we would also be responsible.

As for our own security, my instinct tells me that the threat to us will probably be the same whether we act or do not act. ISIL will not give us a free pass if we vote against action, but we will not be any more in its sights if we vote in favour of it.

It has been suggested in the last day or so that when the time for the apportionment of blame comes, those who vote in favour of the motion will have to step forward and there will be nowhere to hide. The implication is that if Members vote against it, as I will, they can avoid the blame. To those who think that way, I say this: if only the world were that simple. There will be consequences and innocent people will die from action or inaction. Whatever we decide tonight, we will all bear a measure of responsibility.

8.44 pm

Mary Robinson (Cheadle) (Con): It is a pleasure to follow the hon. Member for Birmingham, Ladywood (Shabana Mahmood) who spoke from personal experience and conviction, and with great passion, even though she has come to a different conclusion from me.

Matters of war and peace, and the security of the United Kingdom, are the primary responsibility of the Government and this House. This is the first time in my capacity as a Member of the House that I have been asked to vote on committing the UK to military action, and I assure fellow Members, as well as my constituents, that this is not a vote I take lightly.

I have carefully considered the arguments made by the Government, and it is clear that Daesh poses a direct threat to the UK. Recent attacks in Tunisia, Turkey, Lebanon, the downing of a Russian passenger plane above Egypt, and more recently the horrific attacks in Paris, show that Daesh is capable of truly international terrorism. Clearly, it is a terrorist group that does not respect borders, and the people of the United Kingdom are in its sights too.

Every day when I come to this House I see the notification telling me that the threat level to this country and its people is severe. That means that a terrorist attack is highly likely. Indeed, we have heard already that seven terrorist plots have been foiled this year, and those were either linked to or inspired by Daesh and its deadly propaganda. I pay tribute to our intelligence services on whom we rely to keep us safe.

As Daesh grows in strength and audacity, our security is increasingly under threat. In my view, when a UN Security Council resolution calls on member states to
take “all necessary measures” to prevent terrorist acts by Daesh and eradicate its safe haven, we have a responsibility to answer that call.

Over recent months a number of my constituents have contacted me about the situation in Syria and the plight of its people. Along with others, I recently visited the Zaatari camp, which is the largest in Jordan and just 14 miles from the Syrian border. People in those camps live in the most basic conditions, and their only desire is to go home to Syria. Peace in the region depends on us reaching agreements in Vienna, and that process is crucial.

Destroying ISIL, bringing peace to Syria and Iraq, and rebuilding the shattered lives of their populations will be hard and will require a multi-layered approach by a broad coalition of nations. In my view the UK has a moral obligation to assist our allies in that fight, and ultimately to help return Syria to its people. For that reason, I will be supporting the Government and voting for the motion.

8.47 pm

Rachel Maskell (York Central) (Lab/Co-op): I have held the Prime Minister’s proposal to the fire with experts, academics, people from the region, and military personnel. I have read more than 2,000 communications, and on Monday night I had a meeting in my constituency with more than 400 people present. More than 99% of those said no to the Prime Minister’s plans.

Daesh exhibits the most heinous and murderous ideology, but how will precision weapons find their target without co-ordination on the ground? We have heard how important ground forces are, but Daesh integrates into local populations. Local people work for Daesh to avoid being murdered—they do not share its ideology, but they do so to save their lives. Without a concrete military force, people will be put at risk and there will be serious casualties.

We have heard about the Free Syrian Army. On 20 October the Foreign Secretary came to the House and said that it was 80,000 strong, and on 26 November the Prime Minister said it was 70,000 strong. Yesterday I heard that there are 40,000 moderates, and today I hear that there are 15,000 people with whom we can work. In reality, those fighters are a disparate group. We have heard about the shifting sands, and many groups are co-ordinated under an umbrella. We do not know whether they will jump to western orders. They are fighting another, more conventional war, and will they move to fighting a more difficult conflict and a different enemy? People have fought against Assad to protect land. Will they be willing to move across the country to fight in a different area and give up the land that they have protected or tried to gain? We must ask such questions before we proceed. To take more time is not to admit defeat. It is about us being politicians and scrutinising what is before us. There is no loss of face in admitting defeat. It is about us being politicians and making the transition to a political solution less painful than it otherwise might be.

We want the civil war in Syria to end and for hope to return. I am persuaded that there is right here, in Vienna and in our firm diplomatic strategy backed by action tonight a real chance that we can help that to happen politically. I commend what is, in fact, a comprehensive strategy to the House.

8.53 pm

Toby Perkins (Chesterfield) (Lab): I will be voting against the Government tonight, but I will not be doing so with any certainty that what I am doing is correct. I envy all those Members who are certain about what the right decision is today. I envy those who have contacted me on Twitter. I envy my constituents and party members who contacted me and said it is a no-brainer, that it is obvious what we should do. It has not been obvious to me. It has been very, very difficult indeed.

I listened to a number of contributions from hon. Friends who will be in a different Lobby tonight, voting with the Government, and I agreed with a great deal of...
what they had to say. It has been incredibly difficult to come to a decision. I agree that Daesh is a peril that must be defeated and that it is an evil scourge that inflicts misery on huge numbers of Muslims. It has killed far more Muslims than westerners. I also agree that we should not lightly turn our back on our allies. We should have tremendous solidarity with the people of Syria, upon whom such misery and carnage has recently been visited. As an internationalist, it is not easy for me to turn my back on the United Nations resolution, and I agree that the proposed action has a strong legal basis.

Why, then, will I not support the motion? Because I believe that sometimes the kindest thing one can do as a friend is to say to a friend that the direction they are taking in their moment of torment might not be the resolution to the problems they face. I listened with great intent to yesterday’s briefing from the Foreign Secretary and others, which I thought was incredibly professional, but it was not able to answer the central point about the ground forces.

When people say, “We are doing it in Iraq, so why are we not doing it in Syria?” the simple answer is that we are doing it in Iraq at the request of the Iraqi Government and with the support of the Iraqi ground forces. I believe that the political process—a fledgling process—which has the promise of nations working together in the International Syria Support Group, must be given a chance to work. If we have an international transition plan and this fledgling stage starts to lead to something, we will then have the possibility that these ground forces will turn away from Assad and towards ISIL, and we will realise the potential of our actions actually to deliver what we all desperately want—the end of ISIL and a better and more promising future for the people of Syria.

8.56 pm

Byron Davies (Gower) (Con): There can be no graver or more serious topic for us to debate than the use of military force. I have had a great deal of correspondence from my constituents, and I have read every bit of it. I listened to what my hon. Friend the Member for Yeovil (Marcus Fysh) said. We are asking young men and women to go to fight and potentially die while engaging in the use of force in another land.

The Prime Minister and the Government have set out serious and powerful arguments for airstrikes against Daesh. It is clear from the motion that it is Daesh exclusively that will be targeted. Equally, I have heard thoughtful, sincere and forensic arguments from Members on both sides of the debate.

There are many questions, and the answers to them need to be crystal clear. We cannot make the mistakes of the past by failing to have a plan for all ethnicities and sects to have an equal place in a post-conflict Syria. If we fail in our solemn duty to do this, we will be doomed to repeat the mistakes of the past—the mistakes whose shadow covers the middle east, and the consequences of which are deeply rooted in some of the current conflicts and proxy wars that are taking place in the region.

From numerous reports from people who have escaped the dreadful regime of Daesh in Syria, it appears that its statehood project is failing. We must ask ourselves whether British airstrikes will help that effort further to weaken and eventually bring about the destruction of Daesh in its stronghold. Our intelligence therefore has to be highly dependable and accurate.

Furthermore, we must ensure that our allies in the middle east are playing their part in this battle. According to a Department of Defence official in the United States, Saudi Arabia has not flown a mission against Daesh in three months, Jordan in four months and the United Arab Emirates in nine months. We need to ensure that there is no political void within the coalition of countries that need to be part of any serious solution to this conflict.

Let me deal with my decision on how to vote on the issue. I am sure that we all feel the weight of history and understand the position of others who have had to vote on issues of war in this House. There can never be absolute certainty about the outcome of any military action, despite the fact that we are all certain of the need to destroy Daesh.

While we have heard very clear arguments about the dangers of acting, there are equal dangers in not acting. Let me quote a former US President, General Dwight Eisenhower:

“Neither a wise man nor a brave man lies down on the tracks of history to wait for the train of the future to run over him.”

I, of course, do not profess to be wise or brave, but I support the Government in this matter. Should we wait for another Paris situation to happen here or should we act now? We should act now.

8.59 pm

Brendan O’Hara (Argyll and Bute) (SNP): I congratulate the Foreign Affairs Committee on producing this excellent and thoughtful report. I commend it to any hon. Member who has not had a chance to read it. I hope that the Prime Minister takes cognisance of the fact that the Committee reported last night that it was not convinced that the concerns contained in its report had been met.

Just three or four weeks ago, the Committee said that the “extraordinary complexity of the situation on the ground” meant that there were “few reliable counterparts”, and that “There appeared to be little chance of a legitimate and functioning ally emerging from the chaos” any time soon. Now, miraculously, we are expected to believe that some 70,000 “moderate” troops are ready to fight on our behalf.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): Members on both sides of the House have rightly made much of the professionalism and dedication of our servicemen and women. Do they not have a right to know alongside whom they will be fighting in any conflict in which they are set to take part?

Brendan O’Hara: One can only conclude that the 70,000 figure is a convenient arithmetical creation that adds together a multitude of people from different cultures and factions and with widely differing ambitions for the future of Syria, and I agree that people should be told exactly who they are. I fear that the 70,000 claim will define this Prime Minister’s drive for military intervention in the middle east, just as the claim that we
were only 45 minutes from attack defined a previous Prime Minister’s justification for earlier misadventures in the region.

Crispin Blunt: I thank the hon. Gentleman for giving way—and, given that he has been so kind about the Foreign Affairs Committee, the least that he deserves is another minute. May I draw his attention not only—obviously—to the Prime Minister’s statement, but to the work of Charles Lister, who is a visiting fellow at the Brookings Doha Centre? In a blog on the Spectator site, he broke down the 75,000 figure with reasonable accuracy. The key issue, however, is the change that has taken place over the last month in Vienna.

Brendan O’Hara: I certainly commend the Foreign Affairs Committee’s report, which is a first-class piece of work. It also said that any UK involvement in airstrikes was unlikely to constitute a war-winning intervention. Sir Simon Mayall told the Committee:

“This is not a war-winning air campaign, by any stretch of the imagination.”

Even the most enthusiastic cheerleader for UK airstrikes in Syria would have to agree that very few planes will actually be involved and that our contribution will be extremely small. At the same time, however, the Prime Minister was telling us that a major military plank of the argument for airstrikes was that we had a “unique contribution” to make. That “unique contribution” was the Brimstone missile. Indeed, he went on the record as saying that those missiles were “unique assets” that the RAF could contribute, and that he had been lobbied by our coalition partners to bring them to the theatre. As I pointed out to him, the Royal Saudi Air Force has been using Brimstone missiles since February this year.

Let us be honest, Mr Speaker. The UK Government’s desire to take part in the bombing of Syria is less a military contribution than a political statement. Since 2013, the Government have felt that they have been left on the sidelines, and have been itching for a piece of the action. As with so much of the UK’s thinking, this has more to do with how the UK will look to others than with our asking what good we can do. After decades of military intervention in the middle east, we do not have a success to show for it.

There are more than enough people dropping bombs on Syria. We do not have to add to the chaos, the misery and the inevitable casualties by doing so as well. Yes, Daesh is evil; yes, it must be defeated; and, yes, we have a contribution to make—but dropping bombs from 34,000 feet is not the way to do it. Let us not repeat the mistakes of the past. Let us not embark on another middle eastern misadventure. Let us go in with a credible plan to win the peace and secure the future in Syria.

9.4 pm

Kevin Foster (Torbay) (Con): It is a pleasure to have the chance to speak straight after the hon. Member for Argyll and Bute (Brendan O’Hara). He has given us a range of problems, but he seemed somewhat lacking in potential solutions. The one thing I agree with the Scottish National party on is the change that the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) was pushing for—namely, that we should call those people Daesh. They are neither true to Islam nor a recognised state, and we should not give them credence by calling them anything other than Daesh.

For me, this is not about making some political statement. If there is a statement to be made, it is about the fact that when one of our allies is attacked, we will come to their aid. The bedrock of our defence is article 5 of the NATO treaty—the NATO that the SNP still wants to be part of—which deals with mutual defence. We will respond to an attack in Europe.

Callum McCaig: The hon. Gentleman mentioned the solidarity that we must show with our allies. Would he apply that to the Kurds, and to our NATO allies in Turkey?

Kevin Foster: We stood with the Kurds a year ago. This Parliament voted to intervene when the murderous thugs of Daesh were on their way to overrun the Kurdish Autonomous Region, which could have resulted in a massacre on the same level as that of Srebrenica. Members of my party—and, to be fair, members of other parties—wanted to do something about that. Some of the arguments we have heard today have been in favour of pulling away the air support that has helped to prevent Daesh from massacring the Kurds. It is the air support—not warm words—that represents solidarity.

In approaching the motion, I have asked myself a number of questions. What specific objectives do we have for our involvement, along with our allies? Is there a clear legal basis for the action? What will a post-civil war Syria look like? Who or what will be the Government there, and how will our intervention assist in bringing that about? The question of legality is now much easier to answer. There is a pretty clear UN Security Council resolution. Had that resolution not been passed, we would have been hearing today about how we needed such a resolution. Now we have one, we are hearing that it is not quite enough. The reality is that no resolution would be enough to satisfy some in this Chamber, despite the clear wording of the one that we now have. The action is definitely legal.

What are our specific objectives? The ultimate objective is to clear Daesh away from the territory it controls, which gives it its power base.

Ian Blackford: Will the hon. Gentleman give way?

Kevin Foster: The hon. Gentleman has had plenty of interventions. I will not take this one.

This is about ensuring that we can assist our allies. It would be ludicrous if our allies were fighting a Daesh unit and they reached an invisible line in the sand that happened to be the Syrian border—which Daesh does not recognise—and our allies had to say, “Sorry, you’ve gone one foot over the border. We’re not going to do anything more.” This is about being part of a coalition. [Interruption.] It is ironic that I am being shouted at by Opposition Members for not doing enough. The present situation is an argument to do more, not less.

I want to talk about what a post-war Syria would look like. That is what the Vienna process is there for. It is a negotiated agreement to deliver a stable Government in Syria for the future. [Interruption.] I must say that I always love having—
Mr Speaker: Order. Stop the clock. The hon. Member for Torbay (Kevin Foster) must be heard with courtesy. I say to one hon. Gentleman, whose loquacity has been notable today, that he is perfectly entitled to seek to intervene but he must not seek to deny the hon. Gentleman a courteous hearing. Let us be fair and decent to each other.

Kevin Foster: Thank you, Mr Speaker. I was about to say that it is always a pleasure to have an accompaniment.

Whatever comes out of the Vienna negotiations, the one solution that would be unacceptable is that Daesh should carry on to have a role in the future Government of Syria. Daesh will not be cleared out by warm words or by hopeful diplomacy. Part of the solution is a military intervention, and it is right that we should start to degrade Daesh now while we work to build up the coalition that will clear it out permanently. We cannot just say that this is too difficult.

9.9 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to follow the hon. Member for Torbay (Kevin Foster), and I thank him for his comments.

With the US adding manpower and Germany and China yesterday announcing they are joining Russia, France and Jordan to name but a few, we need today to enlist in the coalition of the civilised in the campaign against Daesh. It is still hard to fathom the utter brutality, the inhumanity and the sheer disregard for human life that Daesh shows. Today, we can join in the efforts to confine such evil to the history books and show we will not sit idly by while innocent people are beheaded, maimed, tortured, raped and massacred and fear is struck into the population.

The difference between ISIL’s so-called army and us is this: they behead and rape innocent people as if the only law is the law of the jungle. We know our enemy and we decide how to target them and when to target them through the democratic process—the decision of this House.

Sitting back has left us watching the situation spiralling further and further out of control, the law of the jungle prevailing and that jungle spreading. The time for restoring order and containment was over long ago. We have all seen that Islamic State is not happy to merely confine its horrendous caliphate to one nation or one corner of the globe. Of course, we all know by now the ultimate consequences of appeasement: terror and the threat of terror on the streets of Europe and beyond, a consequence we are only too aware of in Northern Ireland.

Yet today we still have the naysayers. They say intervention does not work. They say we will only make them hate us more. It is clear that they already hate us, regardless of whether we bomb them or not. There is no reasoning with these monsters. The naysayers say our involvement will only lead to civilian casualties, when the fact is civilians are dying en masse without our involvement. One thing is clear: there is not going to be an end to civilian casualties without an end to Daesh. The only way to stop civilian casualties is to eradicate the cause of such casualties: to take the battle to Raqqa and liberate that town, and to take the battle to those organising the attacks in Belgium, France and elsewhere in Europe, and take away their ability to earn money. It is time to blast a scar so deep into these jihadi monsters’ memories that never again will they think of attacking a city, regardless of where Daesh may be conspiring and hiding.

Today this great country—this great democracy, this beacon of liberty through this House—the United Kingdom of Great Britain and Northern Ireland will vote on whether to join the coalition of the civilised. Let us not be on the wrong side of history. Let us put Daesh out of business.

9.12 pm

Chloe Smith (Norwich North) (Con): It is a pleasure to follow the hon. Member for Strangford (Jim Shannon).

Courageous Tornado crews based at RAF Marham in my county have been flying to Iraq already in the last year. The question today is whether we should ask them to do more, and my answer is yes. We have a clear, present and extreme threat and we have the ability to help defeat it.

I vote today in favour of diplomacy, of united resolve through the UN, of continued humanitarian leadership, of planning for stabilisation, reconstruction and peace in Syria, of cutting off the sources of finance, fighters and weapons, and of extending our advanced military capabilities in a fight that is already going on, in which we are already involved, and in which our enemies want us dead—a fight that we must win to keep British people safe both at home and abroad, and in which our allies need our help.

It is also right that the Government take domestic action, which is not necessarily named in this motion, but which goes with that coherent military, humanitarian and diplomatic action.

Deidre Brock (Edinburgh North and Leith) (SNP): Will the hon. Lady give way?

Chloe Smith: I will not give way; I want to proceed and there are a few other Members who have been waiting patiently and want to come in.

We all know we are under threat. No action is not an option. We all know there is history behind and there is risk ahead. People are naturally concerned that we may make things worse, and that being part of airstrikes may make us more of a target here in Britain. Those concerns are valid, but we can only hope to have a safer world for British children, and Syrian children too, by having the courage to defeat the evil that we face. Indeed, Syrians are already fleeing it, and desperately. We must act; the UN is asking us to act.

I am prepared to back UK action with all its risks because I want to protect civilians there, here and anywhere in the world from the greater and more certain threat they face from IS: the threat of death, repression and torture.

People rightly argue that it is not possible to bomb an ideology out of existence. That is true, which is why we need the breadth of the motion. We also need to ask what the alternative is. Is it to allow an ideology that recruits from its own military success so far to continue to do so, with a headquarters, and to invoke our silence in its cause? No, it is not. We must back the motion. My morals, my conscience and my heart and head say that it is Parliament’s duty to support the Government in the
actions they must take to keep British citizens safe against that active ideological evil. It would be foolhardy to fail to take an action that may allow us to do our part.

9.15 pm

Mr David Lammy (Tottenham) (Lab): My close school friend James Adams was blown up on the Piccadilly line outside Russell Square on 7 July 2005. Five of my constituents—Anna Brandt, Ciaran Cassidy, Arthur Frederick, Lee Harris and Samantha Badham—also lost their lives.

Terrorism needs to be defeated, and the whole House comes together in that effort. The Prime Minister is right to say that bombing might degrade ISIL; I am with him on that. He is right to say that a coalition needs to come together to challenge the force of Daesh. He is also right to say that there are moderates on the ground who might support our efforts after the aerial bombing. However, having listened to the Prime Minister and to this debate, and having reflected on Turkey’s attack on the Russians, I have come to the conclusion that I am not able to support the Government tonight, for three reasons.

First, having looked into the eyes of so many young Muslim men who might be seduced by extremism, I am deeply concerned that there remains a vacuum, because there is not a sufficient number of Sunni moderates on the ground. I remember this House saying we would deal with al-Qaeda, but in doing so we made way for ISIL. Given that there are 65 disparate groups—many of which are jihadists—this will result in future extremists.

Much has been said about the Parisian bombings being an act of terror. Of course, they were an extreme act of terror, but they were also an act of holy war. They were bait for us and others to engage in that holy war. We must tread very, very gently over the coming days and months.

The Prime Minister could have come to this House and committed to ground troops, but I know that no one would want to put boots on the ground. We simply cannot continue to expect aerial bombardment to do the job. It has become the sop—the blanket—of the job. It has become the sop—the blanket—of the Government. I remember this House saying we would deal with al-Qaeda, but in doing so we made way for ISIL. Given that there are 65 disparate groups—many of which are jihadists—this will result in future extremists.

Mr Speaker: Order. Let us hear about what Burke said in 1774.

Simon Hoare: I am grateful, as long as I am not the Burke of 2015. Burke said, “Your representative”—that is, one’s Member of Parliament—“owes you, not his industry only, but his judgment; and he betrays, instead of serving you, if he sacrifices it to your opinion.”

We are here to exercise our judgment, and in my judgment the wording of the motion covers all the bases, all the challenges and all the tests that Members of this House have set the Prime Minister.

We are not the policemen of the world, but we find nothing splendid in isolation. What we do reflects on our values, and the value we place on our strategic and political partners. “Je suis Parisien” has to be far more than just a Twitter tag. It is time for action.

9.22 pm

Mr Speaker: Interruption.

Mr Speaker: Order. Let us hear about what Burke said in 1774.

Stephen Gethins (North East Fife) (SNP): As a number of my hon. Friends have said tonight, this is the first time we have had to take such a serious decision, and it is not one that we take lightly. We do not ask whether we should tackle Daesh, but what the most effective means of doing so is.

Drew Hendry: Earlier, my right hon. Friend the Member for Gordon (Alex Salmond) talked about choking off Daesh propaganda. Does my hon. Friend agree that there has been a lack of discussion from the Government about how to choke off the money supply and the propaganda?
Stephen Gethins: My hon. Friend raises a valid point, which was picked up in the Foreign Affairs Committee’s report. Before I touch on that, however, I want to say that when we think about how we vote tonight, we think about the lessons we have learned. We all do. I respect everybody in the House, regardless of the Lobby they go through tonight. We learn from the facts of Libya, and that we spent £320 million bombing the country and £25 million on reconstruction. We learn from the catastrophic failure of post-conflict reconstruction in Iraq, which led to the loss of hundreds of thousands of lives, and to a political vacuum in that country that has led to many of the problems we see today.

It has been a privilege to sit on the Foreign Affairs Committee, and I pay particular credit to its Chairman, the hon. Member for Reigate (Crispin Blunt). We will go through different Lobbies tonight, but I give him credit for his work. I also pay tribute to the hon. Member for Ilford South (Mike Gapes) and the right hon. Member for Cynon Valley (Ann Clwyd), and I am sure that all Members will join me in wishing them a speedy recovery.

I hope you will not mind my saying, Mr Speaker, that those who have not yet read the Committee’s report have about half an hour. Perhaps they can skim-read it. I would thoroughly recommend it. It sets out a series of recommendations and is based on evidence.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): According to the Prime Minister’s statement last week, the Government’s strategy is predicated on a new Syrian Government, but does my hon. Friend agree that given that the Prime Minister has ruled out regime change or boots on the ground, it is extremely unclear how that new Government will come about?

Stephen Gethins: We have not seen enough on the forward planning and the long-term planning, which is a cause for concern for me, as I know it is for other Members. We need ground troops, but we have not heard enough about how we have got them; where did the 70,000 come from? I raised this with the Foreign Secretary back in July, and this was something that we included—

Mr Speaker: Order. The hon. Gentleman has the Floor. It would be a courtesy if he would respect my wish that two other colleagues briefly contribute. I feel sure that he is reaching his peroration, which will not last longer than 30 seconds or so.

Stephen Gethins: In that case, Mr Speaker, let me just touch on a couple of points. We are often accused of using the tactics of the past, and the criticism is made that we are fighting the last war, rather than a current war. We do not want to do that. I give credit to Members across this House when I say that we want the same thing: to put an end to Daesh for good. It is my view that taking the same old route of bombing without a long-term strategy will lead only to failure, which is why I will back the multi-party amendment tonight.

9.25 pm

Ben Howlett (Bath) (Con): It has been an absolute privilege to be a parliamentarian today, and to listen to fantastic contributions from across the entire House. Only a few weeks ago, one of Britain’s key allies was attacked by an unprecedented enemy. For centuries, Britain has taken a lead in helping to fight tyranny and promote democracy and freedom around the world, and we have a responsibility to support our allies. Daesh is the antithesis of everything we hold dear, and it must be stopped. Now is the time to stand firm against our enemies; we cannot delay any further, or we risk people being killed in our streets. I feel that those people who have contacted me to say that our streets will be safer if we stay out of the conflict have heard only part of the explanation. Daesh will not think twice about slaughtering our citizens in the UK, as it believes about our culture, our society and everything we believe in should be crushed. Even though we have no military intervention in Syria at the moment, Daesh will still threaten attacks on our country every single day.

Having followed this debate and listened to contributions from across this House, I am absolutely reassured about the need for airstrikes in Syria, especially as we have precision technology that will reduce the number of civilian casualties. Obviously, we cannot talk about the particular intelligence we have, but it is clear that Daesh’s headquarters in Raqqa are tweeting tens of thousands of messages a day, in dozens of different languages, and we absolutely need to stop that. When I asked whether or not this proposed action will encourage Daesh to attack us, I say that it is absolutely clear that we need to take out its recruitment operations, which are promoting jihad around the world.

One of my key concerns was that we cut off the head of the ISIL snake, only for it to grow up elsewhere. To prevent that from happening, we need to grow a very strong ground strategy. That cannot be rushed, but it also cannot be delayed. Daesh is looking at targets all the time, and the atrocities in Paris could just as easily have been in London. Daesh is dangerous, and we should start taking the fight to it.

I conclude, as I started, by saying that when one of our key allies has been attacked, our freedoms, liberties and beliefs are at risk. When women are raped, children killed, gay people thrown off roofs and Christians decapitated, can we seriously stand by and watch this atrocity happen from afar? We absolutely have to act now. We have a decent diplomatic solution and a strong international aid plan, and the opposition forces desperately need some respite from being attacked on two fronts. As I have clearly said, I will not shy away from calls for a stronger ground strategy, but that should be created while there is an aerial campaign in Syria. We cannot afford to risk our security as we wait, which is why I will vote in favour of military action this evening.

Several hon. Members rose—

Mr Speaker: Order. Lastly, and until 9.30 pm, I call Mr Clive Efford.

9.28 pm

Clive Efford (Eltham) (Lab): I will not vote with the Government tonight, but I want to get it on the record that I unequivocally condemn those people who have been intimidating Members of this House over tonight’s vote. I know that hon. Members weigh these issues up very heavily, and whatever side of the argument they come from, I give them my full respect.
I have not been convinced by the Government about the presence of 70,000 moderate Free Syrian Army forces on the ground; the Government have failed to make the case that they exist. Those forces are made up of a number of very disparate groups, some of several thousand soldiers, and some of just a few hundred.

Unfortunately, the Government have also failed to make the political case. One issue that they did not address was the treatment of the Sunni minority in Iraq, and that must be done. That will fundamentally undermine the future of Daesh more than any bombing campaign. A bombing campaign without troops on the ground will not be effective. The Government have completely failed to make the case, which is why I cannot support them tonight.

9.30 pm

**Hilary Benn** (Leeds Central) (Lab): Before I respond to the debate, I would like to say this directly to the Prime Minister: although my right hon. Friend the Leader of the Opposition and I will walk into different Division Lobbies tonight, I am proud to speak from the same Dispatch Box as him. He is not a terrorist sympathiser. He is an honest, principled, decent and good man, and I think the Prime Minister must now regret what he said yesterday and his failure to do what he should have done today, which is simply to say, “I am sorry.”

We have had an intense and impassioned debate, and rightly so given the clear and present threat from Daesh, the gravity of the decision that rests on the shoulders and the conscience of every single one of us, and the lives that we hold in our hands tonight. Whatever decision we reach, I hope that we will treat one another with respect.

We have heard a number of outstanding speeches. Sadly, time will prevent me from acknowledging them all. I would just like to single out the contributions, both for and against the motion, from my right hon. Friend the Member for Derby South (Margaret Beckett), for Kingston upon Hull West and Hessle (Alan Johnson), and for Normanton, Pontefract and Castleford (Yvette Cooper); my hon. Friends the Members for Barnsley Central (Dan Jarvis) and for Wakefield (Mary Creagh); my right hon. Friend the Member for Wolverhampton South East (Mr McFadden); my hon. Friends the Members for Brent North (Barry Gardiner), for Liverpool, West Derby (Stephen Twigg), for Wirral West (Margaret Greenwood), for Stoke-on-Trent North (Ruth Smeeth) and for Birmingham, Ladywood (Shabana Mahmood); the hon. Members for Reigate (Crispin Blunt), for South West Wiltshire (Dr Morrison), and for Tonbridge and Malling (Tom Tugendhat); the right hon. Member for Chichester (Mr Tyrie); and the hon. Member for Wells (James Heappey).

The question that confronts us in a very complex conflict is, at its heart, very simple. What should we do with others to confront this threat to our citizens, our nation, other nations and the people who suffer under the cruel yoke of Daesh? The carnage in Paris brought home to us the clear and present danger that we face from Daesh. It could just as easily have been London, Glasgow, Leeds, or Birmingham and it could still be. I believe that we have a moral and practical duty to extend the action that we are already taking in Iraq to Syria. I am also clear—and I say this to my colleagues—that the conditions set out in the emergency resolution passed at the Labour party conference in September have been met. We now have a clear and unambiguous UN Security Council resolution 2249, paragraph 5 of which specifically calls on member states “to take all necessary measures...to redouble and coordinate their efforts to prevent and suppress terrorist acts committed specifically by ISIL... and to eradicate the safe haven they have established over significant parts of Iraq and Syria”.

The United Nations is asking us to do something; it is asking us to do something now; it is asking us to act in Syria as well as in Iraq.

**Mr Baron** rose—

**Hilary Benn**: If the hon. Gentleman will bear with me, it was a Labour Government who helped to found the United Nations at the end of the second world war. Why did we do so? It was because we wanted the nations of the world working together to deal with threats to international peace and security, and Daesh is unquestionably that. Given that the United Nations has passed this resolution, and that such action would be lawful under article 51 of the UN charter—because every state has the right to defend itself—why would we not uphold the settled will of the United Nations, particularly when there is such support from within the region, including from Iraq? We are part of a coalition of more than 60 countries, standing together shoulder to shoulder to oppose the ideology and brutality of Daesh.

We all understand the importance of bringing an end to the Syrian civil war, and there is now some progress on a peace plan because of the Vienna talks. Those are our best hope of achieving a ceasefire—now that would bring an end to Assad’s bombing—leading to a transitional Government and elections. That is vital, both because it would help in the defeat of Daesh and because it would enable millions of Syrians who have been forced to flee to do what every refugee dreams of—they just want to be able to go home.

No one in the debate doubts the deadly serious threat that we face from Daesh and what it does, although we sometimes find it hard to live with the reality. In June, four gay men were thrown off the fifth storey of a building in the Syrian city of Deir ez-Zor. In August, the 82-year-old guardian of the antiquities of Palmyra, Professor Khaled al-Asaad, was beheaded, and his headless body was hung from a traffic light. In recent weeks, mass graves in Sinjar have been discovered, one said to contain the bodies of older Yazidi women murdered by Daesh because they were judged too old to be sold for sex. Daesh has killed 30 British tourists in Tunisia; 224 Russian holidaymakers on a plane; 178 people in suicide bombings in Beirut, Ankara and Suruç; 130 people in Paris, including those young people in the Bataclan, whom Daesh, in trying to justify its bloody slaughter, called apostates engaged in prostitution and vice. If it had happened here, they could have been our children.

Daesh is plotting more attacks, so the question for each of us and for our national security is this: given that we know what it is doing, can we really stand aside and refuse to act fully in self-defence against those who are planning these attacks? Can we really leave to others the responsibility for defending our national security? If we do not act, what message will that send about our solidarity with those countries that have suffered so
much, including Iraq and our ally, France? France wants us to stand with it, and President Hollande, the leader of the Socialist party, has asked for our assistance and help. As we are undertaking airstrikes in Iraq, where Daesh’s hold has been reduced, and as we are doing everything but engaging in airstrikes in Syria, should we not play our full part?

It has been argued in the debate that airstrikes achieve nothing. Not so: the House should look at how Daesh’s forward march has been halted in Iraq. It will remember that 14 months ago, people were saying that it was almost at the gates of Baghdad, which is why we voted to respond to the Iraqi Government’s request for help to defeat it. Its military capacity and freedom of movement have been put under pressure. Ask the Kurds about Sinjar and Kobane. Of course, airstrikes alone will not defeat Daesh, but they make a difference, because they give it a hard time, making it more difficult for it to expand its territory. I share the concerns that have been expressed this evening about potential civilian casualties. However, unlike Daesh, none of us today acts with the intent to harm civilians. Rather, we act to protect civilians from Daesh, which targets innocent people.

On the subject of ground troops to defeat Daesh, there has been much debate about the figure of 70,000, and the Government must explain that better. But we know that most of those troops are engaged in fighting President Assad. I will tell Members what else we know: whatever the number—70,000, 40,000, 80,000—the current size of the opposition forces means that the longer we leave it to take action, the longer Daesh will have to decrease that number. So to suggest that airstrikes should not take place until the Syrian civil war has come to an end is to miss the urgency of the terrorist threat that Daesh poses to us and others, and to misunderstand the nature and objectives of the extension to airstrikes that is proposed.

Of course we should take action—there is no contradiction between the two—to cut off Daesh’s support in the form of money, fighters and weapons, of course we should give humanitarian aid, of course we should offer shelter to more refugees, including in this country, and yes, we should commit to playing our full part in helping to rebuild Syria when the war is over.

I accept that there are legitimate arguments, and we have heard them in the debate, for not taking this form of action now. It is also clear that many Members have wrestled and, who knows, in the time that is left may still be wrestling with their conscience about what is the right thing to do. But I say the threat is now and there are rarely, if ever, perfect circumstances in which to deploy military forces.

We heard powerful testimony earlier from the hon. Member for Eddisbury (Antoinette Sandbach) when she quoted that passage: Karwan Jumal Talhi, the Kurdistan Regional Government High Representative in London, said last week:

“Last June, Daesh captured one third of Iraq overnight and a few months later attacked the Kurdish Region. Swift airstrikes by Britain, America and France and the actions of our own Peshmerga saved us... We now have a border of 650 miles with Daesh. We have pushed them back and recently captured Sinjar... Again Western airstrikes were vital. But the old border between Iraq and Syria does not exist. Daesh fighters come and go across this fictional boundary.”

That is the argument for treating the two countries as one if we are serious about defeating Daesh.

I hope the House will bear with me if I direct my closing remarks to my Labour friends and colleagues. As a party we have always been defined by our internationalism. We believe we have a responsibility to one another. We never have and we never should walk by on the other side of the road. We are faced by fascists—not just their calculated brutality, but their belief that they are superior to every single one of us in this Chamber tonight and all the people we represent. They hold us in contempt. They hold our values in contempt. They hold our belief in tolerance and decency in contempt. They hold our democracy—the means by which we will make our decision tonight—in contempt.

What we know about fascists is that they need to be defeated. It is why, as we have heard tonight, socialists, trade unionists and others joined the International Brigades in the 1930s to fight against Franco. It is why this entire House stood up against Hitler and Mussolini. It is why our party has always stood up against the denial of human rights and for justice. My view is that we must now confront this evil. It is now time for us to do our bit in Syria. That is why I ask my colleagues to vote for the motion tonight. 

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): I congratulate the right hon. Member for Leeds Central (Hilary Benn) on an outstanding exposition of the case for the motion. It will go down as one of the truly great speeches made in the House of Commons.

The proposal before the House is clear, simple and specific: to extend the airstrikes that we are already carrying out against ISIL in Iraq across a border that they themselves do not recognise and into their heartland in Syria. The Prime Minister set out the compelling arguments in favour of taking this action as part of a comprehensive strategy for Syria. In response, the Leader of the Opposition set out his well-known and well-understood principled objections to military intervention, objections that he has developed over many years and which are obviously sincerely held. I respect those objections as such, although I believe them to be profoundly misguided.

It is clear from the shadow Foreign Secretary’s speech, and from those of the right hon. Members for Derby South (Margaret Beckett) and for Kingston upon Hull West and Hessle (Alan Johnson) and many others, that for many Opposition Members the real issue of conscience at stake here is our obligation to act in the best interests of the UK and for the protection of British citizens.

For me, one of the most interesting aspects of the Leader of the Opposition’s speech was his repeated refusal to confirm whether it is his party’s policy to support the current action in Iraq, which this House voted for overwhelmingly in September 2014. Not only is he opposed to extending action to protect Britain against Daesh, but we have to assume from his silence that he wants to roll back the action that we are taking in Iraq now to protect the Kurds, the Yazidis and others and to support the steady erosion of ISIL control by the Iraqi security forces and the peshmerga. I ask Opposition Members whether that is now the position of the Labour party, despite its long and honourable tradition of fighting what the right hon. Member for Leeds Central has himself described as fascism. I hope
that we will have confirmation as soon as possible that the Labour party remains committed to the current action in Iraq.

Jason McCartney (Colne Valley) (Con): Will the Foreign Secretary give way?

Mr Hammond: I will not give way, because time is very short.

I believe that today we saw the House at its best. A total of 104 Members have spoken. We heard forensic analysis and passionate conviction. I think that we can collectively be satisfied that, as a House, we have done justice to the gravity of the subject. With so many contributions and only a few minutes remaining, I hope that right hon. and hon. Members will forgive me if I do not acknowledge them all individually, but I will do my best to try to address the principal themes and questions that have arisen during the debate.

One of the key issues is the need to understand what the military plan is and who will deliver it. I have to say that there appears to be some confusion about that, so let me try to clarify it. We all agree that airstrikes alone will not finish ISIL, but they will deliver immediate benefit. They will reduce ISIL’s external attack planning capability, making Britain safer, and they will, over time, degrade ISIL and force a change in its behaviour. However, airstrikes alone will not create a vacuum.

During the debate, some hon. Members have sought to have it both ways, arguing that bombing ISIL in Raqqa will not make a difference, and at the same time suggesting that bombing ISIL in Raqqa will immediately create a power vacuum. Ultimately, there will need to be a ground assault on Raqqa, supported by continued airstrikes. However, as the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) said, that will come not in days or weeks, but in months and perhaps years, and that is before it even begins, let alone ends. We have had questions about ground forces—where are the ground forces going to come from? The context of this is a comprehensive strategy—a military track against ISIL and a political track against Assad. The time for retaking ISIL’s heartland in Syria will be when the civil war is ended, a transitional Government are in place, and the world can then once again support the Syrian Government so that that Syrian army, the Syrian opposition forces and the Kurdish forces can turn their guns on ISIL, liberating their own country from this evil organisation, supported by the coalition with weapons, with training, with technical support, and with air power.

Much has been made during the course of this debate about the number of opposition fighters available to join in that effort. The number of 70,000 is a number produced by the Joint Intelligence Committee. It is a number corroborated by the evidence of our US allies. But the situation on the ground is complex. There is a spectrum of views included in that 70,000-strong force. Yes, it includes a large element of secularists who have views that we would recognise as democratic, and yes, it also includes Islamists, but there are Islamists in the parliaments of Kuwait and Tunisia. We can work with Islamists who accept the democratic process and are prepared to take part in it.

The second issue that has arisen during the course of this debate is a question about the overall strategy. The Prime Minister was absolutely clear that military action is just one part of a comprehensive strategy. There has to be a political track and there has to be a humanitarian track. It is clear that we have to pursue the political track in parallel with the military. It is the only way to end the civil war in Syria and bring about the defeat of ISIL. Now we have an International Syria Support Group—the Vienna process. That is a major change in the context here, bringing together all the major international players behind a common vision of what is needed to end the war. It includes Russia, Iran and Saudi Arabia, as well as the US, UK, France, Turkey and China. For the first time, all these countries have accepted the need for Syrian-led, Syrian-owned political transition based on the Geneva principles—a transition that will leave the institutions of the state intact, avoiding the mistakes that were made in Iraq. Of course differences remain between the parties, particularly about Assad how will transition out, but they have agreed together a timeframe for political negotiations, including transitional government within six months and a new constitution and free and fair elections within 18 months.

I know that there are those who question the commitment of the United States or the engagement of Russia in this process, so I want, if I may, to quote from a letter that I have received this morning from the United States Secretary of State, John Kerry. He says:

“The United States has long believed that while military action can reinforce diplomacy there can be no military solution to the civil war in Syria. We have to pursue a political track. And at the same time there can be no political deal with Daesh. They have to be degraded by military force.”

He goes on to say that “the Vienna process presents the best opportunity in four years for an agreement that can establish a ceasefire and create a political process leading to a new constitution and democratic elections.”

Importantly, he concludes by telling me this:

“Senior Russian officials have helped lead the effort to find a common way forward and have expressed firm commitment to the Geneva principles. Russian leaders have indicated both publicly and privately on numerous occasions that they are open to a political transition, including a new constitution and elections.”

The third issue that came up several times during the course of today is the question of whether airstrikes will make a difference. The right hon. Member for Leeds Central and several other Members made the point that they were effective in halting the precipitate advance of Daesh in Iraq last year and are now contributing to the erosion of Daesh positions in Iran. The UK already provides a significant element of the high-precision strike available to the coalition, and that high-precision strike will be vital to the campaign in Raqqa.

The hon. Member for Birmingham, Northfield (Richard Burden) asked about the rules of engagement. Rules of engagement are classified, but I can tell him that the UK’s rules of engagement are among the most restrictive in the world. Bringing British discipline, British skills and British precision weapons to bear will save lives as we prosecute this campaign. We will minimise civilian casualties. There is no military logic and no moral logic to prosecuting ISIL in Iraq but not targeting its HQ in Syria.

Finally, I want to turn to the fourth issue that has arisen during the course of this debate: will Britain’s taking part in airstrikes increase the threat to our security?
In 2014, there were 15 ISIL external attack plans. This year, so far, there have been 150. The scale of this problem is rising exponentially. ISIL already poses a direct threat to the United Kingdom: 30 British tourists killed on the beaches of Tunisia, what could have been a British plane downed over the deserts of Sinai and seven different terrorist plots disrupted by the security services in the UK in the past 12 months.

The judgment of the Joint Intelligence Committee and the director general of the Security Service is that the UK is already a top tier of ISIL’s target list. They hate us for who we are, not for what we do. We have to be clear—I think the right hon. Member for Derby South was the first to say this—that the risks of inaction are far greater than the risks of action. We have to act now to degrade this threat to our security, and we will do it by targeting their heartland and their control centre.

We are not debating tonight, as some would have us believe, whether or not to “go to war”. Fifteen months ago, this House voted overwhelmingly to begin airstrikes against ISIL in Iraq. The simple question that we are deciding tonight is whether to extend those operations to tackle ISIL in its heartland in Syria—targeting the head of the snake. This is not a fight that we have chosen. By the atrocities it has committed, by the murderous regime of brutality and terror it has inflicted on the people of Iraq and Syria, and by its clear intent and capability to strike us in the UK and at British citizens abroad, ISIL has made that choice for us. To answer the question asked by my hon. Friend the Member for Gainsborough (Sir Edward Leigh), yes, ISIL does represent a direct and imminent threat to the UK and to British citizens.

The decision tonight is this: do we take the fight to them, or do we wait for them to bring the fight to us? Do we strike them in Syria, or do we wait for them to strike us on the streets of London? What kind of country would we be if we refused to act in the face of a threat to our security as clear as the one that ISIL poses? Indeed, what kind of country would we be if we were unmoved by the murder, the rape, the beheadings and the slavery that ISIL imposes on its subjects? And what kind of country would we be if we ignored the calls for help from our nearest neighbours even as they grieve for their dead? We cannot contract out the responsibility for our national security. We cannot rely on others to take actions to protect our citizens that we are not willing to take ourselves.

The threat is clear. Our ability to respond to it is undoubted. The moral imperative to act is compelling. The legal case to do so is watertight. We do not propose military action lightly and we do not propose it in isolation. We will vigorously pursue the Vienna process to ceasefire, transition and a new representative Government in Syria. We will lead the international community in planning and delivering post-conflict reconstruction. Let us tonight give a clear and simple message to our allies, to the enemy and to our brave armed forces, who we are asking to do the job for us. Let us show beyond doubt what kind of a country we are by endorsing decisively the motion before us this evening.

10 pm

The Speaker put the Questions necessary for the disposal of business to be concluded at that time (Order this day).
Mactaggart, rh Fiona Barron, rh Kevin
Madders, Justin Mahmood, Shabana
Malhotra, Seema Mann, John
Marris, Rob Marsden, Mr Gordon
Maskell, Rachael Matheson, Christian
Mc Nally, John McCabe, Steve
McCaig, Callum McDonald, Andy
McDonald, Stewart Malcolm McDonald, Stuart C.
McDonnell, rh Dr Alasdair McDonnell, John
McGarry, Natalie McInnes, Liz
McKinnell, Catherine McLaughlin, Anne
McPartland, Stephen Meale, Sir Alan
Mearns, Ian Miliband, rh Edward
Monaghan, Carol Monaghan, Dr Paul
Moon, Mrs Madeleine Morden, Jessica
Morris, Grahame M. Mullin, Roger
Murray, Ian Nandy, Lisa
Newlands, Gavin Nicolson, John
O'Hara, Brendan Onwurah, Chi
Osamor, Kate Oswald, Kirsten Owen, Albert
Paterson, Steven Pearce, Teresa
Pennycook, Matthew Perkins, Toby
Pound, Stephen Qureshi, Yasmin
Rayner, Angela Rees, Christina
Reynolds, Jonathan Rimmer, Marie
Ritchie, Ms Margaret Robertson, rh Angus
Rotheram, Steve Salmond, rh Alex
Saville Roberts, Liz Shah, Naz
Sheerman, Mr Barry Sheppard, Tommy
Shefford, Paula Shuker, Mr Gavin
Skinner, Mr Dennis Slaughter, Andy
Smith, rh Mr Andrew Smith, Cat
Smith, Jeff Smith, Nick
Smith, Owen Starmer, Keir
Stephens, Chris Stevens, Jo
Streeting, Wes Stringer, Graham
Tami, Mark Thewliss, Alison
Thomas-Symonds, Nick Thomson, Michelle
Thornberry, Emily Timms, rh Stephen
Trickett, Jon Turner, rh Mr Andrew
Turner, Karl Twiggs, Stephen
Tyrie, rh Mr Andrew Vaz, Valarie
Vickers, Martin Weir, Mike
West, Catherine Whiteford, Dr Eilidh
Whitehead, Dr Alan Whittard, Dr Philippa
Williams, Hywel Williams, Mr Mark
Wilson, Corri Winnick, Mr David
Wishart, Pete Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Owen Thompson and Jonathan Edwards

NOES

Adams, Nigel Afriyie, Adam Aldous, Peter
Alexander, Heidi Allan, Lucy
Allen, Heidi Amess, Sir David Andrew, Stuart
Ansell, Caroline Argyll, Edward Atkins, Victoria Austin, Ian
Bacon, Mr Richard Bailey, Mr Adrian Baker, Mr Steve Baldwin, Harriet
Barclay, Stephen Barron, rh Kevin
Bebb, Guto Beckett, rh Margaret Bellingham, Mr Henry
Benn, rh Hilary Benyon, Richard
Beresford, Sir Paul Berry, Jake
Berry, James Bingham, Andrew Blackburn, Bob
Blackwood, Nicola Blenkinsop, Tom
Blunt, Crispin Boles, Nick
Bone, Mr Peter Borrini, Victoria
Bottomley, Sir Peter Bradley, Karen
Bradshaw, rh Mr Ben Brady, Mr Graham
Brake, rh Tom Brazier, Mr Julian
Bridgen, Andrew Brine, Steve
Brokenshire, rh James Bruce, Fiona
Bryant, Chris Buckingham, Robert
Burns, Conor Burns, rh Sir Simon
Burrowes, Mr David Burt, rh Alistair
Cairns, Alan Cameron, rh Mr David
Campbell, rh Mr Alan Campbell, Mr Gregory
Carmichael, rh Mr Alistair Carmichael, Neil
Carswell, Mr Douglas Cartledge, James
Cash, Sir William Caufield, Maria
Chalk, Alex Chapman, Jenny
Chishti, Rehman Churchill, Jo
Clark, rh Greg Clegg, rh Mr Nick
Cleverly, James Clifton-Brown, Geoffrey
Coaker, Vernon Coffey, Andy
Coffey, Dr Thérése Collins, Damian
Colvile, Oliver Cooper, rh Yvette
Costa, Alberto Cox, Mr Geoffrey
Coyle, Neil Crabbe, rh Stephen
Creagh, Mary Crouch, Tracey
David, Wayne Davies, Byron
Davies, Chris Davies, David T. C.
Davies, Glyn Davies, Dr James
Davies, Mims Davies, Philip
Dinenage, Caroline Djanogly, rh Mr Jonathan
Dodds, rh Mr Nigel Donaldson, rh Mr Jeffrey M.
Donelan, Michelle Dornies, Nadine
Double, Steve Doughty, Stephen
Dowd, Jim Dowden, Oliver
Drax, Richard Drummond, Mrs Flick
Duddridge, James Dugher, Michael
Duncan, rh Sir Alan Duncan Smith, rh Mr Iain
Dunne, Mr Philip Eagle, Ms Angela
Eagle, Maria Elliott, Tom
Ellis, Michael Ellison, Jane
Ellman, Mrs Louise Ellwood, Mr Tobias
Elphicke, Charlie Eustice, George
Evans, Graham Evans, Mr Nigel
Ewennett, rh Mr David Fabricant, Michael
Fallon, rh Michael Farron, Tim Fernandes, Suella
Field, rh Frank Field, rh Mark
Fitzpatrick, Jim Flint, rh Caroline
Foster, Kevin Fox, rh Dr Liam
Francois, rh Mr Mark Frazer, Lucy
Freeman, George Freer, Mike
Fuller, Richard Fysh, Marcus
Gale, Sir Roger Garnier, rh Sir Edward
Garnier, Mark Gauke, Mr David
Ghani, Nusrat Gibb, Mr Nick
Gillan, rh Mrs Cheryl Glen, John
Goldsmith, Zac Goodwill, Mr Robert
Gove, rh Michael Graham, Richard
Grant, Mrs Helen Gray, Mr James
Graying, rh Chris Green, Chris
Green, rh Damian Greening, rh Justine
Grieve, rh Mr Dominic Griffiths, Andrew
Gummer, Ben Gyimah, Mr Sam
Hafon, rh Robert Hall, Luke
Hammond, rh Mr Philip Hammond, Stephen
Hancock, rh Matthew Hands, rh Greg
Harman, rh Ms Harriet Harper, rh Mr Mark
Harrington, Richard Harris, Rebecca
Hart, Simon Haselhurst, rh Sir Alan
Hayes, rh Mr John Heald, Sir Oliver
Heappey, James Heaton-Harris, Chris
Heaton-Jones, Peter Henderson, Gordon
Herbert, rh Nick Hermon, Lady
Hinds, Damian Hoare, Simon
Hodgson, rh Dame Margaret Hollingbery, George
Hollinrake, Kevin
The House divided:

Ayes 397, Noes 223.

Tellers for the Noes:

Jackie Doyle-Price

Tugendhat, Tom

Gavin Barwell and

Jackie Doyle-Price

Question accordingly negatived.

Main Question put.

Division No. 139)

AYES

Blackwood, Nicola

Blenkinsop, Tom

Blunt, Crispin

Boles, Nick

Bone, Mr Peter

Borwick, Victoria

Bottomley, Sir Peter

Bradley, Karen

Brady, Mr Ben

Brady, Mr Graham

Brake, Tom

Brazier, Mr Julian

Bridge, Andrew

Brine, Steve

Brokenshire, Rh James

Bruce, Fiona

Bryant, Chris

Buckland, Robert

Burns, Conor

Burns, Mr Euro

Burt, R H Alistair

Cairns, Alun

Cameron, Mr David

Campbell, Rh Mr Alan

Campbell, Mr Gregory

Carmichael, rh Mr Alistair

Carmichael, Neil

Carswell, Mr Douglas
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<tr>
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<tr>
<td>Stride, Mel</td>
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<td>Stuart, r/Ms Gisela</td>
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| Truss, r/Ms Elizabeth | Hare, Mark R. |
| Tugendhat, Tom | Hare, Mark E. |
| Turley, Anna | Hare, Mark J. |
| Umunna, Mr Chuka | Hare, Mark B. |
| Vaizey, Mr Edward | Hare, Mark D. |
| Vara, Mr Shiaslehs | Hare, Mark G. |
| Vaz, r/Ms Keith | Hare, Mark J. |
| Villiers, r/Ms Theresa | Hare, Mark M. |
| Walker, Mr Charles | Hare, Mark D. |
| Walker, Mr Robin | Hare, Mark J. |
| Wallace, Mr Ben | Hare, Mark L. |
| Warburton, David | Hare, Mark J. |
| Warman, Matt | Hare, Mark J. |
| Watkinson, Dame Angela | Hare, Mark J. |
| Watson, Mr Tom | Hare, Mark J. |
| Wharton, James | Hare, Mark J. |
| Whately, Helen | Hare, Mark J. |
| Whelan, David | Hare, Mark J. |
| White, Chris | Hare, Mark J. |
| Whitaker, Craig | Hare, Mark J. |
| Whittingdale, r/Mr John | Hare, Mark J. |
| Wiggan, Bill | Hare, Mark J. |
| Williams, Craig | Hare, Mark J. |
| Williamson, r/Ms Gavin | Hare, Mark J. |
| Wilson, rh Mr Rob | Hare, Mark J. |
| Wilson, Sam | Hare, Mark J. |
| Wollaston, Dr Sarah | Hare, Mark J. |
| Wood, Mike | Hare, Mark J. |
| Woodcock, John | Hare, Mark J. |
| Wragg, William | Hare, Mark J. |
| Wright, r/Mrs Jeremy | Hare, Mark J. |
| Zahawi, Nadhim | Hare, Mark J. |

**Tellers for the Ayes:**

- **Gavin Barwell and Jackie Doyle-Price**

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<td>Abbott, Ms Diane</td>
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<td>Dakin, Nic</td>
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**Tellers for the Noes:**

- **Owen Thompson and Liz Saville Roberts**
Question accordingly agreed to.
Resolved.

That this House notes that ISIL poses a direct threat to the United Kingdom; welcomes United Nations Security Council Resolution 2249 which determines that ISIL constitutes an ‘unprecedented threat to international peace and security’ and calls on states to take ‘all necessary measures’ to prevent terrorist acts by ISIL and to ‘eradicate the safe haven they have established over significant parts of Iraq and Syria’; further notes the clear legal basis to defend the UK and our allies in accordance with the UN Charter; notes that military action against ISIL is only one component of a broader strategy to bring peace and stability to Syria; welcomes the renewed impetus behind the Vienna talks on a ceasefire and political settlement; welcomes the Government’s continuing commitment to providing humanitarian support to Syrian refugees; underlines the importance of planning for post-conflict stabilisation and reconstruction in Syria; welcomes the Government’s continued determination to cut ISIL’s sources of finance, fighters and weapons; notes the requests from France, the US and regional allies for UK military assistance; acknowledges the importance of seeking to avoid civilian casualties, using the UK’s particular capabilities; notes the Government will not deploy UK troops in ground combat operations; welcomes the Government’s commitment to provide quarterly progress reports to the House; and accordingly supports Her Majesty’s Government in taking military action, specifically airstrikes, exclusively against ISIL in Syria; and offers its wholehearted support to Her Majesty’s Armed Forces.

Dr Philippa Whitford (Central Ayrshire) (SNP): On a point of order, Mr Speaker. May I thank you for going through all these hours of debate, and as a doctor may I say that is not terribly healthy?

Mr Speaker: I am extremely grateful to the hon. Lady for what she has said. I take note of her health advice, but there have to be exceptions and I wanted to be here to hear every speech. I thank colleagues for what overall I must say was the remarkably decent and gracious tone that characterised the contributions over several hours.

Mr David Winnick (Walsall North) (Lab): Further to that point of order, Mr Speaker. May I put on record that it is unlikely that any previous Speaker has ever done what you have done today: sit throughout without a single break? I think the whole House should congratulate you.

Mr Speaker: I am very flattered and honoured by what the hon. Gentleman has said. I sought no such compliment, but the hon. Gentleman first came into the House 49 years ago and he knows I hold him in the highest esteem, and I thank him for that. The credit is that of the House, however, for the way it has conducted itself today. I appreciate what the hon. Gentleman said.

PETITION

Mandatory Reporting of Child Abuse

10.33 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I rise to present a petition on behalf of my constituent Mr Tom Perry and 202,731 individuals who are residents of the UK, concerning the mandatory reporting of child abuse. They hope it will improve the position and protection of children in the care of people in regulated activities.

The petition declares:

The petition of residents of the UK,
Declares that child protection in Regulated Activities is dependent upon a reporting procedure external to the institution(s) in which the concern arises; further that Regulated Activity is defined in the Safeguarding Vulnerable Groups (SVG) Act 2006 as amended as any paid or unpaid work with children; further that child protection is placed in jeopardy by the absence of any direct statutory legal obligation to report the concern to the local authority or police; and further that online petitions on this matter were signed by 202,731 individuals.

The petitioners therefore request that the House of Commons urges the Government to introduce legislation which requires persons in a position of trust who work with children in Regulated Activities and who know, suspect, or have reasonable grounds for knowing or suspecting child abuse, to inform the Local Authority Designated Officer or in appropriate circumstances Children’s Services and make failure to inform a criminal offence.

And the Petitioners remain, etc.

[P001652]
New Build Homes

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

10.35 pm

Caroline Nokes (Romsey and Southampton North) (Con): I do not expect you to stay in the Chair for the whole of this Adjournment debate, Mr Speaker. You might be able to hear that I have a slightly croaky voice, so I will by necessity keep my remarks relatively brief.

I welcome the opportunity to raise this issue with the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Stockton South (James Wharton). It has been a recurring theme over the past few months, but perhaps that is inevitable as the Government promote house building, and because the number of both starts and completions is up significantly. There are, therefore, more new build homes with the potential to provoke complaints. My right hon. Friend the Member for Basingstoke (Mrs Miller) led a similar debate in July, and my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) is chair of the all-party group on excellence in the built environment, which is conducting an inquiry into this very issue.

I will speak on behalf of one constituent in particular, but I will also refer to others, because, sadly, the problems tend not to happen in isolation. Test Valley borough, which covers the greater part of my constituency, has followed what the Government have asked of local planning authorities. Over the past three years, Test Valley has had either the highest or the second highest number of housing completions in the whole of Hampshire, including the two cities of Southampton and Portsmouth. Test Valley has consistently been in the top 10 for housing completions across the whole of the south-east region. Unfortunately, and as one might expect, areas with high levels of house building can also have high levels of complaints from new residents.

Buying a new home is an enormous step for most people. It is exciting, challenging and stressful, probably in equal measure. I think it is true to say that moving home is one of the most stressful things that any individual, couple or family can go through, but it is also certainly exciting. How much more exciting can it be for someone than to move into a new build home that they can put their own mark on and that no one else has lived in?

My hon. Friend the Minister will be delighted to hear that, during the general election campaign earlier this year, I talked to residents at Abbotswood, a new 800-home development on the edge of Romsey. One resident invited me into her new home, which was bought with help from the Government’s Help to Buy scheme. She proudly showed me a photograph—it had pride of place in the sitting room—of her and her husband at Downing Street with my right hon. Friend the Prime Minister. For Lisa and her husband, there was nothing but joy in being in their own brand-new home. Sadly, however, that is not the case for everyone. I requested this debate to highlight some of the challenges facing purchasers of new build properties when things do not go according to plan.

Jim Shannon (Strangford) (DUP): I am conscious of the hon. Lady’s voice, so I do not want to keep her here for long. I understand that anybody who buys a new build house gets a 10-year warranty, but it is a very informal arrangement. Does she think it is time for the Government to formalise the legislation and make sure that buyers of new build homes are protected?

Caroline Nokes: I thank the hon. Gentleman for that intervention and I know that he also has a keen interest in this issue. The nub of the matter is the 10-year guarantee and how effectively it comes into play when there is a problem.

As a society we have become very aware of our consumer rights. When making substantial purchases we look for warranties, for quality assurance and for customer service. There is no purchase in life more substantial than buying a house, yet over the past 18 months some of my constituents have felt less protected than they would have been if they had, for example, bought a new car. The protections they believed that they had, and which they had taken for granted, assuming that they would come into action should there be a problem, have simply not had the effect any reasonable consumer would want.

We all know that with new build properties there can be snagging problems. Indeed, back in 1996 I well remember buying a new house and some minor issues needed fixing. The builder came back and sorted them out, and I remember the pride I had in that house and in being able to put my own identity on it, and how happy I was.

What about when the issues are not minor, as was the case with my constituents Evelyn and Riccardo Lallo? Some 18 months after they first identified the problems with their brand-new house, they remain in rented accommodation paying a mortgage on a house that they cannot live in. Unfortunately, they are still waiting for the builder, in this case Taylor Wimpey, to remove the undersized ceiling joists, some of the walls and the roof. To be frank, it sounds awfully like a total rebuild, and although they are in rented accommodation, one of their neighbours lived in a hotel for six months.

One of the problems I would like to draw to the Minister’s attention is the assumption by house purchasers that building control is necessarily performed by the local authority. That is not always the case. It is in some, but in many cases the building control checks are done instead by the warranty providers, such as the National House Building Council. There can be very good reasons for that. The warranty companies might prefer it, as they will then be providing the warranty for the building with which they have been involved from a very early stage. Several inspections take place at various stages, from checking the depth of foundations and making sure that cavities are the appropriate size, through to the pre-plaster check. There is a log for each inspection, which my constituents argue should be freely available automatically to the prospective purchaser.

The customer is not necessarily aware of that, and there needs to be a better understanding that a local authority building control inspector might never have seen the building, and the local authority, beyond granting planning permission, might have no direct interest in the subsequent build process. The assumption, however, is that no matter who has carried out the inspection process, problems will be flagged up throughout the process and could be amended in the build process before it moves on to the next stage.
I am conscious that my right hon. Friend the Member for Basingstoke has raised in detail with the Minister the flaws in the inspection regime, and how that might leave the homeowner in a more vulnerable position than they had ever imagined when entering into the contract to buy a home. I do not intend to repeat those arguments. Suffice it to say that I wholly endorse her view about the need for a duty of care to be established between approved inspectors and the homebuyer, and I welcome the Ankers report in that respect, but we also need somehow to convey to purchasers that they need to be vigilant in the process, and to be aware that it might not be their local authority that has inspected the build.

In the case of my constituents, Mr and Mrs Lallo, they feel very much as if they have been pushed from pillar to post, with each one shrugging shoulders and all pointing back to the builder as the one who must rectify the problems, and that is undoubtedly right. The NHBC system and other warranty providers require the builder to rectify any problem within the first two years, and in this situation the builder, Taylor Wimpey, has accepted that it is responsible to replace all the joists and trusses, which had not been installed properly as required. Tonight the scaffolding is up and I understand that the roof will come off tomorrow. We must hope that the sun will be shining.

When a defect is discovered and the builder refuses to carry out the remedial work, a free resolution service is offered by the warranty providers, but what happens when the builder agrees to carry out the work but drags their feet and does not get on with the repairs? That is the point at which my constituents first contacted me. Their bright, shiny new house had unacceptable levels of vibration and investigations revealed the joists and trusses were acting independently of each other. They have to come out, all the plaster must be removed, the ceilings must be taken out and the roof will come off. They contacted the local authority, which very quickly stated that it was not its responsibility, but could find no agency to act as an intermediary between them and the builder to exert the pressure that they wanted to facilitate a speedy and appropriate remedy.

For six months, the family lived with no ceilings after they had been stripped out, walls were missing and their living room furniture was in storage. For a further six months, they have lived in rented housing, expecting at every moment work to start on the house that was meant to be their pride and joy—a home for their boys. My constituents feel that for big purchases such as houses there should also be some protection—someone to speak up on their behalf, to act as an intermediary. It is their contention that there should be some sort of ombudsman, and that idea certainly has some attraction.

My real concern is that if, as happened in the case of my constituents, fundamental structural flaws that should have been picked up in the pre-plaster inspection were missed, what can we expect as rates of house building accelerate? I hope the Minister can provide some reassurance that the inspection regime remains robust, and that the case of my constituents and their neighbours, who were similarly affected, is unusual. I say that because as house building necessarily increases, we want the owners and new homes to be happy, to have pride in their new homes and, above all, to be protected adequately should the worst happen.

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): I congratulate my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) on securing this debate about the protections for purchasers of new build homes. I know that is a matter of concern to a number of hon. Members, and I have personally discussed it previously here in the House, as she recognised in her comments.

Homeowners rightly expect their homes to be built to high standards and to be high quality. I understand that things do not always go right when buying a new home, and it can then be disappointing, time consuming, stressful and expensive to get things put right. I was concerned to hear about the experiences of my hon. Friend’s constituents. I cannot comment on particular cases, but I am sure the building industry and the warranty providers will reflect on this debate in how they respond to the situation she described.

The quality of build and compliance with regulatory requirements or standards required under any warranty are the primary responsibility of the builder. There are protections in place, which I will describe, but the industry has to take responsibility for the quality of what it builds. The warranty provides an important protection. If a warranty is in place, the homeowner can contact the warranty provider. Most warranties, such as the NHBC Buildmark, the LABC—local authority build control—warranty and the Premier Guarantee, last for 10 years from the completion of the building works. As my hon. Friend said, in the first two years after completion the builder remains responsible for righting defects caused by breaches of the technical requirements covered by the warranty. The warranty provider will try to get the builder to carry out any necessary work or, in some cases, arrange for work to be carried out themselves. In years three to 10 from the completion of the building works, the warranty provides insurance cover against the cost of repairing defined sorts of defects covered by the scheme.

Warranties are not compulsory for new homes, but the Department is aware that the majority of new homes are covered by a warranty such as the NHBC Buildmark. Mortgage lenders will also expect there to be a warranty in place. Out of all the homeowners covered by NHBC warranties, fewer than 5% need to make a claim under the warranty. Warranty providers also carry out their own inspections, which may be carried out by the building control body as an adjunct to building control inspections.

From what my hon. Friend says, it sounds as though the builder in the specific case she raises accepted responsibility for taking action, which is as it should be, but I fully accept the concerns about the time this has taken. She may wish to raise that with the builder and the warranty provider, if she has not already done so. As I have said, I am sure their attention will be drawn to, if it is not already focused on, the comments that she has made in the House this evening.

A homeowner may also be protected by the consumer code for home builders, an industry-led scheme that aims to give protection and rights to purchasers of new homes. The code applies to all homebuyers who reserve to buy a new or newly converted home, on or after 1 April 2010, built by a home builder registered with one of the supporting warranty bodies, such as the NHBC, the LABC and Premier Guarantee.
According to the code’s annual report for 2014, between 2010 and 2013, there were 57 cases referred to the code’s independent dispute resolution scheme of which 21 succeeded in part and two succeeded in full. Sanctions for homebuilders not adhering to the code could include financial penalties and suspension from the new home warranty providers’ registers. The code’s management board is undertaking a review to ensure that the code continues to meet the needs of homebuyers in terms of driving up industry standards and customer satisfaction.

It may help if I explain the building control process. Building control systems can contribute to the quality of new homes. Building work, including new build, is subject to supervision by either the local authority building control service or by an approved inspector. In the case of new housing, it is mainly approved inspectors who inspect the work. Again, that was reflected in the speech of my hon. Friend. I should also point out that NHBC has separate corporate entities that carry out the building control function as an approved inspector and that provide warranties.

Building control can only ever be a spot-checking process and in no way removes the primary responsibility for ensuring work complies with the building regulations from the person carrying out the work. However, building control bodies are not clerks of works nor are they responsible for quality issues beyond what is required in the building regulations.

Building control bodies, both local authorities and approved inspectors, have a statutory duty to take all reasonable steps to ascertain that the relevant requirements of the building regulations have been complied with. Building control bodies carry out this duty by checking plans, by carrying out on-site inspections and by checking the validity of energy and water efficiency calculations and other relevant documents. Where there is a need to do so, building control bodies may carry out their own tests and take samples to check compliance.

Based on those processes, the building control body will come to a view on whether the work complies, although that cannot be a guarantee and it does not detract from the ultimate responsibility of the builder. Building control bodies provide advice and guidance throughout the building process on how to bring work up to compliance standards, and in most cases that is sufficient to ensure compliance with the building regulations on completion of the construction work. If an approved inspector is unsuccessful in getting compliance, they can revert the work to the local authority for enforcement action. If the local authority considers that there has been a breach of the building regulations, it can take formal enforcement action, including prosecution.

If anyone believes that a building control body has been negligent in carrying out its building control function, a complaint can be made to the local government ombudsman about local authorities and for approved inspectors to CICAIR Limited, the body designated by the Secretary of State to carry out his executive and administrative functions in respect of the approval and re-approval of approved inspectors.

The quality of new homes is an important issue. My hon. Friend has spoken eloquently about her concerns and is aware of the work of the all-party parliamentary group on excellence in the built environment, which is considering this issue.

I am pleased to see that those involved in the built environment have the opportunity to express their views on the quality of new homes as well as on how improvements can be made to ensure new houses are of high quality. In particular, NHBC’s submission to the group explains that it is undertaking a number of initiatives to help ensure that the quality of new homes continues to improve. These include introducing, in 2016, construction quality audits of sites under construction and registered with a Buildmark warranty.

These audits will involve NHBC’s inspection managers undertaking structured detailed audits of construction quality throughout the construction stages. The data collected will be analysed and used to provide feedback at industry and builder-specific levels in order to assist the industry in identifying opportunities for improvement including how this may be achieved.

Members have raised serious issues on this occasion and on others. The Government are concerned that standards are adhered to and look forward to the findings of the APPG to see what further work might be done to continue to improve the quality of new homes both by my Department and by others involved in the construction process.

My hon. Friend has raised some very important issues on behalf of her constituents this evening. I have certainly taken note of what she has said. I have no doubt that others, both those directly involved in some of the specific cases that she raised and those working more generally in this field, will be aware of the concerns that Members from across the House have brought to this place in recent times. We want to ensure that people can confidently buy new homes, and confidently make what is often the largest investment that they will ever make. She raised some important points in that regard and I will be happy to discuss issues with her as they progress and to work with her to ensure that her constituents and mine can have confidence in the systems that are in place and the protection that they should rightly be able to expect.

Question put and agreed to.

10.54 pm
House adjourned.
The Secretary of State for Culture, Media and Sport was asked—

**Superfast Broadband**

1. Kevin Hollinrake (Thirsk and Malton) (Con): What plans his Department has to ensure universal provision of fast or superfast broadband. [902528]

2. Kelly Tolhurst (Rochester and Strood) (Con): What plans his Department has to ensure universal provision of fast or superfast broadband. [902531]

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): By the end of 2017, 95% of homes and businesses in the United Kingdom will have access to superfast broadband. As my right hon. Friend the Prime Minister announced last month, by the end of this Parliament people will have a legal right to request a broadband connection, no matter where they live. We will be consulting on these plans, which will put access to broadband on a similar footing with other basic services early next year.

Kevin Hollinrake: I welcome the universal service obligation to provide 10 megabits of coverage to the whole country by 2020. Point-to-point wireless can provide a solution today up to 30 megabits, but the organisations behind those facilities will not invest because state aid will one day bring fibre to those communities and take away their customers. Can Ministers provide a solution to this important conundrum?

Mr Whittingdale: I commend my hon. Friend on his advocacy for his constituents on the importance of achieving superfast broadband as quickly as possible. The universal service obligation will provide a safety net, but it will take some time to work out the details. In the meantime, we would welcome all the alternative suppliers putting forward their solution. It may well be that different solutions will be appropriate for different places.

Kelly Tolhurst: Some parts of my constituency such as central Rochester, the peninsula and the businesses in Chatham historic dockyard have been suffering from poor fibre-optic broadband coverage from BT for too long. Much-needed upgrades were supposed to be in place from December last year; yet we are having to wait until the 2016-17 financial year at the earliest. What can the Minister do to stop broadband companies from dragging their heels so that all residents and businesses can enjoy the services that they ought to have?

Mr Whittingdale: I fully appreciate the wish of my hon. Friend that her constituents should have access to superfast broadband as soon as possible. We are making extremely good progress on phase 2. We have already passed an extra 3.3 million premises, and that will rise to 4 million by early 2016. By the end of phase 2, we expect to have achieved 97% coverage in my hon. Friend’s constituency. We will then work hard on the remaining small number of houses, which will have the possibility of the universal service obligation to rely on.

Albert Owen (Ynys Môn) (Lab): Those of us who are long and strong advocates of universal service welcome the Government’s U-turn on this matter. Only a few weeks ago, I was told by the Minister for Culture and the Digital Economy that this was not possible, and it was not Government policy. I will be taking part in the consultation, but will there be any new Government money from the UK, the Welsh Government or the European Union?

Mr Whittingdale: I would be extremely surprised if that was what my hon. Friend said, as he has been a leading advocate of the universal service obligation policy, which will benefit all the hon. Gentleman’s constituents, just as it will every other household in the country. The precise details of how the universal service obligation will work are still to be worked out, and that will obviously include how it will be paid for, and we shall be consulting on that over the coming year.

Ms Margaret Ritchie (South Down) (SDLP): Given the report that was published this week by Ofcom, which illustrated the differences in broadband speed in Northern Ireland and the fact that Northern Ireland has 73% coverage compared with 88% in the rest of the United Kingdom, what action will the Secretary of State and his officials take to address this matter?

Mr Whittingdale: I believe that the Ofcom report showed different possible causes for slower broadband, including, I am told, Christmas fairy lights. That is why it is making available an app to measure the speed of wi-fi. I can tell the hon. Lady that in Northern Ireland we expect that by the end of the superfast broadband project 87% of homes and businesses will be covered. The Northern Ireland Government have received £11.4 million from Broadband Delivery UK for the project.

18. Jack Lopresti (Filton and Bradley Stoke) (Con): In some easily accessible areas in my constituency superfast broadband is extremely economically viable; BT has received a huge amount of subsidy since 2010. Does my right hon. Friend agree with me that this is unacceptable and will he meet me to see what we can do to get this right and solve the problem of accessibility?
Mr Whittingdale: We are making good progress, as I have already mentioned. We are optimistic—indeed, confident—that we will achieve the 95% target by the end of 2017. That still leaves some difficult areas. I will, of course, be happy to meet my hon. Friend to discuss what more we can do to ensure that all his constituents can benefit from superfast broadband.

Rob Marris (Wolverhampton South West) (Lab): What steps is the Secretary of State taking with other Departments to enforce broadband speeds? These questions are about superfast broadband, but what constitutes “superfast” on the ground, as it were, is a matter of great dispute. Many providers say that they provide speeds of “up to” a certain number. What enforcement steps is he taking?

Mr Whittingdale: I have sympathy with the hon. Gentleman’s concern that advertised speeds are not delivered in practice. We talk regularly with Ofcom about that matter. Ofcom is carrying out detailed research and, as I mentioned earlier, making available an application that will allow consumers to test whether they are achieving those speeds. The universal service obligation, to which the question refers, that is coming into place will require all providers to be able to supply at least 10 megabits—the speed that Ofcom currently assesses as necessary for someone to be able to enjoy most normal applications.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): Five years after abandoning Labour’s universal service commitment and having delayed his own super-slow crawl-out at least three times without proper consultation with either Ofcom or the industry, the Prime Minister magics a universal service obligation out of thin air. The Minister for Culture and the Digital Economy, with whom I have the deepest sympathy, is forced to pretend that it is part of some strategy that has not been published or even consulted on. The Chancellor, however, is not in on the trick: the comprehensive spending review published or even consulted on. The Chancellor, however, is not in on the trick: the comprehensive spending review did not mention the issue once. Does the Minister have any idea of how much the obligation is going to cost—or does not mention the issue once. Does the Minister have any idea of how much the obligation is going to cost—or just a sop to his Back Benchers whose mailbags are bulging with complaints about broadband?

Mr Whittingdale: That was a good try by the hon. Lady, but in actual fact we have been making extremely good progress. The superfast scheme has now passed an extra 3.3 million homes and we will achieve 95% by the end of 2017. The universal service obligation is to allow consumers to test whether they are achieving those speeds. The universal service obligation, to which the question refers, that is coming into place will require all providers to be able to supply at least 10 megabits—the speed that Ofcom currently assesses as necessary for someone to be able to enjoy most normal applications.

Access to Culture and the Arts

2. Paula Sherriff (Dewsbury) (Lab): What steps he is taking to improve access to culture and the arts for more disadvantaged communities

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I am grateful to the hon. Lady for this question about the important issue of improving access to culture and the arts for people from disadvantaged communities. I was delighted with the Chancellor’s autumn statement, which did not cut funding for the arts and heritage. That will be welcomed very much by Labour Front Benchers, who were predicting doom and gloom. There are a number of schemes that help disadvantaged people, but I want to work on the issue for my White Paper in the new year.

Paula Sherriff: The Arts Council will have more than £1.5 billion to support the arts over the next three years. GPS Culture has calculated that 43% of that will be invested in London—a spend of £81, compared with just £19.80 per head for the rest of the country. Frankly, people in Dewsbury, Mirfield and the rest of Yorkshire feel let down. Will the Minister take action to rebalance funding between London and the regions to ensure that everyone, including those from disadvantaged communities, gets access to culture and the arts?

Mr Vaizey: My understanding is that tonight in Dewsbury there will be a fantastic free arts event for families at Crow Nest park funded by the Arts Council. The creative people and places fund targets funding outside London. More than half of the multimillion-pound Grants for the Arts programme goes to a quarter of the most deprived areas in England. The Arts Council is doing a lot. We are doing a lot more than was done under the last Labour Government. We have massively increased the funding that goes outside London, which Labour never addressed.

Mr Philip Hollobone (Kettering) (Con): Last Saturday evening, my family and I attended the Kettering gang show at the Lighthouse theatre in Kettering, organised by the local Kettering scouts. It was a fantastic show. Given that the scouts do so much very good work with boys and girls in disadvantaged communities throughout this country, will the Minister take this opportunity to praise the scout movement for how it encourages young people to get involved in the arts?

Mr Vaizey: I would love to take this opportunity to praise the scout movement and all the volunteers and voluntary organisations that do so much for the arts. Their contribution should not be forgotten; we should not simply look at those organisations that are funded by the Arts Council.

John Nicolson (East Dunbartonshire) (SNP): On the issue of disadvantaged communities and their languages, the Gaelic language is the most endangered in these islands. Why, therefore, in the autumn statement did the Government withdraw their total direct UK funding of £1 million, and can I ask him to reconsider?

Mr Vaizey: As the hon. Gentleman knows full well, there were two one-off grants in the last Parliament to support that important work, and those contributions have made a valuable difference, but they were not annual grants stretching way back into the past. They were two one-off grants strongly supported by the then Chief Secretary.

Nigel Huddleston (Mid Worcestershire) (Con): Does the Minister agree that the £40 million commitment from the Discover England fund will also help to promote arts and culture across Britain?
Mr Vaizey: Yes, I do, and it is extremely important that that fund is co-ordinated with the arts and heritage funding that the Chancellor has kept stable for the next five years. If we combine the funding for arts, heritage, and tourism, we can generate some meaningful interventions across the UK.

Michael Dugher (Barnsley East) (Lab): The Government’s official annual figures, “Taking Part”, published in July, show a marked decline in the percentage of young children participating in key activities including dance, music, theatre, drama, arts and crafts. In 2010, on average, more than 50% of five to 10-year-olds took part in those activities: it is now just 30%. Is it not the case that under this Government access to arts and culture has undeniably gone backwards, and it is disproportionately disadvantage children and working-class kids who lose out the most?

Mr Vaizey: Our museums have never received more visitors and our arts organisations are thriving. Rather than criticising the arts, this is the hon. Gentleman’s opportunity to apologise for the appalling scaremongering he undertook last month, claiming that the arts would be cut by 30%. He should apologise now at the Dispatch Box.

Michael Dugher: It is an odd request to be asked to apologise for the Government’s figures, but I am more than happy to highlight their poor performance. I shall give him some more figures—not scaremongering, but real figures. Recent research by Ipsos MORI revealed that 70% of children of non-graduate parents spend fewer than three hours a week on cultural activity. That compares with 80% of children of graduate parents who spend more than three hours. Last week’s spending review, which the Minister mentions so much, means that the Department for Culture, Media and Sport will face a 5% real-terms cut, and the central grant for local government is being cut by a massive 56%—a £6.1 billion reduction by 2019-20, which is not exactly a cause for a circuit of honour. What assessment has the DCMS made of the rate of take-up of broadband grant vouchers by small and medium-sized businesses?

Mr Vaizey: I take the issue of access to arts by all our communities very seriously, which is why I support all the schemes that the Arts Council is undertaking. But again, the hon. Gentleman can make a difference. He does not have to feel powerless on the Opposition Benches: he can ring up Labour Lancashire now and ask why it is withdrawing all its funding from all its museums.

Antoinette Sandbach: My constituents in Eddisbury will have connections below the Cheshire average for superfast broadband. What steps can be taken to ensure that Connecting Cheshire will prioritise better superfast broadband access for rural businesses and residents in Eddisbury?

Mr Vaizey: My hon. Friend is a fantastic advocate for broadband and for her constituency. I am very pleased that almost half of her constituency will benefit from our superfast broadband roll-out—almost 15,000 homes in her constituency have already been passed, but by the time the project is finished more than 30,000 will have been passed.

Neil Carmichael (Stroud) (Con): There will not be many successful business parks where the highway stops short of the park and people have to get out of their cars and walk the rest of the way. Can we apply the same logic to another important highway—broadband—and make sure that business parks are properly connected so that small businesses can thrive and prosper?

Mr Vaizey: There is no reason why business parks should not be part of the superfast broadband roll-out programme. It is also important that business park owners, who charge rents and provide services to their tenants, get on board and ensure their tenants have broadband.

Broadband Universal Service Obligation

5. Lucy Allan (Telford) (Con): When he plans for a broadband universal service obligation to be in place.

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): As the Prime Minister announced, people will, by the end of this Parliament, have a legal right to request a broadband connection, no matter where they live, from a designated provider, at a minimum speed, up to a reasonable cost threshold. We will consult on those plans in early 2016.

Lucy Allan: I thank the Secretary of State for meeting me and being so patient about my many queries on this issue. Telford residents in the Trench Lock and Lightmoor new-build areas, and residents of historic Ironbridge, tell me that they struggle daily with inadequate broadband. When can they expect the same, increased connectivity as other people across the UK?

Mr Whittingdale: The Telford and Wrekin project is set to deliver superfast broadband access to 98% of homes and businesses by the end of phase 2 in 2017. My hon. Friend is absolutely right to press us to ensure that the few remaining constituents of hers who do not have such access obtain it. From this month, they will have a right to a basic broadband service of 2 megabits per second, and will be able to take advantage of the universal service obligation when it comes into effect.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I welcome the Secretary of State’s statement, but will he assure me that the pace of the
Mr Whittingdale: We will achieve the 95% target by the end of 2017, when the contractual arrangements we have achieved will enable us to invest more in going beyond that. We will be putting in place the universal service obligation, which will benefit my hon. Friend’s constituents and those of all other Members.

Mr David Nuttall (Bury North) (Con): It is all very well having the universal service obligation, and I urge that it be introduced as quickly as possible, but the key question is the definition of “affordable” or “reasonable”. Will the Secretary of State confirm that when it is introduced my constituents will be able to afford what the providers offer?

Mr Whittingdale: The universal service obligation is a safety net to benefit those few remaining people who have been unable to access superfast broadband. We are consulting on the precise details, including the costing, and we are discussing with industry how that will be met. I assure my hon. Friend that it is intended that it should be affordable to his constituents and those of all other Members.

Football Supporters Associations

6. Henry Smith (Crawley) (Con): What recent discussions he has had with football authorities on the voluntary and community work of supporters associations.

Tracey Crouch: Football is nothing without its fans, its volunteers and the communities that it works in. It is important that we celebrate and honour those who dedicate their lives in a variety of different ways to football, so I join the hon. Gentleman in congratulating Mr Amos on all that he has done to serve the Northern league.

Damian Collins (Folkestone and Hythe) (Con): Will the Minister say when the report from the expert working group will be published? We were hoping that it would be published at the end of last month. While the arrests in Zurich this morning highlight the problems in the governance of world football, there are still many concerns about the governance of football in this country, too.

Tracey Crouch: I can certainly give an indication about when I expect the report. If anything, I owe the hon. Member for Eltham (Clive Efford) an apology, because in my response to this question last time, I said that it would be published before his Bill comes before the House tomorrow. I have received a copy of the report. It has been done by football for football, so it is only right that the football authorities that need to look through it are given the opportunity to do so. I expect that to be done within the next three weeks and that the report will be published in January.

Sports Strategy

7. Ruth Smeeth (Stoke-on-Trent North) (Lab): When the Government plan to publish their new sports strategy.

Tracey Crouch: I share a TV region with my hon. Friend, so I also follow the ups and downs of his club. It is nice to be able to congratulate Crawley Town supporters on their admirable community work. Supporters groups up and down the country make a hugely valuable contribution to their communities, as well as raising funds for their club. Football clubs are stronger when working with, and in the best interests of, their supporters.

Ruth Smeeth: The Department’s own “Taking Part” figures show that children’s participation has dropped under this Government. The number of five to 15-year-olds playing competitive sport outside school has dropped 19%. Given that my city, the great city of Stoke-on-Trent, has been awarded European City of Sport for next year, when are the Government going to give us some detail, stop talking and start delivering so that my constituents can get the most out of next year?

Tracey Crouch: The hon. Lady has to wait only a very short time to see what the Government will be doing to deliver a brand-new policy on sport. Making sure that children participate in sport at a very early age is incredibly important. We know that if children develop the habit of sport at a very early age, it is something that they will continue. If she can bear with us for a few more days, I hope that she will get the answer to her question in more detail.

Paul Maynard (Blackpool North and Cleveleys) (Con): I know that the Minister is very keen on increasing participation in sport. Is she aware of the work of Wheels for All, a Lancashire charity which allows cycling...
for those with a disability? It is concerned that its activity levels are not being included in the Government’s activity survey because it does not count as sporting. There is too much focus on elite paralympic sport and not enough on activity levels that benefit the disabled community.

Tracey Crouch: My hon. Friend makes a really good point. The previous sports strategy relied on only two crude measurements around participation and medals. As I have indicated during previous discussions in the House, the new sports strategy will look beyond those two measures to see what social value sport brings to the community. That of course will mean that nobody should be prevented from participating in sport or any kind of physical activity.

Jim Shannon (Strangford) (DUP): Any new strategy should involve the participation of more ladies and girls but must also address obesity, particularly at primary school level. Can the Minister say what discussions she has had with our Health Minister to address that issue?

Tracey Crouch: I can reassure the hon. Gentleman. That I regularly meet Ministers across all Departments, but especially Health and Education Ministers. The new sports strategy is cross-departmental and will deal with many different issues. We will ensure that it aligns carefully with what the Department of Health is doing in the long term to combat obesity and childhood obesity.

Mr Speaker: Paul Farrelly. Not here.

Horse racing Betting Levy

9. Mr Laurence Robertson (Tewkesbury) (Con): What progress has he made in reforming the horserace betting levy. [R] [905237]

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): May I first draw the House’s attention to the written statement in the name of the Secretary of State for Culture, Media and Sport that was laid in Parliament this morning and confirms that the 55th levy has now been set? Despite this, the House’s attention to the written statement in the name of the Secretary of State for Culture, Media and Sport that was laid in Parliament this morning and confirms that the 55th levy has now been set? Despite this, the Government remain committed to replacing the current levy system to create a level playing field for British-based and offshore gambling operators. Work is continuing and we will make a further announcement in due course.

Mr Robertson: I am grateful for that response. One of the proposals put to the Minister by the sport of racing is for a racing right. Will she say what work the Government have done in considering the proposal, whether she needs further detail from the industry and what timescale we are talking about?

Tracey Crouch: The previous Government undertook three consultations and we are committed to replacing the outdated levy. Work is continuing and more detailed policy design is under way. We will make a further announcement in due course.

George Kerevan (East Lothian) (SNP): There is growing concern in the five racecourses in Scotland, including Musselburgh in my constituency, regarding the delay in introducing the new horseracing right. May I press the Minister for some form of timetable so that the racecourse industry knows where it is?

Tracey Crouch: Reform of the levy is an incredibly detailed piece of work and we want to ensure we get it right. It is important for everybody involved that we ensure that racing, a huge economic contributor to the UK economy, continues to be strong. We therefore want to ensure we do things appropriately.

Philip Davies (Shipley) (Con): I should make people aware of my entry in the Register of Members’ Financial Interests. The total prize money fund for horseracing in the UK is £130 million, and, in one form or another, bookmakers hand to racing almost £200 million—nearly 50% more than the total prize money. Is it not fair to say that bookmakers pay a fair price for the racing product, and was it not irresponsible of the racing industry to turn down the extra millions of pounds on offer to it in the recent levy negotiations?

Tracey Crouch: I thank my hon. Friend for that question. I know he takes a keen interest in this matter. I assure him that discussions on the levy, including the voluntary contribution, took place, as the Secretary of State’s written statement today makes clear. There is an issue with offshore remote gamblers not contributing from the statutory perspective, and that requires reform. We are therefore looking at it in close detail.

Clive Efford (Eltham) (Lab): It is two years since Labour forced the Government to commit to introducing a racing right to ensure that racing gets a fair return on all forms of betting based in the UK. It is estimated that the industry is missing out on £30 million a year. I press the Minister again: when can we expect a conclusion to the discussions on the horseracing right, and what discussions has she had with the industry about a sports betting right for all sports, which the last Labour Government initiated, that can be reinvested in grassroots sport?

Tracey Crouch: I have already answered the question about the timeframe. We must look at this in detail and an economic evaluation is taking place. The Government have no plans to introduce a sports betting right. The new model for horseracing will replace an existing arrangement for transferring funds from betting to horseracing.

Mobile and Broadband Coverage: Rural Areas

10. Daniel Kawczynski (Shrewsbury and Atcham) (Con): What steps the Government have taken to improve mobile phone reception and broadband service in rural areas. [902538]

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I am thrilled with the progress we are making on broadband and mobile coverage. [Laughter.] I labour Front Benchers like to mock me, but I want to tell you, Mr Speaker, about the International Telecommunication Union, which states that the UK has risen from 10th to fourth in the broadband rankings, overtaking Sweden, overtaking Holland, overtaking Hong Kong and overtaking Finland. The broadband European scorecard, published this week, showed that once again we are at the top of the EU big five. That is progress.
Daniel Kawczynski: Yes, progress indeed—but I am interested in Shropshire, which I represent and where issues remain outstanding. I very much hope that the Minister will give me some assurances about the work to improve coverage in Shropshire and to reform the electronic communications code.

Mr Vaizey: Broadband roll-out in Shropshire is now exceeding the number of Michelin stars. Almost 12,000 homes in my hon. Friend's constituency have been passed by our broadband programme, and we will get to 92% of his constituency. We will reform the electronic communications code to make broadband roll-out go even faster, especially when we introduce our universal service obligation.

15. [902543] Ian Blackford (Ross, Skye and Lochaber) (SNP): A report published by Ofcom in August found that 24% of Scotland's landmass had no mobile signal, and the highlands and islands continue to be the worst areas for 3G coverage in the UK. The 4G mobile option took no account of Scottish Government proposals to set coverage requirements for each local authority. What steps is the Minister taking to ensure connectivity across all parts of the UK with 5G licences? Does he agree that 5G may be part of a solution to provide superfast broadband in rural areas?

Mr Vaizey: I have to say that 5G is some way off, but I am pleased that we are investing in the research. The hon. Gentleman may be looking at our plans to clear T1. [902518] Jason McCartney (Colne Valley) (Con): If he will make a statement on his departmental responsibilities.

Ian C. Lucas (Wrexham) (Lab): But S4C is the only Welsh language channel. It is a national treasure for the United Kingdom. If the Government really have a commitment to the Welsh language, they need to stop cutting the income of the only Welsh language TV channel that we have. Will the Minister please reconsider?

Mr Vaizey: S4C was brought in by a Conservative Government. S4C has been supported by Conservative Government. S4C will continue to be supported by a Conservative Government; but unfortunately, we have had to make difficult decisions about funding across all areas of Government spending, because of the catastrophic mess left by the Labour Government.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): In its general election manifesto, the Conservative party promised to safeguard the funding of S4C; yet last week, the comprehensive spending review outlined a further cut of 26% in the UK Government's support for S4C. Is the Minister aware of his Welsh history and what happened the last time the Tories broke their promise in relation to S4C? Will he now consider the need to ensure that S4C is adequately resourced?

Mr Vaizey: As I keep repeating, S4C is adequately funded. It is extremely generously funded. It is generously supported by the BBC. It will continue to receive a generous grant from my Department. It is more generously funded than any other media organisation in terms of the number of viewers that it receives.

Topical Questions

The Secretary of State for Culture, Media and Sport (Mr John Whittingdale): Since the last Culture, Media and Sport questions, Adele's new album "25" has enjoyed record-breaking chart success, the latest Bond film continues to do excellent business, we concluded our hosting of a tremendous rugby World cup and, of course, Great Britain has won the Davis cup, but we have seen the ability of sport to bring people together in an incredibly powerful and moving way at the England-France game at Wembley. The positive impact of the many areas sponsored by my Department on our economy, culture and general wellbeing were recognised and reflected in the spending review.

Jason McCartney: Will the Secretary of State join me in congratulating rugby league star Kevin Sinfield on being shortlisted for the BBC sports personality of the year award? Following the autumn statement, will he say how the Government are supporting the sport of rugby league and, in particular, the bid for the rugby league World cup in 2021?

Mr Whittingdale: I would, of course, like to congratulate all 12 contenders for the sports personality of the year award. However, hon. Members might be aware that there are some fans of Leeds Rhinos in the Department, one of whom is not sitting a million miles away from me, and I am sure that she will be very vocal in supporting Kevin Sinfield. However, with regard to the rugby league

Welsh Language

11. Glyn Davies (Montgomeryshire) (Con): What plans he has to promote and strengthen the Welsh language.

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): Well, what can I say, except that we are committed to the Welsh language? We are committed to providing Government services in the Welsh language, and we are firmly committed to S4C.

Glyn Davies: Does my hon. Friend agree that S4C plays a key role in promoting the Welsh language in Wales? Does he understand that the widespread disappointment that people in Wales feel about the DCMS contribution was significantly reduced in the autumn statement?

Mr Vaizey: I am afraid that my glass is half full on this one. We secured £83 million of funding for S4C in 2012-13, and that funding remained broadly stable for the lifetime of that Parliament. Even now, if we take into account the contribution made by BBC News, S4C will receive a guaranteed income of some £90 million a year. That is guaranteed income, which any other media company—obviously, apart from the BBC—would cry out for.
World cup, when we hosted the competition two years ago, it drew more than 450,000 fans and generated an estimated £9.6 million. Officials are due to meet the rugby league next week to discuss its proposed 2021 rugby league World cup bid.

T6. [902524] Marion Fellows (Motherwell and Wishaw) (SNP): The Immigration Bill seems to make it harder and harder for people in the creative industries, like all others, to work with people across the globe. Has the Secretary of State considered the benefits to our creative industries of a new short-term visa, and will he speak to the Home Secretary about the possibility?

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): The hon. Lady raises an important topic. We have a close relationship with the Home Office and keep in close contact with it in on this important issue. Working with organisations such as Tech City UK, we have reformed immigration rules to allow people with the right kind of high-level skills to enter the country and work in our creative industries, and we will continue to work with the Home Office on the issue.

T2. [902519] Lucy Allan (Telford) (Con): The Minister will be delighted to know that last night, Telford Town Park was announced as the UK’s best park. Will she join me in congratulating all those involved, particularly in Hollinswood and Randlay Parish Council, Friends of Telford Town Park and Telford and Wrekin Council, for the important work that they do?

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): This is excellent news for the people of Telford, and I congratulate everyone involved on winning the best park award. Urban parks are vital in providing opportunities for people to get active in the fresh air, and it is important that we protect them for the benefit of local communities.

T3. [902520] Peter Grant (Glenrothes) (SNP): As we come to within two days of Small Business Saturday, the Secretary of State will be aware that Channel 4 currently works with more than 350 production companies, including a large number of small and medium-sized businesses. Can he assure us that in the event of any privatisation of Channel 4, the livelihood of those important small businesses will not be threatened by the desire to centralise and rationalise to save money?

Mr Whittingdale: I share the hon. Gentleman’s admiration of Channel 4’s work in supporting our creative industries. I am concerned to ensure that Channel 4 continues to have a sustainable and viable future and deliver its remit. With regard to the possible ownership structures, no decisions have been taken, but we are examining a number of different options, including the one put forward by Channel 4 management. Whatever decision we reach will be designed to ensure that Channel 4 continues to make a considerable contribution to our creative economy.

T4. [902522] David Rutley (Macclesfield) (Con): I am grateful for the work that is currently being undertaken to review the case for greater integration of outdoor recreation in the current sport strategy. What steps are being taken to promote outdoor recreation, to further boost domestic and international tourist activity in rural areas in Macclesfield and across the country?

Tracey Crouch: Outdoor activity is a hugely important part of the tourism offer in rural areas across the whole UK, and the total annual tourism spending attributed to leisure activities is phenomenal. It is of course a key strand of the new strategy, and as tourism Minister I can say that it links in nicely with some of our other activities.

T9. [902527] Mr Douglas Carswell (Clacton) (UKIP): There is mounting evidence that the BBC and its licence fee are inhibiting local newspapers’ ability to develop online. If the Secretary of State is to water down his previous antipathy to the licence fee, will he at least prevent it from being used in a way that hurts non-licence-fee-funded local media?

Mr Whittingdale: I share the hon. Gentleman’s concern about local newspapers, which play a vital role in local democracy. I welcome the fact that discussions have been taking place between local media groups and the BBC to determine what the BBC might do to assist local newspapers. I understand that very good progress has been made, and I hope that the BBC will therefore be able to play its part in recognising the contribution that local newspapers make to news provision and giving them some recompense for that.

T5. [902523] Scott Mann (North Cornwall) (Con): With the highly successful Westminster gaming event having taken place earlier this month, does my hon. Friend the Minister agree that computer programming and gaming are viable career options for many young people in our rural communities?

Mr Vaizey: I certainly agree with my hon. Friend, who makes an excellent point about not only the fantastic broadband roll-out in Cornwall, but the south-west’s fantastic games economy, regarding which we can talk about companies such as the Engine Room, Auroch Digital and Opposable Games. As a strong supporter of games and a successful roller-out of broadband, I wholeheartedly agree with both elements of his question.

Mr David Hanson (Delyn) (Lab): I cannot let the Minister get away with his comments about S4C. In May, the Conservatives’ manifesto said that they would safeguard the funding of S4C. How does the Chancellor’s statement last week safeguard the funding of S4C along the lines of that manifesto commitment?

Mr Vaizey: S4C will continue to receive funding from DCMS and the BBC, and it will continue to be the most generously funded media company in the country in terms of the number of viewers that it gets.

T7. [902525] Amanda Milling (Cannock Chase) (Con): In September, a new memorial to the miners who lost their lives in the local pits was unveiled in Rugeley. On Saturday night, one of the four statues was severely damaged by a driver who crashed into it and fled the scene. Will my right hon. Friend the Secretary of State join me in condemning the action of this callous
individual and tell me whether any Government support is available for the repair, maintenance and renewal of local memorials?

Mr Whittingdale: I entirely share my hon. Friend’s feelings. I was concerned to hear about the damage to the memorial to the miners who lost their lives, especially as it came so soon after more than 2,000 people lined the town’s streets for its unveiling in September. I am sure that the whole House will join my hon. Friend in condemning the actions of the person responsible. I can tell her that my Department administers the memorial grant scheme. If a registered charity is responsible for the care of the memorial, it will be able to benefit from a refund of VAT paid on repair work.

Diana Johnson (Kingston upon Hull North) (Lab): If the Government are really serious about opening up culture and the arts to disadvantaged communities, will the Secretary of State explain to my constituents why £150 million was announced for London museums in the comprehensive spending review and there is £100 million for a new arts complex in Battersea, yet Hull, which is the 2017 UK city of culture, is getting a share of £1 million allocated by the Chancellor? How does that work?

Mr Vaizey: I have been to Hull twice now to find out what is going on, and it is fantastic to see the improvements—[Interruption.] Labour Front Benchers can mock what is going on there, but the people of Hull will see those Members laughing at their efforts to produce a great capital of culture.

The hon. Lady does not mention the £78 million for the Factory in Manchester. She does not point out that the intention of the £150 million to get storage out of Blythe house is to get objects away from London and out to the regions. I welcome Hull, even if Labour condemns it as the capital of culture.

Mr Speaker: The Minister is an exceptionally excited fellow this morning. I do not know what he or the hon. Member for Wolverhampton South West (Rob Marris) had for breakfast, but I shall probably take care to avoid it.

Paul Maynard (Blackpool North and Cleveleys) (Con): The Minister will be aware of the campaign by the Public Monuments and Sculpture Association to safeguard sculpture in the outdoor realm either from removal or from being sold off. This is a worthwhile cause, so what can the Government do to safeguard and support public sculpture?

Mr Vaizey: I feel strongly about this issue, Mr Speaker, but I shall try not to get too excited about it. I was pleased to secure the future of the Henry Moore sculpture on Abingdon Green, as well as to campaign to keep a Henry Moore sculpture from being sold by Tower Hamlets and to prevent a Hepworth sculpture from being sold by a shopping centre, so I will support any public campaign that keeps a sculpture where it is meant to be.

Several hon. Members rose—

Mr Speaker: Last but not least, I call Greg Mulholland

Greg Mulholland (Leeds North West) (LD): I, too, am delighted by the nomination for BBC sports personality of the year of Leeds Rhinos legend, Kevin Sinfield, who is now of Yorkshire Carnegie, and I am equally delighted by the nomination for Otley cycling world champion, Lizzie Armitstead. Given the popularity of cycling, will the Department and the Government get behind making the Tour de Yorkshire a four-day event so that we can build on its huge success last year?

Mr Whittingdale: As I said earlier, I congratulate all those who have received nominations for BBC sports personality of the year. It is a testament to how many successful sportsmen and women we have in this country that this year’s line-up is so strong. I am strongly aware of that cycling tournament in the north and we will certainly consider that.

LEADER OF THE HOUSE

The Leader of the House was asked—

Sitting Hours

1. Martyn Day (Linlithgow and East Falkirk) (SNP): If he will bring forward proposals to reform the sitting hours of the House.

2. Will Quince (Colchester) (Con): What assessment he has made of the potential benefits to the House of Commons of it sitting at 9:30am on Tuesdays and Wednesdays.

3. The Deputy Leader of the House of Commons (Dr Thérèse Coffey): Sitting hours are decided on by the House. They are regularly reviewed by the Procedure Committee and decisions are made by hon. Members based on the options recommended following consideration of the relevant evidence. I say to hon. Members who want change that although this matter was decided on in the last Parliament, there is no reason why they cannot make representations to the Procedure Committee for further consideration.

Martyn Day: Our staff have to be here at unreasonable, family-unfriendly hours. May I ask the Deputy Leader of the House what we are doing to ensure their health and wellbeing, and to be a considerate employer?

Dr Coffey: I do not speak on behalf of the Commission, but it is my understanding that the House is a very proactive employer in managing health and safety, and appropriate conditions for staff. Of course, we are employers of our own staff directly, and it is for us, as their managers, to ensure that they have appropriate conditions.

Will Quince: I thank my hon. Friend for those remarks, and I will take that advice. Does she agree, however, that starting at 9.30 on Tuesdays and Wednesdays would not only make the House more family-friendly, but allow some Members to see their family and children of an evening?

Dr Coffey: My hon. Friend makes a valuable point. These matters were debated extensively, and I think it is fair to say that there are probably 650 different opinions on what constitutes something family-friendly. Nevertheless,
one of the important things that Standing Orders of the House do is ensure that all hon. Members have the chance to come to Question Time. He will recognise that the sitting hours of the Chamber are not necessarily the sitting hours of Committees and other such meetings. All these things need to be brought into the round.

Greg Mulholland (Leeds North West) (LD): We need to remember the need for schools to come and visit on Tuesday mornings before we make rash decisions based on the interests of MPs based in the south-east.

Does the hon. Lady agree that some of the coverage about the possibility of moving private Members’ Bills from Friday to Tuesday was absolutely ludicrous? Frankly the busiest and hardest-working day for most constituency MPs is Friday, when we are in our constituencies. We should be able to do that every week, and therefore look at dealing with private Members’ Bills on Tuesday evening.

Dr Coffey: The hon. Gentleman will know that this option was considered by the House in the last Parliament, and there was a vote on it. At the time, hon. Members decided not to pursue that option. Again, the debate can still be had.

Philip Davies (Shipley) (Con): For debates on assisted dying and the European Union Referendum Bill, more than 300 people appeared here on Fridays. If people want to turn up on a Friday, and the issue is important enough, they are perfectly capable of doing so. Does my hon. Friend agree that, if people want a 9-to-5 job, there are plenty of them available, and they should apply for one rather than be a Member of Parliament?

Dr Coffey: I should say that “9 to 5” is one of my favourite songs by the great Dolly. My hon. Friend is an advocate of many causes on Fridays, and I think he makes a fair point about hon. Members picking issues of significant interest that have attracted Members to stay here. Daylight saving is one example, as is assisted suicide, which has been mentioned, and there are other such matters on which hon. Members will find time to be here. It is for hon. Members to decide how they wish to fulfil their role, including in relation to the introduction of private Members’ Bills.

English Votes on English Laws: Divisions

2. Andrew Bridgen (North West Leicestershire) (Con): What progress has been made on preparations for the first divisions of the House which will follow the new Standing Orders on English Votes on English Laws?

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): Preparations for the first Divisions under the new Standing Orders have been under way for some time. The House authorities and the Government have worked together to put in place arrangements for the Divisions, including the use of tablets to assist in the recording of double majority votes. Hon. Members who were here in the last Parliament will have seen the use of iPads as a test ground for that.

Andrew Bridgen: I thank my hon. Friend for that answer. Will she confirm that, going forward, every MP from every part of the UK will still be able to debate and vote on every piece of legislation in the Commons, and make it clear that the accusation that this will create two tiers of MP is simply not true?

Dr Coffey: I agree with my hon. Friend that every Member in this House will continue to debate on Second Reading, during various elements of Committee and Report stages, and on Third Reading. It is simply the policy that we have successfully introduced that, when it comes to matters that are devolved and that affect England or England and Wales only, it is crucial that measures have the explicit consent of the MPs from those nations involved.

Ian C. Lucas (Wrexham) (Lab): If we are to have English votes for English laws, why, on non-devolved matters that particularly affect Wales, such as the future of S4C, can we not have Welsh votes for Welsh laws, with double majority votes for MPs from Wales?

Dr Coffey: We were very careful, in our proposals, to ensure that every Member could continue to debate and vote on matters, even if they affected only England. We are still the United Kingdom Parliament, and the Welsh Assembly was established to deal with devolved matters. The hon. Gentleman recognises that, as do we.

Prime Minister’s Questions

3. Mr Peter Bone (Wellingborough) (Con): If he will bring forward proposals for Prime Minister’s questions to take place on Tuesdays and Thursdays in each week.

The Leader of the House of Commons (Chris Grayling): I sense a new campaign from my hon. Friend, but I am afraid there are no plans to change the current arrangements.

Mr Bone: I take that as a nod and a wink to start a campaign—I appreciate the Leader of the House’s subtlety. We should go back to having two sessions of Prime Minister’s questions. This week, PMQs was lost, quite rightly, but if we had two sessions, the Prime Minister would at least have been here once, and he is the servant of the House, not a President. Will he encourage me a bit more to start that campaign?

Chris Grayling: I fear not. The practical problem is that, if Prime Minister’s questions take place on a Tuesday and Thursday, it would be difficult for the Prime Minister to represent Britain internationally. On the whole, I think that the full session on a Wednesday strikes the right balance. I regard yesterday’s decision to postpone questions for the week as something that would happen only in exceptional circumstances. In my view, we should stick with the current arrangements.

Pete Wishart (Perth and North Perthshire) (SNP): Has the Leader of the House had an opportunity to consider my suggestion to limit to 10 minutes the exchange between the Prime Minister and the Leader of the Opposition, with no limit on the number of questions that could be asked in that time. Recently, that exchange has been taking up almost half the time available for
PMQs—so that we can hear from Mary from Manchester or Olivia from Oldham. Will he look at this proposal and see whether we can get more Back Benchers in?

Chris Grayling: I have some sympathy with the hon. Gentleman, but I fear it is for the Chair to decide when to accelerate proceedings.

November Recess

4. Diana Johnson (Kingston upon Hull North) (Lab): For what reason it is his policy for the House to retain a November recess.

The Leader of the House of Commons (Chris Grayling): We give careful consideration to how we manage the recesses across the year, but ultimately it is a decision for the House. My colleague the Chief Whip and I are always happy to consider the calendar across the year. We have a November recess because it was originally the time of the Queen’s Speech, and there were always two or three days either side for Members to spend time in their constituencies.

Diana Johnson: I appreciate that, but that is the point: it was previously the date of the Queen’s Speech, but that now takes place in May. I am still confused, therefore, as to why the Government feel that November is an appropriate time for this recess, especially given that it does not fit with school half-terms—if that is what the Leader of the House was thinking: that people could spend time with their families.

Chris Grayling: The November recess is not particularly designed to be family time; it is for Members to spend time on important constituency work. Those who seek to take part in the important business that sometimes takes place here on a Friday will know that it is not always easy to find weekdays to spend in the constituency. It is sensible, therefore, to set aside a few days across the year primarily for constituency work.

Melanie Onn (Great Grimsby) (Lab): Will the Leader of the House explain why the Government have not yet given the dates for the Easter recess, and can he guarantee that they will co-ordinate it with the school holiday and not make the same mistake they did with the November recess? Announcing the date would enable Committees to organise their hearings and MPs would be able to plan their time in their constituencies.

Chris Grayling: We will always do our best to give as much notice as possible, but our prime responsibility, as business managers, has to be to ensure that the Government’s business can be delivered across the Session. We will seek to strike the right balance and provide that information as soon as we practically can.

Back-Bench Business

5. Mr Philip Hollobone (Kettering) (Con): If he will ensure that debate time for Back-Bench business is safeguarded.

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): The introduction of the Backbench Business Committee, as part of the Wright reforms, was a great innovation in the last Parliament. It is for the Committee to schedule business on the days allocated to it in each Session and for the Speaker, Deputy Speaker or Chair of the debate to manage them when they take place.

Mr Hollobone: The Leader of the House has protected Back-Bench business very recently with a scheduled time limit for the debate. What is the policy of the Deputy Leader of the House on doing this? May I encourage her to do it far more often so that Members know when a debate is likely to finish?

Dr Thérèse Coffey: I am not exactly sure of the procedure that my hon. Friend refers to. It is usually at the discretion of the Chair of the Backbench Business Committee to indicate the likely times of debates on each topic if the Committee chooses to split up its days. The concept of injury time for all business was considered by the Procedure Committee in the last Parliament, but the Committee agreed with the then Leader of the House that rendering uncertain the time of conclusion of debates in the House would be undesirable.

Leader of the House: Question Time

7. Antoinette Sandbach (Eddisbury) (Con): What assessment he has made of whether oral questions to the Leader of the House is an effective use of parliamentary time.

The Leader of the House of Commons (Chris Grayling): The oral questions rota is regularly reviewed to ensure that the Government and other answering bodies can be adequately scrutinised, reflecting any machinery of government changes and the quantitative evidence of Members questioning.

Antoinette Sandbach: I am grateful for my right hon. Friend’s answer, but there are many important issues that need to be raised. Will he consider whether oral questions to the Leader of the House are the best use of time?

Chris Grayling: I am very tempted by the idea of merging questions to the Leader of the House with business questions, as we seem to cover a lot of the same ground. There are areas of activity where there is a case for allowing more time for scrutiny in the House. I intend to give careful consideration to the matter in the coming weeks. There may well be a case for change.

Tom Pursglove (Corby) (Con): Has the Leader of the House made any assessment of whether we ought to have more time to put questions to him, given that today, for example, not all Members’ questions on the Order Paper will be reached.

Chris Grayling: I am very much in favour of all Members having the opportunity. It is a matter of ensuring that we make the best use of parliamentary time and have adequate time for scrutiny. If one listens to the topics covered in this short session today, it is not entirely clear to me why we could not take those as part of business questions and make this 15-minute slot available for another topic, such as Scotland or International Development, where there might be a case for an extended session.
8. Martin Vickers (Cleethorpes) (Con): What steps he has taken to assist the work of the Joint Committee on the Palace of Westminster (Restoration and Renewal).

[902515]

The Leader of the House of Commons (Chris Grayling): As a member of both the Joint Committee on the Palace of Westminster and the House of Commons Commission, I have been working closely with fellow members of those Committees to ensure that colleagues in both Houses will be able to consider the recommendations of the Joint Committee in the new year.

Martin Vickers: Will my right hon. Friend ensure that the Committee does all it can to contain the costs, while ensuring that the House continues to meet within the confines of the Palace?

Chris Grayling: I agree with my hon. Friend. We have a duty to ensure that we deliver an effective home for our democracy, protect a world heritage site and do that at a cost that is right for the taxpayer. My aim is to avoid a period of change which creates disruption for our colleagues and high cost for the taxpayer, so we are working to find the best balanced solution for all Members.

9. John Nicolson (East Dunbartonshire) (SNP): Whether officials of the House have discussed with HM Treasury the potential costs of restoration and renewal of the Palace of Westminster.

[902516]

Tom Brake (Carshalton and Wallington): Officials have kept the Treasury informed about the methodology adopted by the independent options appraisal and have taken advice from the Treasury on the treatment of major projects, such as the restoration and renewal of the Palace, in terms of the Treasury’s Green Book business case guidance. It would be premature to discuss the cost of specific options until the Joint Committee on the Palace of Westminster has concluded its work.

John Nicolson: Given that the project will be paid for by the taxpayer, have there been discussions about how the House will liaise with the Treasury about keeping costs under control and how best to provide ongoing scrutiny for Members?

Tom Brake: Clearly, there will be such discussions, given that restoration and renewal will be a costly project. If the hon. Gentleman has strong views, I encourage him to submit evidence to the Joint Committee, which will take evidence until 22 January. I am sure the Committee will want to take his concerns on board.

| LEADER OF THE HOUSE |

The Leader of the House was asked—

Estimates

10. Patrick Grady (Glasgow North) (SNP): What progress the Government are making on reforming the estimates process.

[902517]

The Leader of the House of Commons (Chris Grayling): This matter is currently being considered by the Procedure Committee, and I am sure that the hon. Gentleman will wish to communicate his views to its members.

Patrick Grady: We were told during the debates on English votes for English laws that there would be opportunities to debate and amend provisions relating to Barnett consequentials during the estimates process. Given that the Chancellor has cut the Scottish Government’s revenue budget by 5.7% over the next four years, when in the estimates process will we have an opportunity to debate, amend and vote on that?

Chris Grayling: The House can of course vote on the estimates each year. However, if the hon. Gentleman is looking to have an extended debate, it is within the gift of this House to change its procedures in order to ensure that he has the ability to contribute and vote in the way he wishes.
Overseas Territories Joint Ministerial Council

10.35 am

Mark Durkan (Foyle) (SDLP) (Urgent Question): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the meeting of the Overseas Territories Joint Ministerial Council.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): I thank the hon. Member for Foyle (Mark Durkan) for his urgent question, which gives me an opportunity to talk about the excellent work of the Overseas Territories Joint Ministerial Council. The meeting formally concluded late last night, but in reality it will carry on today with a number of bilateral meetings across Whitehall, including with me.

The Joint Ministerial Council is the highest political forum established under the 2012 overseas territories White Paper. It brings together Ministers, elected leaders and representatives from the overseas territories for the purpose of providing leadership and shared vision across the territories.

At this year’s meeting we discussed a large range of subjects, including child safeguarding, economic development, financial services transparency, climate change, sustainable energy, education and skills and the challenges of providing healthcare in small jurisdictions. We also discussed sports participation by the overseas territories, pension arrangements with the Department for Work and Pensions, governance and security. We had a very full communiqué establishing how we would work together over the coming year. It has been very successful and I look forward to further meetings later today, following up on some of the commitments made last night.

Mark Durkan: Thank you, Mr Speaker, for granting this urgent question, which I have asked from my perspective as an officer of the all-party group on anti-corruption. I welcome what the Minister has said about what he regards as the success of the council meeting, and I hope that we can see evidence of that in relation to key issues, such as child safeguarding and climate change.

However, in relation to financial services transparency, which is what most concerns us, how satisfied is the Minister that there really has been significant progress on, for example, the signal stance that the Prime Minister has taken against corruption and the strong indications that were made about the criteria set down by the Treasury on the requirements for real transparency and proper registers of beneficial ownership of companies in the overseas territories, because they provide the shelter for all the tax scams and shams? This is not just populist tax jealousy; these scams and shams scandalise legitimate businesses and rob developing countries of key moneys. It is not a victimless crime.

Are the overseas territories co-operating? As I understand it, only Montserrat has agreed to the standards that are sought. Where are the other overseas territories on that? In the ongoing bilateral meetings today, will we really see moves from others? Is it true that the Cayman Islands have flatly refused and are making no moves on these matters?

When will we hear from the Treasury, if not from the Foreign and Commonwealth Office, on how detailed the commitments are going to be on meeting the requirements that it has set down for real transparency, because other businesses and professionals need to see them? Organisations that are working on behalf of global tax justice, such as Oxfam, Christian Aid, ActionAid and Global Witness have concerns and want to support the Government’s efforts. When will we know more?

James Duddridge: An enormous amount of progress has been made over the past few years in relation to financial services transparency, particularly openness on tax. I think the hon. Gentleman wants to probe me more on beneficial ownership and the transparency around company ownership. I will quote from the joint communiqué that was issued overnight and is found on the Foreign Office website. When further bilateral meetings are held, the Government usually issue a written statement the following week, as we intend to do when we have had the benefit of the additional post-JMC bilateral meetings.

The communiqué was written by all members of the overseas territories, signed up to by all members, and agreed to by the UK Government. The members “agreed to hold beneficial ownership information in our respective jurisdictions via central registers”.

There is a lot more text, but I will end with the final sentence:

“We agreed that addressing this issue would be given the highest priority and that progress on implementation would be kept under continuous and close review.”

I have had several meetings today, it will be high on my agenda over the coming months, and we will make progress. However, some of the detail is quite technical. I think that some of the hon. Gentleman’s views of this issue are a snapshot of the situation in the middle of the JMC. There is often quite extensive, and sometimes quite robust, discussion, but late last night we got to a shared understanding that moves us further forward.

Crispin Blunt (Reigate) (Con): The Minister will know that three quarters of the jurisdictions of the Commonwealth continue to criminalise same-sex sexual activity. Happily, that is not the case in the overseas territories, where the only discrimination is in Bermuda and the Cayman Islands, which have different ages of consent. Only Gibraltar and the Pitcairn Islands recognise same-sex unions and facilities for same-sex adoption. What discussions has the Minister had with our overseas territories about their continuing to improve their position in respect of anti-discrimination measures towards their lesbian, gay, bisexual and transgender citizens?

James Duddridge: I thank the Chair of the Foreign Affairs Committee for raising this issue. Progress has been made. He mentions the Cayman Islands, and only this week their Premier reported to their parliament on their recognising equal marriage, which is a great step forward. Small territories have legislative constraints on time, and it may take them longer to get all the legislation through that they would want. However, this is a priority for a number of territories, and we will do all we can to support them in bringing forward modern legislation that we would like to see around the world so that everybody, regardless of their sexuality, is treated equally.
Mr Speaker: Order. I thank the hon. Lady for her contribution, but before the Minister answers, let me just say to the House—I hope, for the last time—that from now on I am minded to insist on the time limits for these exchanges. The first point is that the hon. Lady was supposed to take two minutes, but she took over three. She is by no means the only offender, and I recognise her sincerity and commitment, but she was over her limit. It is as simple as that.

The second point is that, where there is an urgent question or a ministerial statement, the shadow Minister is not supposed to come in to deliver a speech, but to give the briefest reception to the statement by the Minister and then ask a series of pithy questions. It is not a speech in a debate, but a series of questions.

As I say, I recognise that the hon. Lady is new to the House, though a very capable individual indeed, but in future we will have to observe the time limits and the appropriate format. I give notice that if those are breached, I will simply cut the question off. I do not intend any courtesy, but if we have rules, we must stick to them.

James Duddridge: In relation to Montserrat, I do not know what discussions the hon. Lady has had with Premier Don Romeo, but one of the reasons why it was easy for Montserrat to comply with some of our earlier requests was the lack, sadly, of a financial services industry, which is still developing there. There are many enormous challenges in Montserrat, but quite frankly, financial services is not one of them. It is easy to be fleet of foot when an extensive industry is not already in place.

There is much more of a challenge for the British Virgin Islands, the Cayman Islands and Bermuda, where we are focusing our attention. It is wholly untrue to say that the position at the end of the Joint Ministerial Council was one of obstruction by the Cayman Islands or, indeed, any other territory. I will have further discussions with the Cayman Islands today, but they and everyone else signed up to the following language:

“We discussed the details of how these systems”—

the central systems—

“should be implemented, including through technical dialogue between the Overseas Territories and UK law enforcement authorities on further developing a timely, safe and secure information exchange process to increase our collective effectiveness for the purposes of law enforcement.”

Some of the technical detail is quite tricky—there are different systems in different jurisdictions—but there is an ongoing and close dialogue with the National Crime Agency about how we can achieve such things.

A number of comments have been made that I would say are not misleading but perhaps slightly out of date. Once hon. Members have had time to digest the communiqué, they may wish to find an opportunity to discuss the subject again in more detail so that we can have a robust exchange, consider how we can make further improvements and get a shared understanding, because we all want the same thing.

Mark Field (Cities of London and Westminster) (Con): I congratulate the Minister on the Joint Ministerial Council and wish him all the very best in the bilateral discussions he will have over the next 24 hours. I want to reflect on what the hon. Member for Hornsey and Wood Green (Catherine West) said. I hope she recognises...
that there has been and will continue to be progress. It is fair to say that, although we must insist on co-operation with tax authorities and law enforcement agencies, there is a distinction between secrecy, of which we do not approve, and the demand for privacy by those who use banking services not just in the overseas territories, but in the UK. That line should also be respected in dealing with these matters.

James Duddridge: I know that my right hon. Friend follows these issues carefully. We have had a number of discussions about this very subject, including late last night after the Syria vote. Privacy is important, but it should not be used to disguise corrupt practices, international terrorist moneys or the avoidance of taxation. It is very much a balancing act. The UK is on the side of greater transparency. The Prime Minister has led that charge internationally and will do so over the next year, including at a big global conference on corruption early in the new year.

Patrick Grady (Glasgow North) (SNP): The Minister and I were at the same Africa all-party group this morning, where the importance of domestic resource mobilisation for development was discussed. Of course, it is almost impossible for African Governments to mobilise domestic resources when multinational companies hide their profits through offshore tax havens. How has the JMC paved the way for the anti-corruption summit that the UK Government will host next year? What discussions took place in preparation for that summit, and how many overseas territories are expected to attend it? Generally, how are we getting our own house in order and those of our overseas territories before we start demanding the same of others?

James Duddridge: The Prime Minister and the UK are leading the way, and we are ahead of the G20 standards. The issue is not the tardiness of the overseas territories, but our concern that they go beyond what is required by the G20. Effectively, there is an arbitrage problem, in that the business will carry on being done, be it corrupt business or the movement of terrorist moneys, but will simply be done in a different jurisdiction. We do not want to move corrupt moneys, corrupt practices and tax evasion and avoidance; we want to eliminate them and do so everywhere. It is therefore important that all international partners move forward at the same pace. The UK has taken the lead and the overseas territories are increasingly stepping up to the mark and delivering.

Mr Nigel Evans (Ribble Valley) (Con): The overseas territories are some of the most beautiful places on earth, and I have been blessed to visit some of them over my 23 years as a Member of Parliament. I am encouraged by what the Minister said about the advances in LGBT rights in the overseas territories. Perhaps in his discussions with representatives of the overseas territories, he might drop it into their ears that not only is this a matter of equality and human rights, but, given that the pink pound is rather strong, they may be able to open their doors to hundreds of thousands more LGBT visitors from the United Kingdom.

Mr Speaker: The hon. Gentleman is most certainly a notable globetrotter. That is well recognised throughout the House.

James Duddridge: To clarify, Mr Speaker was talking about my hon. Friend the Member for Ribble Valley (Mr Evans), rather than me.

I certainly support the moves that my hon. Friend describes. This is not just an issue of equality. A number of the territories are incredibly beautiful places and a lot of money comes through tourism. Even more money could come in through tourism. There needs to be greater diversity of income and a move away from financial services. Attracting everybody, regardless of their sexuality, is good for business, as well as being the right thing to do.

Tom Brake (Carshalton and Wallington) (LD): The UK Government have made a commitment to consult on the best way to stop the UK property market becoming a safe haven for corrupt money. Has that been discussed with the overseas territories, and what progress is being made on it?

James Duddridge: That matter has been discussed. We discussed specific examples of individuals arrested in the United Kingdom. When we have looked at their assets, we have found that they were renting property, but that, on closer examination, they owned the property through offshore companies. We want to open up beneficial ownership so that we can interrogate the actual position and seize assets in a timely manner. In a number of cases, assets can be sold or transferred quite quickly, so that they are out of the reach and jurisdiction of the UK Government. One reason we place so much emphasis on financial services transparency is so that our law enforcement agencies can get their hands on assets as quickly as possible before they are moved somewhere else around the world.

Mark Garnier (Wyre Forest) (Con): To what extent is the Joint Ministerial Council driven by the Foreign Office? Will the Minister advise the House how the Foreign and Commonwealth Office works with Departments such as the Treasury to tackle issues such as money laundering and tax evasion, which the hon. Member for Foyle (Mark Durkan) raised?

James Duddridge: The Foreign Office leads on collating the Government response on overseas territories, although in all candour, over the two days probably 70% or 80% of sessions were led by other Departments, rather than the Foreign Office. We had heavy participation from the Department for International Development, and others spoke on specific issues. My hon. Friend the Under-Secretary of State for Culture, Media and Sport made a contribution, as did a Health Minister. The Department for Education was represented, leveraging in its understanding of child abuse. The Department for Work and Pensions spoke on pensions, and the Minister for the Armed Forces and the Solicitor General—both of whom are in the Chamber today—showed great interest in the overseas territories and have been supportive in developing our relationship with them. It is very much an effort by Her Majesty’s Government, rather than just the Foreign Office.
Jim Shannon (Strangford) (DUP): I thank the Minister for his statement. He mentioned child abuse and child safety, and we are aware that paedophile rings operate not only in the overseas territories but across the whole world. We need to have an exchange of information, and joint police forces working together. Will the Minister tell the House what was discussed in relation to that matter?

James Duddridge: A vast number of initiatives were discussed, and the hon. Gentleman is right to say that increasingly international rings are smuggling children across jurisdictions and borders, and procuring individuals for sex. Increasingly, the internet is used, and a much more co-ordinated approach is required. That was discussed in some detail at the JMC, and leaders of all the overseas territories outlined what they had done in territory. There was a commitment to pull those actions together and to learn from best practice.

Daniel Kawczynski (Shrewsbury and Atcham) (Con): The Foreign Affairs Committee met leaders of the British overseas territories this week, and they raised various issues that we will write to the Minister about. One thing that struck me is that they were hoping for a new relationship in the way that governors are appointed, and they would like more input in that. I believe that modernising the whole system is a perfectly sensible proposal, and I would be interested in the Minister’s views.

James Duddridge: I thank the FAC for meeting leaders of the overseas territories, and I have already had a chat with other Committee members about what was discussed. The appointment of governors is a matter for the Foreign Office. Ministers do not get directly involved in decisions on who should be governor, but we do get involved in the process. I had a meeting about the governor in Bermuda, and I made a number of promises to the Premier, Michael Dunkley, about how we would take seriously his desires to get the right type of candidate to replace our current excellent governor who so ably hosted me in August.

Mr Peter Bone (Wellingborough) (Con): I congratulate the hon. Member for Foyle (Mark Durkan) on this urgent question. Clearly, we do not talk about the overseas territories enough, and the shadow Minister wanted to raise a lot of issues. Does the Minister agree that at least once a year in Government time we should have a formal debate about our overseas territories with the Minister responding, so that we can discuss all the matters raised today?

James Duddridge: I am disappointed that my hon. Friend thinks I am so naive as to be tripped up by such a question, but our colleagues will be listening. [Interruption.] It has been pointed out to me—as if I did not already know—that perhaps that could be a subject for the Backbench Business Committee.

Nigel Mills (Amber Valley) (Con): Does the Minister agree that our overseas territories should be taking the lead in preventing the flow of corrupt criminal and terrorist money, rather than waiting for everybody else to do it at the same time? Will he set out a timetable for when the overseas territories will have in place the registers and access rights that we need?

James Duddridge: As it differs from territory to territory, I will struggle to give my hon. Friend an absolute date by which that will be done. I am reviewing what we are doing this year, and that is one checkpoint. Another checkpoint will be the end of February, which sits halfway between the beginning of the new year and the Prime Minister’s conference on corruption. I expect significant progress to be made during that time. A lot of that progress, however, will be what is committed rather than what is done. We will need to commit to a precise timescale. I think that timescale will vary quite significantly from territory to territory depending on how they hold their data—in paper or electronic format and whether that is in a central place—and whether they need to change legislation to bring all the information together once they have agreed in principle to do so.

I should be able to give my hon. Friend a better answer early next year once we have gone through the process. The timescales should be challenging not only in reaching agreement on what should be done but, as he says, in terms of what is done.

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): As the Minister knows, the Chancellor announced in the March Budget that the waters around the Pitcairn Islands would be a marine protected area, something in which Plymouth Marine Laboratory, the university and the Marine Biological Association take a great deal of interest. Will my hon. Friend explain how this process is moving forward, so that other overseas territories are able to consider becoming marine conservations areas, too?

James Duddridge: Marine biodiversity around overseas territories is enormous. In fact, a large percentage of global biodiversity, on both land and sea, is in and around the overseas territories. The Pitcairn Islands provide a strong example of how a marine protection area can work. There are similar investigations on Ascension Island. We are working collaboratively with other territories to consider how this scheme might be extended. It was in the Conservative party manifesto to extend a blue belt across the overseas territories. In reality, I think that will mean a different type of solution for some islands, but this issue is discussed every time we meet and every time we meet we make further progress in protecting biodiversity.

Chris Green (Bolton West) (Con): Will the Minister update the House on child safeguarding opportunities in the Falkland Islands?

James Duddridge: The hon. Gentleman is clearly very well informed. The Falkland Islands are leading the way on child safeguarding issues, specifically co-ordination. We aspire to having the same standards everywhere that are the best internationally. It is sometimes difficult, however, for an island of 4,000 people to have exactly the same arrangements as an island of our size or a smaller island. The Falkland Islands, with the permission of the rest of the Joint Ministerial Council, are co-ordinating work on behalf of all the overseas territories to learn not only from their excellent experience but to ensure that best practice and resources are shared on this important subject, which was the first item on the JMC’s agenda. It was the only time during the JMC
that we had multiple Ministers and Departments at the meeting. It was incredibly important and I congratulate the Falkland Islands on leading the way.

Henry Smith (Crawley) (Con): I congratulate the Government on setting up the overseas territories Joint Ministerial Council. I also congratulate the Government on introducing a feasibility study into the resettlement of the British Indian Ocean Territory. Will my hon. Friend update the House on when a decision on the resettlement of the Chagos islanders might be known, so that they can join the overseas territories family?

James Duddridge: I thank my hon. Friend for that question. He is a great advocate on this subject on behalf of his constituents and the people who used to inhabit the islands. As he knows, an extensive KPMG report has been published. Following that report, there was a consultation, the results of which have not yet been produced. It would be wrong for any Minister at the Dispatch Box to draw too many conclusions without having seen the full facts. I am, however, more than happy to meet him privately to discuss the process, and I am more than happy to be totally transparent in the House when the report comes out and to answer questions on this subject in any way that the House desires.

Business of the House

11.4 am

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give us the business for next week? Before he does so, will he just straighten his tie?

The Leader of the House of Commons (Chris Grayling):
The business for next week is as follows:
MONDAY 7 DECEMBER—Remaining stages of the Cities and Local Government Devolution Bill [Lords].
TUESDAY 8 DECEMBER—Consideration of Lords Amendments to the European Union Referendum Bill, followed by debate on a motion relating to cross-border co-operation to tackle serious and organised crime: the Prüm agreement.
WEDNESDAY 9 DECEMBER—Opposition day (12th allotted day). There will be a debate on mental health, followed by a debate on the effect of the autumn statement measures on women. Both debates will arise on an Opposition motion.
THURSDAY 10 DECEMBER—Debate on a motion on the Transatlantic Trade and Investment Partnership, followed by a general debate on international human rights day. The subjects for these debates were determined by the Backbench Business Committee.
FRIDAY 11 DECEMBER—The House will not be sitting.

The provisional business for the week commencing 14 December will include:
MONDAY 14 DECEMBER—Consideration in Committee and remaining stages of the European Union (Approvals) Bill [Lords], followed by motion to approve European documents relating to migration, followed by, if necessary, consideration of Lords Amendments.

I should also like to inform the House that the business in Westminster Hall for Thursday 10 December will be:
THURSDAY 10 DECEMBER—General debate on the protection of ancient woodland and trees.

Chris Bryant: You sat in that chair yesterday, Mr Speaker, from 11.30 am to 10.54 pm, as I am sure you are aware. By my accounting, that is 11 hours and 24 minutes, or 684 minutes without a break. That is quite a test of endurance, and some of us are wondering whether, like Davros in “Doctor Who” you have secretly had some kind of feeding and filtration system fitted into the chair or some hidden tubes. Or perhaps it is down to drugs. Now that the pharmaceutical giants Pfizer and Allergan, the owners of Viagra and Botox, have come together, perhaps they have invented a new drug, with which you have been impregnated, Mr Speaker, which means that you can keep a stiff upper lip all day.

Over the last few days, a great deal of abuse has been hurled at Members for their views on whether or not we should support extending airstrikes to Syria. Some Members have been called murderers, others peaceniks and terrorist sympathisers. I hope the Leader of the House would agree that, although all MPs expect a certain degree of hurly-burly in political life, it is a fundamental principle that all Members are sent not as delegates but as representatives with the full power to exercise their judgment and their conscience to speak and vote without fear or favour, and that no MP should ever be intimidated.
I think we would all agree that, sadly, some of the abuse has been beyond the pale. Several Members have had their offices barricaded. One Member had her house surrounded, while many have had photos of dead babies pushed through their front door at home. Today I gather that some Members have received photos of severed heads. MPs have broad shoulders—of course we do—but may I ask the Leader to review the arrangements regarding the security of Members’ homes and offices? This is not just about Members; it is about their families and, indeed, their staff, as several Members have pointed out. In particular, will he look at whether the responsibility for funding these matters should now be taken away from the Independent Parliamentary Standards Authority and restored to the House authorities?

I express the thanks, I hope, of the whole House for the way the police and staff of the Serjeant at Arms dealt with the legitimate demonstrations in Parliament Square yesterday evening. It is important for people to be able to demonstrate, but MPs and the public should be able to go about their business. Most importantly of all, I am sure we all wish the men and women of our armed forces a successful and safe return.

Yesterday we lost Cabinet Office questions, so will the Leader clarify what has happened to them? Will they be next Wednesday, as I presume, and will International Development questions then be shunted on to the week after and so forth? When will the deadlines for these various questions now be?

I have asked the Leader of the House twice about the recess dates for next year, and he has done 50 shades of graying about it. On Tuesday morning, he told the United Kingdom Overseas Territories Association that it was all to do with getting Government legislation through before Easter. May I remind him that the House does not meet for the convenience of the Government? The Government are accountable to the House, and it would be good to know the recess dates as soon as possible, not least so that Committees can make the dates of their sittings available to the public.

The Leader of the House has just said that we shall be considering Lords amendments to the European Referendum Bill next Tuesday. How much time will he be providing for that debate? The most important of the amendments involves the decision to allow 16 and 17-year-olds to vote. The Government regularly say that this is the most important decision that the country will face in a generation, so why on earth do they want to exclude from the vote the very generation who will be most affected by it? After all, at 16, people can have consensual sex, move out of the family home, rent accommodation, refuse consent to medical treatment, join the armed forces, drive a moped and drink alcohol. Even the three Crown dependencies already allow votes at 16.

Why on earth not give in now and allow 16 and 17-year-olds to vote, so that returning officers can get on with signing them up as soon as possible? Apart from anything else, the only way the Government will get the Bill on to the statute book this year is by caving in now. Their lordships voted in favour of the amendment by 293 to 211, and I bet they will vote the same way all over again. I predicted the tax credits U-turn several Thursdays ago, I predicted the junior doctors U-turn, and I hereby predict the votes at 16 U-turn.

Will the Prime Minister update us on his so-called renegotiation of the UK’s membership of the EU? As I understand it, he wants everything to be signed off at the December meeting of the European Council. The Council meets on 17 and 18 December, but the House rises on 17 December, so how on earth does the Leader of the House expect us to be able to question the Prime Minister on the outcome of the meeting? This is meant to be one of the most important renegotiations of our membership that we will have seen.

Some of us think that the Prime Minister is playing Russian roulette with our economic and political destiny. Hounded by his Eurosceptic Pavlovian dogs on the Back Benches, he keeps on doing the wrong thing. Last year the Government opted out of the Prüm convention on the stepping up of cross-border co-operation, particularly in relation to combating terrorism, cross-border crime and illegal migration. We are now the only EU country to be excluded from the convention. Labour said that that was a ludicrous decision last year, but now the Home Office has finally woken up and said that there is a “clear and compelling case for signing up to the Prüm agreements.”

Too right, but this kind of hokey-cokey seriously undermines our national security, which surely depends on our being an active member of the European Union. By sharing information with our close European allies and partners, we can prevent dangerous crimes and bring criminals swiftly to justice.

The Prime Minister’s weakness in failing to stand up to his Back Benchers has reduced our security, but only now, after Paris, are the Government finally recognising that fact. How much time will we be given for the debate on cross-border co-operation, which will also take place on Tuesday?

As you will have seen, Mr Speaker, Tyson Fury won the world heavyweight boxing title last weekend, and has now been nominated for the title of BBC sports personality of the year. I hope that he does not win. You may also have seen his comments.

“There are only three things”, he has said, “that need to be accomplished before the devil comes home: one of them is homosexuality being legal in countries, one of them is abortion and the other one’s paedophilia.”

Leaving aside the bizarre, rather heterodox theology, that equates homosexuality with paedophilia. As I hope the Leader of the House agrees, that is profoundly offensive, and it is the kind of language that leads more young people to commit suicide. I gather that Mr Fury has subsequently said that some of his best friends are gay, so may I suggest that we invite him to Parliament some time in the near future? I am quite happy to go head to head with him.

Chris Grayling: I very much agree with the comments of the shadow Leader of the House on the events of this week. I also pay tribute to him for his brave stance yesterday. A couple of weeks ago I mentioned the issue of the security of Members of Parliament and the need to protect them against criminal activity. We are all subject to legitimate public scrutiny, but it will never be acceptable for Members’ personal safety to be put in jeopardy or for them to be the victims of activities that a court would judge illegal.

In the House, Mr Speaker, we never discuss the security arrangements for Members, but suffice it to say that you and I would both agree that it is and will continue to be a priority for the House of Commons
Commission and the House authorities to do everything we possibly can to protect the right of Members to express their views in a free and unfettered way, and to protect them when they do so. I also echo the hon. Gentleman’s words of thanks to the police, and not just the police who were on duty yesterday but all of those who provide protection to Members of this House, whether in this place or in their constituencies.

Following yesterday’s debate, in which Members on both sides said that they would expect regular updates on the situation in Syria, I should like to inform the House that the Government intend to provide a proper update statement before the Christmas recess. I am sure that the whole House will join me in sending our good wishes to the British air crew involved in action overnight.

Members might like to note that the first measure covered by our English votes for English laws procedures passed through this House uneventfully on Tuesday evening. I should like to offer my thanks to the Clerk and to all the Officers of the House who have been involved in making the preparations for the new systems.

I am sure that the shadow Leader of the House and all hon. Members will want to join me in sending our congratulations to the Prime Minister on the 10th anniversary this weekend of his election as Conservative party leader. Leading your party for a decade is a considerable achievement. It is one that others might perhaps aspire to achieve, but at the moment they look unlikely to do so.

It is also the anniversary this week of the stand that Rosa Parks took on a bus in the United States to secure race equality in that society. I am sure we all agree that the changes to our societies since then, and the ongoing work to stamp out race discrimination, are not only necessary but something we should all be proud of and committed to.

The hon. Gentleman asked me what was going to happen to the Question Time sessions. You will remember, Mr Speaker, that I addressed that issue in my business statement on Tuesday, when I indicated that questions would simply move back a week. The Prime Minister’s questions session—the sifting for that session has already taken place—will simply take place next Wednesday; the same will be the case for Cabinet Office questions.

The hon. Gentleman raised the question of the European Union Referendum Bill debate. There will be a proper debate on the issue of votes for 16 and 17-year-olds. It will be a separate issue, and the House will vote on it. If this House, as the elected House, again expresses its will that 16 and 17-year-olds should not at this moment be given the vote, it is my sincere hope that that view will be accepted in the other place.

The hon. Gentleman asked a question about the EU Council, and used the words, “as I understand it”. I am afraid he cannot simply go by what he reads in the papers. There are a lot of rumours and counter-rumours around at the moment, but when the Prime Minister is ready to make a statement, he will make it to the House and explain what is happening.

The hon. Gentleman also talked about the House deciding on various matters. The House decided a year, or a year and a half ago not to opt back into a number of measures. The Government are bringing forward a proposal on Tuesday to debate the Prüm directive and the House will be able to decide on that matter. It is absolutely right and proper that that should be the case.

On the question of Tyson Fury, homophobia is not acceptable in sport. We should work hard to encourage more people in sport to be open and accepting of gay people in sport. It is right and proper that that change happens. I agree with the sentiments that the hon. Gentleman expressed, and as a Formula 1 fan, my vote is for Lewis Hamilton.

Amanda Milling (Cannock Chase) (Con): On Small Business Saturday, I will be announcing the winners of Cannock Chase’s local shop and market stall competition. Will my right hon. Friend join me in wishing good luck to all the nominees? May we have a debate in Government time on the contribution of independent shops and market traders to our local economies?

Chris Grayling: I think Small Business Saturday is a fantastic innovation, and I wish all the businesses in my hon. Friend’s constituency well for the awards this weekend. If I may, I will pay tribute to Home Instead Senior Care, which was the winner of the Epsom and Ewell business award last week. I have also been asked by the Deputy Leader and by my Parliamentary Private Secretary to make reference to Fishers Home Hardware in Suffolk and Boulangerie Joie de Vie in Finchley and Golders Green and to wish them well. While we are on the subject of fishers, perhaps we might send our good wishes to the fishermen and fisherwomen of this country.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing next week’s business. May I also congratulate you, Mr Speaker, on your Herculean effort yesterday? It is not for nothing that you have gained the title of “Golden Bladder” for the way you chaired yesterday’s proceedings, and I think the whole House is very grateful for the very kind and well-managed way you structured yesterday’s debate. But please, Leader of the House, let us never have another debate like this ever again in the House. Such was the demand to speak in yesterday’s debate that about 50 Members never got the opportunity to contribute, and many of those who did were confined to just a few minutes at the end of the day.

We live in a new type of representative democracy where MPs are lobbied and communicated with by means that were never anticipated, certainly when I was a new Member of Parliament. Constituents expect to see their MPs in this House expressing their opinions, particularly on massively important issues of state such as yesterday’s, and I am disappointed that the Leader of the House could not commit to the request from all around the House and the country to have a properly structured debate that would have allowed everybody who needed to contribute to the debate to get in. Let us hope we never have that again. I hope the Leader of the House will agree that if we have further debates as important as this, he will find the necessary adequate time so every Member gets an opportunity to contribute on behalf of their constituents, who have the legitimate right to hear from their MPs.

One of the consequences of shoehorning that two-day debate into one day is the impact on departmental questions; the Leader of the House was right. I listened
very carefully to what is going to happen on this. What that means for us on the SNP Benches is that we will not now have Scotland Office questions until next year. It will be two months since the last Scotland Office questions. We have a live Scotland Bill now; we have huge questions to be asked.

There is also the question of the impact of military action on Scotland: 97% of Scottish Members of Parliament did not vote for military action last night and 72% of Scots oppose military action. We hear all this stuff about the family of nations and the pooling and sharing, but Scotland has rejected this military action. I know that matters not a jot to this Government—it is of no consequence to them—but it is massively important for us, and we will not have an opportunity to ask our Department about issues such as this until next year.

The ink was barely dry on the voting Clerks' ledgers when the jets were in the air last night with their deadly cargo. Can the Leader of the House say more about what he will do to keep the House updated? We particularly want to hear about what is going to happen to the refugees, because all this is going to do is increase the demand for this country to deal with refugees; if we are bombing that nation, it is a natural consequence that there will be more refugees in the coming year. So we want to hear more about the Government's plans on that.

This week has been characterised by finding targets, friendly fire and civil war, but that is enough about the Labour party. Every Government need an effective Opposition, and especially a callous, Conservative Government such as this one. If the Labour party cannot get its act together and cannot agree on matters as important as going to war or Trident, will it get out of the way and let the Scottish National party in there, because somebody needs to hold this Government to account for what they are doing? I have also thought carefully about the structure of question time settings. It would have been possible to swap them around. In my judgment, the question time sitting that might have been delayed until after Christmas was that of the Department for International Development. However, given the hon. Gentleman’s comments about refugees, I think it is right and proper that this House has the opportunity to question the Secretary of State for International Development on the work we are now doing on Syria, as part of a holistic strategy, to make sure that we provide proper support for refugees and prepare for what we hope will be a period of reconstruction and redevelopment in that country as soon as we can possibly achieve a lasting peace.

I accept that this House took big and challenging decisions yesterday. We as an Administration will now seek to make sure that this House is informed properly and appropriately and that it has the chance to question properly and appropriately. Given the passions expressed from the SNP Benches yesterday, I am sure the hon. Gentleman will understand my view that it is a greater priority to have a statement on what is happening in Syria and International Development questions before Christmas. He has plenty of opportunities to ask questions about Scotland matters and he will carry on doing so, including the moment we come back in the new year.

Dr Andrew Murrison (South West Wiltshire) (Con): The shadow Leader of the House was absolutely right to condemn the vile behaviour of a minority in respect of colleagues, including himself, acting according to their conscience. However, his argument was not advanced by his reference to Conservative Eurosceptics as dogs, however Pavlovian.

Many of our constituents’ most anguished pleas to us relate to the cancellation, very often at short notice, of hospital procedures and operations. That seems to me to be on the increase. May we have a debate in Government time on the provision of step-down care in our national health service and, in particular, the disappearance in many parts of the country of our excellent community hospitals?

Chris Grayling: Of course, the state of our local health service is a continuing matter of concern for our constituents and for all of us as individual constituency Members. As individuals, we will always be champions of those local facilities. Although emergencies happen and are sometimes unavoidable, I say to the health service that I have always believed that, unless there are unforeseen circumstances, cancelling operations should be done only in extremis, because of the disruption it causes to individuals. My hon. Friend has been a powerful advocate for community hospitals in his own county and I am certain he will continue to take advantage of the opportunities this House provides for him to make sure that he is a champion for the health service in Wiltshire.

Ian Mearns (Gateshead) (Lab): The Backbench Business Committee would like early confirmation, if possible, that we will be allocated the last day before the Christmas recess on Thursday 17 December. We have been given notice that that is likely, but it has not yet been confirmed. The hon. Member for Kettering (Mr Hollobone) is a member of the Committee and has pointed out that, on occasion, the time allocated for Back-Bench business
has been severely squeezed by statements and urgent questions. On Monday two weeks ago, we were given three hours of protected time, which was a very welcome departure. I think that is what the hon. Gentleman was referring to: the allocation of three hours of protected time for a particular debate. I say to the Leader of the House that we would like to see more of that, if at all possible.

Chris Grayling: I am happy to look at that suggestion. I think it was discussed in the last Parliament and that the hon. Gentleman’s predecessor felt that it was not necessary, but I am happy to discuss with him whether we need to protect the business. In some respects, the allocation of time is a mixed responsibility—it depends on how many urgent questions there are—but I accept his point. Perhaps we can have a conversation about it.

Mark Pritchard (The Wrekin) (Con): May we have a debate on a review of section 60AA of the Criminal Justice and Public Order Act 1994 on the wearing of masks and face coverings on demonstrations? Surely, on public demonstrations on public land, the police should not have to apply for a special order to remove them. If people really have the courage of their convictions —whether they be members of the National Front, Occupy or the Stop the War coalition—statutory legislation should allow for the removal of all masks and face coverings on public demonstrations.

Chris Grayling: I have a lot of sympathy with what my hon. Friend says and the Home Office should certainly give that careful consideration. These coverings are used to intimidate and in our society there is room for legitimate process and not for intimidation. We should look very carefully at whether anything that allows protesters to intimidate rather than protest should be permitted.

Alex Cunningham (Stockton North) (Lab): The Leader of the House will be aware of the bizarre decision by the Chancellor to axe the £1 billion funding for the first two carbon capture and storage projects in the UK. He might also be aware that Teesside’s ambition is to create the first industrial CCS project, with the potential to create thousands of jobs in the area that the Leader of the House will know has been devastated by job losses in the steel, mining and construction industries as well as Her Majesty’s Revenue and Customs. May we have a debate to discuss the implications of the Chancellor’s decision, described by the industry as disastrous?

Chris Grayling: We had to take some difficult decisions in the spending review. We have not ruled out carbon capture for the future, but we have to take practical decisions based on value for money for the taxpayer. The hon. Gentleman knows that that is our duty in government and it is the duty of all Governments in office. We will continue to look carefully at carbon capture technology and I hope that a time will come when it is a sound and viable approach, but none the less the Government have taken a difficult decision. I simply remind him that in the northern half of the country the economy has been growing faster than in the southern half. The best way of securing jobs for the future in his constituency and the surrounding area is to continue that growth and get investment in there.

Bob Blackman (Harrow East) (Con): On Remembrance Sunday, an organisation projected on to the House of Commons a swastika with the message “Modi not welcome”. We know it happened, because the organisation put out a statement saying that it had done that. We have photographic evidence and witness statements from those who saw and took photos of those responsible. We know that the message was completely wrong. Mr Speaker, because you made Narendra Modi most welcome on his historic visit to Parliament. May we have a statement on what measures we will take not only to combat this incident but future more serious incidents?

Chris Grayling: For any organisation to link the swastika to Prime Minister Modi in a demonstration in this country is unreservedly unacceptable. We have close relations with India and I would condemn any such action. I am also aware of the incident to which my hon. Friend refers. It is not yet clear that that was an actual incident as opposed to a creative use of computer technology to create the sense that it took place. If he has information that suggests that it did, I think that you, Mr Speaker, and I would be very glad to see it.

Clive Efford (Eltham) (Lab): May we have a debate on cuts to the police? The Metropolitan police is making clerical staff redundant and filling those posts with warranted officers. That flies in the face of the Government’s policy of making police more visible to the public; I assume that the Met will adopt a policy of moving desks closer to windows to fulfil that requirement. May we have a debate on that, as it is seriously depleting the number of officers available in our communities?

Chris Grayling: I think the hon. Gentleman is a couple of weeks late. If he listened to the autumn statement, he will have heard that we are not cutting police budgets. It is a matter for the Mayor and the Metropolitan Police Commissioner to decide how to spend their budgets most effectively in the interests of the citizens of London and I will not seek to tell them how to do so. We have not cut their budgets; we have actually protected them.

Jason McCartney (Colne Valley) (Con): There was an incredibly well-attended debate in Westminster Hall this week about temporary post office closures and my own village post office in Honley has been closed temporarily, supposedly, for up to six weeks now. May we have a statement on these temporary closures, which many communities fear might end up being long term? They are much-needed assets in rural and deprived communities.

Chris Grayling: I can understand the concern, because there have certainly been occasions when temporary closures have led to permanent closures. I can well understand the anxiety. I suggest to my hon. Friend that when Ministers from the Department for Business, Innovation and Skills are before the House on Tuesday week, he might want to raise that question with them.
We all want to protect local services in our constituencies, even though on some occasions change, sadly, is unavoidable.

Joan Ryan (Enfield North) (Lab): Later today, I will host the inaugural meeting of the all-party group for Alevis. Alevisism being a philosophy, a religion and a social and cultural identity. Sadly, neither Alevis nor their religion are recognised in Turkey, their country of origin. May we have a debate in Government time on the positive contribution that more than 300,000 Alevis living in this country make to this country as well as about the situation under which they live in Turkey?

Chris Grayling: One of the fundamentals that characterises our society is the desire to defend the interests of religious minorities. We are a liberal democracy that believes in freedom of speech, freedom of expression and freedom of worship. I commend the right hon. Lady for the work that she is doing, and I am sure she will seek to use one of the occasions available to her in this House to provide a greater platform for the work she is doing with that all-party group and for the communities she is seeking to represent.

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): As my right hon. Friend knows, I have been campaigning to save the hedgehog, whose numbers have declined by more than a third over the past 10 years. Whereas hedgehogs are not a fully protected species, badgers, whose numbers have risen significantly, are. May we have a debate or a statement on protected species so that we can explore the need to have greater flexibility in this?

Chris Grayling: I commend my hon. Friend for the work he is doing. He is only too well aware, as I am, of the decline in hedgehog numbers in this country. It is only if our society works together to try to rectify that situation will we provide an opportunity for those numbers to be restored. A variety of different challenges face us, and I wish to pay tribute to The Times for launching a campaign in defence of our hedgehogs, encouraging all of us to make holes in our garden fences to create a superhighway for hedgehogs. Although I do have such a hole in my garden fence, sadly, I do not have any hedgehogs in my garden at the moment—I hope they will arrive.

Mr Speaker: While we are on the subject of protected species, I should point out to the House that the right hon. Member for Mid Sussex (Sir Nicholas Soames), who is sadly not in his place at this time, was for a considerable period, as he has often pointed out to the House, president of the Rare Breeds Survival Trust. Colleagues may wish to reflect upon the appropriateness of the right hon. Gentleman holding that particular post.

Jim Shannon (Strangford) (DUP): In the past week, we have had much discussion about a tax on sugar products and the Government’s intentions in that area. Many of us feel that there should also be a tax on fatty foods. Will the Leader of the House consider, and agree to a debate in this House on the issue of, ensuring that any such tax is used directly for the health service?

Chris Grayling: Of course we did have a debate last Monday on the issue of the sugar tax, following a petition. That is an example of how we are using the petitions system to debate matters of public concern. I must say that I have some doubts about an approach such as the hon. Gentleman outlines. As people say, all things are good in moderation but not in excess. We are much better off explaining to people what is good for them and what is not, and then allowing them to take their own decisions—otherwise, we just become a nanny state.

Philip Davies (Shipley) (Con): May we have a debate on fixed-term recalls? When people are convicted of serious offences and are released from prison before their term is up, most of the public would expect that if they then reoffend or break their licence conditions, they are returned to prison to serve the rest of their sentence in full. Currently, however, these people go back to prison for only 28 days. Last year, that applied to 546 offenders who had committed offences including murder, manslaughter, attempted homicide, wounding and assault. May we have a debate on this so that we can actually make sure these people go back to prison for the remainder of their sentence, rather than for a derisory 28 days?

Chris Grayling: As my hon. Friend knows, as Justice Secretary I legislated to provide additional powers to manage those who are on remand, and I am very much of his view that we need to be willing to respond effectively and strongly when such situations arise. My right hon. Friend the Lord Chancellor will of course be in this House on Tuesday, and I am sure my hon. Friend will take advantage of that opportunity to make the point very firmly to him, too.

Alan Brown (Kilmarnock and Loudoun) (SNP): We have heard the earlier comments from the Leader of the House and the Foreign Secretary yesterday, who used the cliché that yesterday was great for democracy as people saw it in action. As my hon. Friend the Member for Perth and North Perthshire (Pete Wishart) said, however, only 104 MPs were taken and half as many again had put their name forward. I was one of the frustrated Back Benchers who sat there getting up and down all day. My constituents expect me to be able to put my views on the record in this House, and they are also disappointed when I do not get to do that. They could also make the decision as to whether the Prime Minister’s comments about “terrorist sympathisers” were a slur on my voting record. Will the Leader of the House therefore reconsider the future arrangements for such important debates?

Chris Grayling: I do not think that anybody was in any doubt about the views of the hon. Gentleman or those of his colleagues. Many Members of the Scottish National party made their points very articulately yesterday, even though I did not agree with them. Over the past few days, there have been many, many opportunities to question the Prime Minister and raise these matters in debate. My view is that this House handled the matter in the right way, and that it took the right decision, although I appreciate that he and I will not agree on that.
Antoinette Sandbach (Eddisbury) (Con): The Leader of the House will be aware that the reservoir of bovine TB has the potential to devastate dairy herds in my constituency. Given the worldwide shortage of the vaccine and the Welsh Government’s withdrawal of their vaccine programme against badgers, could we have a debate in Government time on the impact of that wildlife reservoir?

Chris Grayling: That is a very real issue for the agricultural communities in this country. I read those reports with concern as well. It is absolutely right and proper that we take measures to protect our farming industry, as it is crucial to this country. I will ensure that my hon. Friend’s concerns are passed to my right hon. Friend the Secretary of State, who will be in the House shortly before the Christmas recess and will be able to address matters in greater detail then.

Mr Douglas Carswell (Clacton) (UKIP): Yesterday, this House voted for a military response against ISIS extremists in Syria. Will the Government find time to debate the possibility of a sanction-based response against the vile, barbaric Saudi regime, which has, for too long, promoted and exported a similar extremist creed?

Chris Grayling: I know that the hon. Gentleman feels strongly about that matter, but what I say to him is that this country has had a long partnership with Saudi Arabia under Governments of both persuasions. We have both worked collaboratively with the Saudis, and also worked with them to try to improve their society. I think we have the right balance.

Mr Nigel Evans (Ribble Valley) (Con): May I pay tribute to you, Mr Speaker, for your Olympic gold-winning performance yesterday? When I was Deputy Speaker, I once had to sit in the Chair for six hours, and half way through I had to put out a call of emergency to the Chairman of Ways and Means to replace me for a couple of minutes. How you did it, I will never know, and I pay tribute to you.

Tourism is vital to the Ribble Valley. It is great that London attracts more visitors than any other city on Earth, but we want to get those visitors out of London and into places such as the Ribble Valley. I understand that Visit England is to be subsumed into Visit Britain, which means that there will not be a special voice for England alone. Wales, Scotland and Northern Ireland all have their own voices. May we have a statement from the Secretary of State, who will be in the House shortly before the Christmas recess and will be able to address matters in greater detail then.

Paula Sherriff (Dewsbury) (Lab): May we have a debate on the impact of that wildlife reservoir? Marks & Spencer, for example, continues to charge a significant premium on products such as flowers in hospital shops and has failed to follow the requests to remove guilt lanes packed with unhealthy snacks by its tills. Now, it has refused to meet me to discuss its appalling treatment of British workers who staff its major UK depot and are kept on insecure contracts. It is exploiting loopholes in EU law to pay new staff less than others who are doing the same work. Does the Leader of the House agree that it is unacceptable for a brand that trades on respect and quality to be treating British workers in such a manner?

Chris Grayling: I have not looked at those details in Marks & Spencer, but every company today benefits from being a responsible employer and a responsible organisation. The hon. Lady has made her point very articulately.

Glyn Davies (Montgomeryshire) (Con): Will the Leader of the House schedule a debate in this Chamber on the protection, status and promotion of the Welsh language? Every Department here has a statutory duty to comply with Welsh language legislation. The Department for Culture, Media and Sport has a statutory duty to enshrine the Public Bodies Act 2011 to ensure that there is sufficient finance. Britain must not lose this beautiful culture, or treasure, that is “yr iaith Gymraeg”, and we need a debate to ensure that that does not happen.

Chris Grayling: I know that every Department takes this issue very seriously—in my time in two Departments, we were always careful to provide proper information to Welsh language speakers in Wales. I absolutely agree that to protect the diversity and culture of the UK as a whole we must protect the Welsh language, as well as the culture and traditional languages in areas now represented by the SNP. We have a duty to protect the diversity of the entire UK.

Stewart Malcolm McDonald (Glasgow South) (SNP): May I, too, pay tribute to your Herculean efforts yesterday, Mr Speaker? I honestly do not know how you got through it.

I took part in Prime Minister’s questions last week, I questioned him after the statement last Thursday and I took part in the Back-Bench business debate on Monday, and each time I raised the issue of protecting the ancient minorities in Syria and that part of the world. History shows that our plan must include protection for minorities with a history of fleeing military invasions, but that is the big hole in the Government’s plans. I do not wish to go over the arguments again, but will the Leader of the House schedule a debate on how we can protect the many religious, linguistic and other minorities in that part of the world?

Chris Grayling: In a sense, the hon. Gentleman is making the case for our side yesterday. How on earth could we have protected the Yazidi community, for example, from what might otherwise have been genocide other than by sending in air support for the Kurds, who were seeking to defend the area and rescue people from...
Mount Sinjar? We have talked extensively about the need to protect Syrian citizens, and we will make a statement before Christmas to update the House, but I do not understand how we can help and rescue these people, particularly the Yazidis on Mount Sinjar, without military support, to which his party is opposed.

**Tom Pursglove** (Corby) (Con): Many Members were disappointed that, owing to how private Members’ Bills are handled, we were not able to vote on the Compulsory Emergency First Aid Education (State-funded Secondary Schools) Bill. Regardless of the rights and wrongs of individual Bills, it would be useful to have a full debate in the House on reform of the private Members’ Bills system.

**Chris Grayling:** First and foremost, this is a matter for the Procedure Committee, and I would not dare to intrude on the work of my hon. Friend the Member for Broxbourne (Mr Walker), who is the Chairman of the Committee, and his colleagues. May I suggest, therefore, that my hon. Friend speaks to the Chairman, who has raised this issue with me and is considering it.

**Tom Brake** (Carshalton and Wallington) (LD): I welcome the Government’s intention to make quarterly reports on Syria, but will the Leader of the House confirm that they will be oral statements from the Foreign Secretary? Will they focus, in particular, on progress that the Gulf states, Saudi Arabia and Turkey are making in their diplomatic initiatives and willingness to tackle extremism? In addition, the Prime Minister said yesterday he was happy to reconsider the issue of orphans. Has he had time to consider that matter, and has the Leader of the House had a request from him to come to the House to tell us what his deliberations have led to?

**Chris Grayling:** We have indicated our intention to provide quarterly reports, but I would like us to do more than that, which is why I told the House this morning that I thought it appropriate to have a further statement before Christmas giving an update on matters raised yesterday, including the military action and humanitarian issues. There will also be International Development questions before Christmas. I absolutely intend there to be opportunities to put these questions to the Government.

**Andrew Bridgen** (North West Leicestershire) (Con): As colleagues will know, there was unfortunately an extremely tragic incident in my constituency recently. The matter is now sub judice. I know the Government take the issue of online grooming extremely seriously—my right hon. Friend the Prime Minister has led on it—but may we have a further debate on how social media are used as a vehicle for sexual grooming and what further measures we can take to protect vulnerable young teenagers from sexual predators?

**Chris Grayling:** I think we are all aware of the horrible crime that took place in my hon. Friend’s constituency and would all want to send our good wishes and condolences to the family of the victim. He is right that the case is sub judice, which means we cannot discuss the details, but suffice it to say that Ministers will have noted what happened and will want to learn lessons. The Justice Secretary, who is ultimately responsible for criminal justice legislation, will be in the House on Tuesday and will, I am sure, listen carefully to any ideas my hon. Friend wants to put to him.

**Diana Johnson** (Kingston upon Hull North) (Lab): I first raised with the Leader of the House on 17 September the issue of the national wind college which was going to be based in the Humber. In the comprehensive spending review statement last week, five colleges were announced, but not one for the Humber area specialising in wind energy. May we have a debate in Government time on the commitment to renewable energy, particularly offshore wind energy, and why, if the Government are serious about the northern powerhouse, Hull and the Humber seem to have been missed out yet again?

**Chris Grayling:** I am not sure that there is any intention in Government to miss out Hull and the Humber. It is of course the heart of the wind turbine industry in the United Kingdom, and a very successful part of the local economy. I will obviously pass the hon. Lady’s concerns to the Treasury. Having visited more than one of the local centres of education in the Hull and Humber area in the past few years, I think it is already well served by some excellent professionals who are very good at delivering skills to young people.

**Mr Peter Bone** (Wellingborough) (Con): On both sides of the House there was disappointment that some Members were not able to speak in the very important debate yesterday, and disappointment also at the very restricted time limit that had to be imposed. I hear what the Scottish National party says about it and what the Labour party says about it. They had an option yesterday to vote against the business motion and for extended time, and we could have removed the moment of interruption, which would have solved the problem. The only problem with removing the moment of interruption, Mr Speaker, might have been your bladder. Will the Leader of the House make a statement next week to the effect that when we consider major issues that the whole country is concerned about, we do not put a time limit on those debates?

**Chris Grayling:** Of course, we thought long and hard about that. We believed that the time set aside—10 and a half hours yesterday as part of about 20 hours of debate and questions over nine days—seven business days in the House—was the right balance. It was open to any Member, to the Labour party, to the Scottish National party and to Back Benchers to table an amendment to the business motion if they disagreed with us. Nobody chose to do so.

**Nic Dakin** (Scunthorpe) (Lab): Last week I drew the attention of the Leader of the House to the Business Secretary’s commitment to report on the three working groups that he set up at the steel summit and the actions that they are going to take urgently to support the steel industry in this country. The Leader of the House helpfully said that he would take that up with his right hon. Friend. We are running out of time. I have heard nothing. I hope we still have the opportunity for the Business Secretary to come to the House and report on progress.
Chris Grayling: My office did indeed pass on that request. The Business Secretary will be here on Tuesday week in any case, and I will ask him to make sure that he is able to address the points and provide an update before we break for Christmas on what I know is a very serious matter for the hon. Gentleman, his constituents and the whole region.

Mark Pawsey (Rugby) (Con): In its recent report, Public Health England stated that e-cigarettes are 95% safer than smoking, pose no identifiable risk to bystanders and should not be treated in the same way as tobacco products, yet in many public and work places, including here in the Palace of Westminster, users of e-cigarettes, who are in almost every case people who have given up using tobacco, are obliged to vape in the same space as smokers, where they are exposed to all the harm caused by tobacco smoke. The country looks to Parliament to set a lead, so may we have a debate on the policy regarding the use of e-cigarettes across the parliamentary estate?

Chris Grayling: This is a matter that has been considered by the Administration Committee. A decision was taken, rightly or wrongly, to put in place the current policy as my hon. Friend describes it. I suggest that he writes to our hon. Friend the Member for Mole Valley (Sir Paul Beresford), who chairs that Committee, to make those points. This is a matter for individual employers to decide. It is a matter of some debate and controversy, but I have no doubt that if he writes to the Chair of that Committee, his views will be carefully considered.

Patrick Grady (Glasgow North) (SNP): The Leader of the House has stressed the importance of International Development questions a couple of times this morning, so will he give further consideration to the point I put to him in the Procedure Committee? I suggested that every now and then we move International Development questions, and other departmental questions, from the slot immediately before Prime Minister’s questions so that they have a little longer and can take place in a slightly more considered atmosphere—perhaps the convivial atmosphere of a Thursday morning—instead of being drowned out immediately before Prime Minister’s questions, as often happens.

Chris Grayling: The hon. Gentleman might not have heard me earlier, but in the 15 minutes of questions to the Leader of the House earlier this morning I asked whether it was really necessary to have that separate Question Time, and whether those questions could be merged with business questions to allow that slot to be used to extend the time available for other questions. I suggest that he writes to the Administration Committee.

Jo Stevens (Cardiff Central) (Lab): Earlier this week the Welsh Labour Government’s groundbreaking law on presumed consent for organ donation came into effect. Given that more than 10,000 people across the UK are waiting for an organ transplant, may we please have a debate in Government time on presumed consent so that England can follow Wales’s lead?

Chris Grayling: Those are important points that I am happy to consider carefully, because we need to use the time available in the best possible way. The hon. Member for Rhondda (Chris Bryant) kindly said from a sedentary position that he wants to hear from me every day, but I suspect it might not be me he wants to hear from every day.

Chris Grayling: The hon. Lady makes an important point, and one that is well worth consideration. It sounds to me like something that the Backbench Business Committee could bring to the House. That debate would give the Government an indication of the balance of opinion in the House. We would want to understand the views of Members, and perhaps that is the best way of doing it.

Chris Green (Bolton West) (Con): Ladybridge football club in my constituency has recently been awarded a £56,000 grant by the Premier League and Football Association’s facilities fund to install new floodlighting. I am sure that the whole House will want to congratulate the club on the award. May we have a debate on the importance of sports funding, including the Football Foundation, and on what more the Government can do to support sports in our schools?

Bill Esterson (Sefton Central) (Lab): On Saturday I shall be visiting some of the excellent small businesses in my constituency, including Red Star Brewery in Formby, Roxie’s Treasures in Crosby and Maghull Tyre & Exhaust in Maghull. Will the Leader of the House join me in congratulating those responsible for the success of Small Business Saturday over the past few years, including the Federation of Small Businesses, the small business Saturday team and, of course, my hon. Friend the Member for Streatham (Mr Umunna), who was instrumental, with others, in bringing the concept to this country? May we have the debate that the hon. Member for Cannock Chase (Amanda Milling) requested at the start of business questions so that we can discuss the importance of supporting small businesses all year round, not just on one day of the year?
Chris Grayling: The Government are always working to support and encourage small businesses, whether by changing procurement rules or, where possible, by removing red tape, but I also think that the work done by Members on both sides of the House, and not just on Small Business Saturday but across the year, to help and support businesses in their constituencies is absolutely right. The hon. Gentleman will know, as indeed we all do, that the job of running a small business is pretty tough: it is often a seven-day-a-week job, and often with 12 or 18-hour days. It is immensely valuable to our society that we have people who are willing to commit that level of effort to run small businesses in our communities. They hold our communities together. We will celebrate them this Saturday. I commend all Members for the work they will be doing, this weekend and throughout the year, to support small businesses in their constituencies.

Points of Order

11.59 am

Crispin Blunt (Reigate) (Con): On a point of order, Mr Speaker, of which I have given notice to the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood), who, on 3 November, following publication of the second report by the Foreign Affairs Committee, tweeted:

“Read the FAC report on UK involvement in Syria: role of ctte is to scrutinise current government policy—not set conditions on any future policy.”

Standing Order No. 152 says that Select Committees are “appointed to examine the expenditure, administration and policy of...government departments”.

How they do that is up to them. The Liaison Committee said in its second report of the Session 2012-13 on Select Committee effectiveness that “select committees should influence policy and have an impact on Government departments”.

It also said:

“The extent of this influence and impact is the primary measure of the effectiveness of select committees.”

Furthermore, on 5 November the Minister answered an urgent question on human rights in Egypt and expressed the hope that I was speaking as an individual and not as the Chairman of the Foreign Affairs Committee. Chairs are plainly unable to secure the opinion of their Committee in response to an urgent question, but they do have a mandate, as a Chair elected by the whole House, and it seemed at least a discourtesy to that mandate for a Minister to try to diminish that authority. Through the Foreign Secretary’s Parliamentary Private Secretary, I drew the Minister’s attention to Standing Order No. 152 and sought a private assurance from him that he now understood the position of Select Committees and their Chairs. Despite repeated requests to receive that private assurance, it has not been forthcoming, and I regret that I now need to seek your clarification that my understanding of Standing Orders and the appropriate courtesy for the Minister in the Chamber is indeed correct.

Mr Speaker: I am grateful to the hon. Gentleman for giving me notice of this point of order. First, I can confirm that it is entirely a matter for Select Committees to interpret the terms of reference set by the House and to decide for themselves what subjects of inquiry to pursue. I would suggest that it is both inappropriate and unwise for Ministers to comment on such matters. To put it bluntly, they should stick to their last. They have responsibilities, and it is to the execution of those responsibilities that they should dedicate themselves. They need not, and should not, stray beyond that.

Secondly, I can confirm that the Liaison Committee has recommended that Select Committees should seek to influence Government policy, and indeed the House has endorsed that recommendation. I would go further and say that it is a matter of some concern if there are Ministers who are unaware of that important fact. I hope that from now on they will not be.

Thirdly, I can confirm that the Chairs of departmental Select Committees, including, obviously, the hon. Gentleman, have been directly elected by the House,
and that gives them a particular status and authority. Of course, on many occasions they will want to speak in a personal capacity and not in that role. Once again, we do not need Ministers telling Select Committee Chairmen what they should or should not be doing. In terms of what is orderly conduct in the House, Ministers, like everybody else, can leave that to the Chair.

May I take this opportunity to thank the hon. Gentleman for the valuable contribution that his Committee and its report on the extension of offensive British military operations to Syria have made to discussions in the House in the past few weeks? I believe, and I hope I can say this without fear of contradiction, that Members in all parts of the House, whatever their views on that matter, have found the Committee’s exposition of the issues very helpful indeed.

Bill Esterson (Sefton Central) (Lab): On a point of order, Mr Speaker. You have been very supportive of those of us who have raised the plight of children in care and care leavers. As I think you know, I chair the all-party group on looked-after children and care leavers. It meets about every six weeks, and it invariably books the Boothroyd room because of the high level of interest and the fact that 90 young people, with additional adults in support, travel to its meetings from all over the country. There is invariably standing room only.

I have been advised that the room booking for next week’s meeting has been taken by the Liaison Committee. I understand the process by which these things happen, but no other room in the House can accommodate such large numbers. As you know, Mr Speaker, this is an incredibly important area. I am sure that supporting these young people is a matter of great importance to all Members. What advice can you give me and the all-party group’s secretariat on how to address this problem? Otherwise it will be very difficult for the young people and those supporting them to attend next week’s meeting.

Mr Speaker: I am very grateful to the hon. Gentleman for his point of order. Simply as a matter of fact, I should say to him that Committees always take precedence in the allocation of such rooms, so there is nothing untoward or indeed unusual about that, although I recognise the very considerable inconvenience and potential dilemma caused to the hon. Gentleman and his colleagues, as well as to those planning to attend such a meeting.

I can tell the hon. Gentleman that the Administration Committee is reviewing the room booking system. Given what he has told the House, I strongly encourage him to make representations to the Administration Committee—perhaps directly to its Chair—to try to progress matters. A conversation with the hon. Member for Mole Valley (Sir Paul Beresford) might be useful, in addition to any written evidence that the hon. Gentleman may propose to submit.

So far as concerns the question of whether a room can be found for next week, the hon. Gentleman had probably better have private discussions if he needs a room. We will see whether anything can be done if such a need remains.

If there are no further points of order, we will now proceed to the main business.

Charities (Protection and Social Investment) Bill [Lords]

Second Reading

Mr Speaker: Before I ask the Minister to move the Second Reading of the Bill, I need to say the following. I remind the House that I have certified the Charities (Protection and Social Investment) Bill under Standing Order No 83J in relation to England and Wales. I further remind the House that this does not affect proceedings in the debate on Second Reading, or indeed in Committee or on Report. After Report, I will consider the Bill again for certification if it has been amended, and the relevant Legislative Grand Committee will be asked to consent to certified provisions.

12.7 pm

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): I beg to move, That the Bill be now read a Second time.

Every hon. Member will know of a charity or charities doing extraordinary work in their constituency, as will you, Mr Speaker. Many have served or will serve as patrons or trustees. They may even have subjected themselves to ritual humiliation to raise money and awareness. I have dressed up as a sumo wrestler, carried a pedometer for a week and even lost two stone to race a charger around the Newmarket July course. Charities channel the best of our instincts against the worst that life can inflict, whether that is sickness of mind and body, entrenched poverty or natural disaster.

So often, charities lead the way for us in Government to follow. Long before there was an Education Act, an NHS or a welfare state, charities that knew people could not wait had set up hospitals, schools and almshouses. Today, their compassion and kindness are matched by ideas and innovation. When Paula and Robert Maguire posted their first ice bucket challenge video, they expected to raise about £500 for the Motor Neurone Disease Association, but the campaign went viral, many of us joined in and they ended up raising £7 million. Let us look at Bristol Together, a social enterprise that buys and refurbishes properties and employs ex-offenders to carry out the work: that social investment is transforming lives.

The Government are committed to a flourishing civil society. We have protected the budget of the Office for Civil Society, we are expanding the brilliant National Citizen Service and we are rolling out more locally designed social impact bonds. Along with those opportunities, there are challenges. Perhaps more than any other kind of enterprise, charities trade on their reputation. Scandals of poor governance or unscrupulous fundraising undermine public trust, tarnishing the vast majority of charities that are well run and seek only to do good.

Sir Edward Garnier (Harborough) (Con): I could not agree more with the opening remarks of my right hon. Friend in describing, to use an awful expression, the charitable landscape. I am a patron of Unlock and a trustee of the Prison Reform Trust. Both organisations have concerns, which I hope he can allay, that this much needed legislation might make it more difficult for them—bearing in mind that the subjects that interest them are prisons, prison reform and the condition of
prisoners—to have among their trustees people with criminal convictions. The point is obvious, but I am sure that he can deal with it.

Matthew Hancock: I can give some assurance to my hon. Friend.

Mr Bernard Jenkin (Harwich and North Essex) (Con): And learned.

Matthew Hancock: Sorry, my hon. and learned Friend.

Sir Edward Garnier: Right honourable.

Matthew Hancock: My right hon. and learned Friend. If he would like to raise it any further, I could continue. I commend the two charities of which he is a trustee for their work. While protecting charities through the Bill, we will of course seek to support the good work that excellent charities do. The Bill proposes extra restrictions for those with unspent convictions. However, the Charity Commission will be able to waive those restrictions and, as with almost all the extra powers of the Charity Commission, it will be possible to appeal to the charity tribunal. I hope that he is reassured by the safeguards that are in the Bill, and that we can work with him to ensure that they are applied properly to charities that work in the important area he mentions.

Sir Edward Garnier: My right hon. Friend has been extremely clear and helpful. May I make him an offer? I know of his success at Newmarket racecourse. There is a very good racecourse, Leicester racecourse, in my constituency. If he would ever like to run there, he should let me know.

Matthew Hancock: I very am grateful for that unexpected invitation. I am dearly tempted. I hope that Unlock and the Prison Reform Trust will work with us to ensure that the Bill passes in a form that supports the important work that they do.

On the broader question of supporting the reputation of charities, by one measure trust in the sector is at a seven-year low. It is in all our interests that we have a strong, confident and thriving charitable sector.

The purpose of the Bill is twofold: first to tackle the challenges and then to unlock new opportunities. The main provisions of the Bill fall into three main areas: first, strengthening the Charity Commission’s powers, including over trustee disqualification; secondly, the regulation of charity fundraising; and, thirdly, the new social investment power for charities.

Let me turn to the Charity Commission’s powers. The purpose of the Charity Commission is to ensure that each of the 164,000 charities in England and Wales pursues its charitable objectives. Set up in 1853, it has done a century and a half of good work, but two years ago the National Audit Office and the Public Accounts Committee found that it was failing in its core duty. In particular, they found that it was not doing enough to tackle the abuse of charitable status. The NAO made a series of recommendations to improve the commission’s effectiveness.

The coalition Government published proposals for new powers based on those recommendations. Following a public consultation, the draft Protection of Charities Bill was published. Pre-legislative scrutiny and the Bill’s passage through the House of Lords have resulted in further refinement. I thank all the Members, peers and others who have improved the Bill that is before the House today. These measures are just one part of a wider programme of reform, aimed at turning the Charity Commission into a tough, clear and proactive regulator.

Mr Jenkin: It pains me to point out that my right hon. Friend has left out the significant post-legislative scrutiny of the Charities Act 2006 that was conducted by my Committee, the Public Administration Committee, in the last Parliament, which was the prime precursor of this Bill. I also sat on the Joint Committee that performed the pre-legislative scrutiny of the Bill.

Will he say something about recent controversies, for example those around charitable fundraising? The Select Committee is very frustrated that we are conducting significant inquiries that the regulator, the Charity Commission, should be conducting, but it does not necessarily have the power to hold its hearings in public in a way that would demonstrate its regulatory role.

Matthew Hancock: I was going to come on to the work of my hon. Friend and his Select Committee in making sure that the Bill is in the best possible shape. I am very grateful for the work that he did at the end of the last Parliament, after the National Audit Office report, to make sure that when we had a Bill, it gave the commission the necessary powers.

We believe that the Charity Commission has the power to convene meetings in public. However, I recognise that there is a question over whether it does so. During the passage of the Bill, we will look at that point in more detail. We are prepared to accept amendments, if they are necessary to bring clarity on the point that my hon. Friend raises.

Dr Andrew Murrison (South West Wiltshire) (Con): I agree with my right hon. Friend that pre-legislative and legislative scrutiny are extraordinarily important in this place. Will he observe, for the record, how much legislative scrutiny is being performed by Her Majesty’s official Opposition, since there are precisely no Opposition Back-Bench Members in the House?

Matthew Hancock: I hope that this Bill can unite both sides of the House. I welcome the hon. Member for Redcar (Anna Turley) to her place. My hon. Friend has made his point very clearly and it will appear on the record, but I do not want to get into an unnecessary dispute with the Opposition, given that I hope we will have all-party support for this important Bill which will strengthen the role of the Charity Commission and, ultimately, be in the best interests of charities throughout the land.

As I said, we want to provide a tough, clear and proactive regulator. Under the strong and capable leadership of William Shawcross and Paula Sussex, there has been a direct focus on tackling abuse and mismanagement. However, an effective regulator needs to have teeth. As the NAO reported, the commission needs our help to address the “gaps and deficiencies” in its legal powers. The Bill will close those gaps in the commission’s capabilities, as well as tackling a number of damaging loopholes in charity law.
Let me briefly outline the five new powers that the Bill confers. These powers will help to protect the public, the staff and the people our charities serve from those who would seek to exploit them. First, the Bill will extend the automatic disqualification criteria. Currently, the focus of the law is on barring people who have misappropriated charitable assets, but the criteria are far too narrow. We will extend them, as my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) said, to include people with unspent convictions for money laundering, bribery, perjury or misconduct in public office, those on the sex offenders register, and those convicted for terrorism offences, including individuals subject to an asset-freezing designation.

Secondly, the Charity Commission will be given new powers to disqualify in instances where an individual has behaved in a way that makes them unfit to be a charity trustee, acting on a case-by-case basis and using its judgment and discretion. That new power is essential to empower the Charity Commission to tackle those who would bring charities into disrepute, and I hope that it will be used with care and decisiveness.

Thirdly, the Bill gives the Charity Commission a new official warning power in response to low-level misconduct. That will allow a more proportionate approach for less serious cases. Fourthly, the Bill grants a new power that allows the Charity Commission to direct the winding up of a charity following a statutory inquiry. That would apply if the commission proves that a charity is not operating, or that its purposes could be promoted more effectively by ceasing to operate, and that to do so would be in the public interest. We expect that power to be used in limited circumstances, and it is subject to several safeguards.

Fifthly, the Bill closes a loophole that allows offending trustees to resign before they are removed by the commission, and then act as a trustee for a different charity without fear of repercussion. That will ensure that trustees are no longer able to escape accountability if they abuse their position of trust. As with all the commission’s existing powers, all five of those proposals would be subject to the general duty to have regard to best practice. With the exception of the official warnings power, all the commission’s new powers are subject to a right of appeal to the charity tribunal.

All five measures that I have outlined are essential to protecting the interests and reputation of the vast majority of charities that are run by people of great integrity. The Charity Commission was closely involved in developing the powers, and it fully supports them. In addition, independent research for the Charity Commission found that 92% of charities supported new, tougher powers for the regulator.

We also intend to remove clause 9, which was added on Report in the Lords. We have serious concerns about the unintended consequences of that clause, as it attempts to encompass complex case law into a single statutory provision. It would also impose a major new regulatory responsibility on the commission. Clause 9 was not proposed because of concerns about charities in general, but in a narrow attempt by the other place to undermine the Government’s manifesto commitment to extend the right to buy. It is regrettable that a Bill with widespread support was used in that way, and we cannot allow that to stand. I urge the House to reject that anomalous clause and consider the matter elsewhere.

The challenge of regulating charity fundraising has already been mentioned. We can be incredibly proud that we are one of the most generous countries in the world when it comes to charitable giving, but although people are happy to give, they do not want to be bullied or harassed into doing so. A voluntary donation must be voluntary. Earlier this year we heard about the tragic case of Olive Cooke, Britain’s longest-serving poppy seller. For years, she was targeted with hundreds of cold calls and requests for money. More than 70 charities bought her details or swapped them with other charities, and in one month alone she apparently received 267 charity letters. Sadly, since then more cases of unscrupulous fundraising practices have come to light, and we must act.

We began by asking Sir Stuart Etherington to review the regulation of fundraising over the summer, backed by a cross-party panel of peers, and I thank them for their work. Sir Stuart recommended a new, tougher framework of self-regulation, and we are working with charities to deliver that. Lord Grade of Yarmouth will chair the new independent body at the heart of that framework. It will be paid for by large fundraising charities, and it will be able to adjudicate against any organisation that is undertaking charity fundraising.

The body will be accompanied by a fundraising preference service—similar to the telephone preference service—which will give the public greater control over their consent to receive charity fundraising requests.

Next, we will prohibit contractors from raising funds for a charity unless the fundraising agreement between them explains how the contractor will protect people from undue pressure, and sets out how compliance will be monitored by the charity. It will require large charities to include a section in their trustees’ annual report on the fundraising undertaken by them or on their behalf. That will include an explanation of how they protect the public in general, and vulnerable people in particular, from undue pressures and other poor practices.

Mr Jenkin: The Public Administration and Constitutional Affairs Committee—or PACAC, as we call ourselves—is concluding an inquiry into charitable fundraising, alongside our other inquiry into Kids Company. I will not pre-empt the outcome of those two inquiries, but we are concentrating our inquiries on the conduct of trustees in these matters, and their responsibility to oversee and support charitable organisations so that they reflect their values in their operations as much as in their objectives. We are making recommendations on that because it might be insufficient to rely on processes and structures to ensure that things are ethically and properly run.

Matthew Hancock: I welcome that review, and I hope that during the passage of the Bill we can consider—and where appropriate take on board—any recommendations to improve it. I am glad that the work of that Committee is taking place concurrently, and I hope that recommendations will come forward in time for them to be considered for the Bill.

Dr Murrison: How can we make more explicit the amount of money spent on management overheads, and in particular the £80 to £120 per direct debit set up
that goes to chugging agencies? That must be made crystal clear to people. That is, on average, the amount for the first year of any direct debit set up in favour of a charity. At the moment, people are not clear how much of their generosity is being expended on management overall and on that practice in particular.

**Matthew Hancock:** I am a great fan of transparency and a supporter of transparency across Government. We should consider carefully whether further transparency should be applied to charities, and how that is best delivered. I have no doubt that transparency begins at home for charities, and best practice is for them to be widely transparent about their operations. There is a question about whether we should do more in law, and balanced arguments in both directions. I hope we can consider that during the passage of the Bill.

**Geoffrey Clifton-Brown (The Cotswolds) (Con):** Do any of the new powers that the Bill gives the Charity Commission deal with charities that depart from their original charitable ambitions and disproportionately become political funding and campaigning organisations?

**Matthew Hancock:** We took action towards the end of the previous Parliament to ensure that the legal framework for charities and other organisations means that they do not cross over into direct partisan political work. A review is under way into how the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 has worked. There are questions about whether that needs to go further, but the best place to deal with such issues is in the review and during scrutiny of the Bill. I understand my hon. Friend’s concerns, and it is important that our review fully considers the impact of the 2014 Act.

We regard the Etherington package, including the fundraising preference service and a move to opt-in for further contact, as the minimum necessary to rebuild public trust. We propose that regulation of fundraising happens on a self-regulatory basis, but that self-regulation must implement the review’s recommendations in full. Some people have rightly asked what will happen if self-regulation fails. We want it to work, but we are also clear that practices must change. In Committee, we intend to bring forward amendments that will strengthen the Government’s reserve powers to intervene if the self-regulation recommended by Sir Stuart fails. Predatory fundraising targeted at vulnerable people is wrong. It has shaken public confidence in charities and we are determined to stamp it out.

Alongside tackling those challenges, the Bill aims to open up new opportunities.

**Mr Jenkin:** I am terribly sorry for intervening again, and most grateful to the Minister for being so generous in giving way. I regret that I cannot stay to take part in the debate. The House will need to know that my Committee will produce its reports in January, in good time for the conclusion of the passage of the Bill. Before he leaves the matter of fundraising, will he bear in mind the concern of many people about some charities that raise a substantial part of their income from foreign sources? Security services are concerned that organisations posing as charities might be receiving funds from abroad for nefarious purposes. Will he consider introducing measures to the Bill at a later stage to deal with that matter?

I know that that is something that also concerns the Charity Commission.

**Matthew Hancock:** The Chairman of the Select Committee need not apologise. He can intervene on me as many times as he likes and I will always seek to take his interventions. I know that that must happen, otherwise he will seek to get me in front of him in some other way. On my hon. Friend’s substantive point, that concern has been raised with us. We want to consider the matter in more detail as the Bill passes through the House.

The Bill seeks to open up opportunities for charities to do more to fulfil their mission by providing a new power of social investment. Social investment seeks a positive social impact and a financial return, trying to make money go further. It is a huge and growing chance for UK charities to make more of their assets in a field where the UK is already the world leader. In 2014, the Law Commission conducted a review of charities’ social investment powers. It found a lack of clarity around charities’ social investment powers and duties, and concluded that that could be deterring some charities from getting involved in this exciting new field.

UK charities currently hold assets of over £80 billion, but they have made social investments of about only £100 million. We think that with the right support that market could double in the next few years. The Bill will ensure that more charities have a chance to take full advantage of social investment should they so wish. It removes the existing uncertainty by providing a specific new power to make social investments. It also sets out trustees’ duties to ensure that all social investments are made in the best interests of the charity. That will allow charities to make investments with the dual aim of fulfilling their mission and achieving a financial return. It is the way of the future and it is happening here in Britain. We want to support it to go further.

The work charities do transcends politics and unites hon. Members on both sides of the House. We want all charities to enjoy the very highest levels of public trust and esteem, and the generosity that brings. By delivering a more effective regulator, by tackling unscrupulous fundraising and by unleashing the power of social investment, the Bill will strengthen that trust and allow charities to do more with that generosity. I commend the Bill to the House.

12.33 pm

**Anna Turley (Redcar) (Lab/Co-op):** It is a privilege to respond to the Bill on Second Reading as shadow Civil Society Minister. I thank the Minister and his colleagues for bringing the Bill before us, and for the open and co-operative way in which they have sought to engage with us. It is much appreciated. I thank all the civil servants involved in drafting the Bill, and all the charities and organisations that have contributed to its development and to our understanding. I also thank noble Lords, who used their customary wisdom and experience to refine and improve the Bill in its passage through the other place.

This is a good and important Bill, and we on the Labour Benches welcome it. There is, of course, some room for improvement, and I will come on to that in my speech, but its objectives are to be welcomed. We all
We want to put on record at this point my pleasure in hearing the Minister say the Government will use the Committee stage to look again at fundraising: at whether self-regulation is sufficient and what steps we can take if it fails. We look forward to working with him on that.

We welcome the aim to give charities a new power to make social investments: some are already doing that, but it is important we give charities the reassurance to enable them to do so. We know that one in three British consumers will pay more for products with a positive social aim, and to encourage confidence and allows the sector to flourish.

The sector has had a difficult year. The regulation of the sector has come under increasing scrutiny and we have seen high-profile cases that have been deeply concerning. We have seen poor governance, financial mismanagement and, as the Minister set out, concerning fundraising methods. These cases are extremely rare, but they are deeply disappointing to the rest of the charitable sector. It is important that we support and encourage confidence in the wider sector by clamping down on any abuse. That is why we welcome the Bill.

It has been good to see the sector itself step up to the plate to tackle so many of these concerns. It is vital that we play our part in supporting the sector in that process by giving it the legislative and regulatory environment it needs. It is also vital that we get the right balance: a strong and sound regulatory environment that ensures trust but allows charities the freedom to be innovative, enterprising and, crucially, effective in delivering their social aims and objectives.

We welcome the core aims of the Bill. We support providing stronger protection for charities in England and Wales from individuals who are unfit to be charity trustees. That is vital to ensure good governance and prevent abuse. We support the measures to equip the Charity Commission with new and strengthened powers to tackle abuse more effectively and efficiently. To ensure confidence in the sector, it needs to be able to respond quickly and decisively to any concerns raised. Further clarifications are required, however, and we will work with the Minister to resolve them in Committee.

I want to put on record at this point my pleasure in hearing the Minister say the Government will use the Committee stage to look again at fundraising: at whether self-regulation is sufficient and what steps we can take if it fails. We look forward to working with him on that.

We welcome the aim to give charities a new power to make social investments: some are already doing that, but it is important we give charities the reassurance to enable them to do so. We know that one in three British consumers will pay more for products with a positive social or environmental outcome. It is important that we enable the charitable sector to encourage that.

There are some areas, however, where we believe the Bill can be improved. We will look to work with the Government during the progress of the Bill in Committee to do so. We will be seeking to discuss the following points.

First, on the freedom to speak and engage in political discourse, we continue to oppose the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014. We intend to use the passage of the Bill to highlight and defend the right of charities by law to campaign and speak out on issues in line with their objectives. So often, it is charities that end up picking up the pieces of our policy failures. It is vital that we give them the right to campaign on their issues, and to challenge and hold us to account. That is a key part of a strong, healthy democratic and civic society.

Secondly, on clause 9 and the disposal of assets, the clause sets out that

“The Charity Commission shall ensure that independent charities are not compelled to use or dispose of their assets in a way which is inconsistent with their charitable purposes.”

We will continue to defend clause 9, so as to give housing associations the statutory backing to ensure they can make their decisions in the best interests of their tenants, and not be bullied by a Government determined to sell off and run down affordable housing.

We think it is absolutely right that charities have the freedom to dispose of their assets in the way that they see fit.

Thirdly, on the protection of children and vulnerable adults, the Bill provides an opportunity to better protect children and vulnerable people. We are grateful that the Government accepted proposals in the other place to include people on the sex offenders register as among those who will be debarred from being trustees, but we believe there are other measures we can look at to strengthen that area. We will bring them forward in Committee.

Finally, on clarifying some of the powers of the Charity Commission, the Bill seeks to strengthen the powers of the Charity Commission. We believe there should be a strong, well supported regulator of charities that acts fairly and has the appropriate powers. Ultimately, the regulator must preserve public trust and confidence in charities. However, some provisions in the Bill could threaten charities’ independence. For example, there are no objections in principle to giving the Charity Commission the power to give warnings to a charity, but the current drafting raises some concerns within the sector.

For example, the commission can issue a warning if it thinks there has been a breach of duty or trust or other misconduct or mismanagement. It is possible that the commission could issue a warning about an issue of relatively low concern. Also, a disagreement between the trustees and the commission could arise about whether the warning was justified. It is therefore important to attach safeguards to the issuing of a warning, and failure to comply with it should not in itself have significant consequences that could be disastrous for charities. I hope that we can continue to discuss the matter further in Committee. In addition, the commission should give adequate notice of its intention to issue a statutory warning.

These are issues that should be discussed in Committee because clearer guidelines should exist on the number of days and other protective remedial powers. Given the implications a warning would have for the charity in question, we should also consider a right of appeal to the charity tribunal. I look forward to working with Ministers on those issues as we go through Committee.

In summary, we believe all these areas can be discussed and looked at in more detail as we take the Bill forward in Committee. This is an important Bill. It has some room for improvement, but offers a great deal to build
trust and confidence in the charitable sector, which is why the Opposition will support it. I look forward to working with Ministers in Committee.

12.40 pm

Fiona Bruce (Congleton) (Con): I rise to support the rationale behind the Bill, which is of great importance to many members of the public. Its purposes are indeed to protect the public from unscrupulous fundraisers and to stop individuals who run charities abusing them. I agree that action should be taken in such cases, and I agree that the Charity Commission should have appropriate powers where misconduct is proven to have occurred.

I am pleased to note that the National Council for Voluntary Organisations has said that “it is widely acknowledged that deliberate wrongdoing in charities is extremely rare”, and it is important to remember that when we debate this Bill. There are many millions of people across the country who devote themselves and give selflessly of their time to charities. It is very important that we do nothing that in any way inhibits them from engaging and contributing to this important part of our civic society.

Having highlighted that motivation, I now want to highlight some of my concerns about the Bill, particularly about some of the new powers it contains. I hope that expressing my concerns is helpful and that they can be explored further in Committee. I speak with particular reference to the new measures in clauses 3 and 11, and the wide-ranging wording of the powers, which I fear could severely curb civic engagement, possibly deterring responsible people from wanting to be appointed as an officer to a charity.

I have more than 30 years’ experience of working in private practice on charity law, and the representation of charities was a particular part of that practice. I know that it has become increasingly difficult over those years to get individuals to step up to the plate, to coin a term, and to agree to an appointment in a charity. That often proves to be one of the challenges that new charities face, particularly—and interestingly—when it comes to the appointment of a treasurer.

I come to this debate, as I say, with over three decades of practical experience of working in this field. I want to ensure that we encourage and do not deter the very responsible people that the Bill is designed to support.

I note that clause 11 provides for new powers to suspend and disqualify. It has an extensive list of reasons within it, but I note that these could in future be varied by Ministers through the laying of new regulations—subject to those regulations being consulted on. We all know, however, that with the best will in the world among the Government, consultations can often reach only a few members of the public. There is the further problem of the regulations being scrutinised only by a few Members in Committee. That is why I am concerned about the excessive powers that will be granted if the Bill is passed, which if extended could come to embrace actions that might not have been fully scrutinised or intended by Members. I enter that caveat about the extension of powers that will be granted if the Bill is passed.

The Bill gives immense power to the Charity Commission. Indeed, in its policy paper of May 2015, the Charity Commission acknowledged that it was gaining “a significant new power” to disqualify people from serving as trustees or senior managers of charities. I am concerned about the wording. The Charity Commission is able under clause 1(1) to issue a warning, “to a charity trustee or trustee for a charity who it considers has committed...misconduct or mismanagement”.

Clearly, “who it considers” is a very wide-ranging phrase. I note that clause 1(2) allows the Charity Commission to issue a warning that it can “publish”. Yes, the charity or person subject to that warning can respond, but the publication might already have occurred, so I am concerned about the damage to the reputation of the charity in general and the individual. I am worried if there is an opportunity to publish without an opportunity to respond, and I would be grateful if Minister corrected me if I am wrong on that point.

Let me deal with some of the conditions for disqualification. The Charity Commission interprets unfitness to be a trustee to mean failure of honesty and integrity, competence or credibility, the latter being defined as undermining the confidence of the public. That is what I want to highlight in the next part of my speech—how the Charity Commission could take steps to act and issue a warning solely on the one criterion of conduct that might damage public trust and undermine public confidence.

The Charity Commission says that it will use an evidence base relating to the knowledge it gains from the surveys it takes into public trust. I am rather concerned about that. Does it mean that the Charity Commission could carry out a poll, asking people with certain views whether they think the public would be more or less likely to trust an individual or charity? What if those views were very much in the minority or if the views were greatly opposed to current Government policy—views on foreign policy, for example?

That is quite a broad-ranging power, and so far as I can see there are no requirements for any independent review from the Government before the warning is issued. It seems to be based on an individual undertaking some activity or saying something that might be contrary to the views held by the majority of the public who respond to a survey. When the Bill refers to “any conduct”, does that include conduct that someone might have undertaken several years before becoming a trustee? We all know—including many of us in the House—that views can change over time. Many of us might have expressed views some years ago that have changed. How is an individual going to be protected from action taken against them, on the basis of this Bill, which could have far-reaching repercussions?

This is not a merely theoretical issue. Let me highlight how serious a problem this is. I remind Members of the challenges faced by the Plymouth Brethren in the last Parliament. Their charitable registration was threatened because of the interpretation of the words “public benefit” within the Charities Act 2006. We are fortunate now to have William Shawcross as chairman of the Charity Commission. He is an excellent head, a man who possesses wisdom and expresses his opinions, conducts his deliberations and makes his decisions very carefully and with great common sense. Following his appointment, I felt that an appropriate approach was being taken to the plight in which the Plymouth Brethren found themselves when their charitable status was challenged. The case was to go to a tribunal, the Plymouth Brethren had to engage lawyers, and more than 300 churches were affected.
The Plymouth Brethren are a long-established denomination that exists throughout the country, but the challenge that they faced was very serious. They had to spend hundreds of thousands of pounds on legal advice. As I have said before, it was to their the credit that in the past they had done an enormous amount of voluntary work without shouting about it, but now they had to start producing documentation, and indeed they produced some excellent booklets citing the work that they had done to the public benefit. They continue to do that work, one example being disaster relief.

Some major debates were held about the case in the House. More than 40 Members of Parliament attended a debate in Westminster Hall to speak up for the Plymouth Brethren and to say that the Charity Commission’s action should never have been taken, because it had been based on a subjective interpretation of the words “public benefit”. Ultimately, as we know, the commission withdrew its action, and the charitable status of the Plymouth Brethren—and many other charities that had been standing by and waiting for the decision—was secured. However, we do not want a rerun of that case.

Some may claim that minority views undermine public confidence, but where would the suffragettes have been had all this been happening years ago? Our society contains a wide range of views and beliefs, which are often held with passion and principle. Disagreement is common, as we saw in the House only yesterday: indeed, it is a characteristic of a free society. However—and social media can be very cruel in this regard—many people despise or reject others entirely on the basis of their sincerely held but different, or minority, views. Charities are often formed for the purpose of protecting minorities, and it is important for us to ensure that genuine people with genuinely held minority views are protected from what I am sure would be the unintended consequences of the Bill.

Let me return to the subject of faith groups. Many religions in this country espouse views that are rejected by the majority, and a number of those views are very strongly rejected. Creationism, for instance, cannot be taught in schools as a scientific fact, but one would hope that it can still be expounded in RE lessons as a belief. If a charity’s work involved the promotion of creationism as a belief, would that be considered likely to undermine public confidence? There are many other examples—for example, different views on sexual ethics.

I am not, in this context, talking about minorities. A few weeks ago I spoke to a Church of England vicar—and it should be borne in mind that the Church of England is our state Church—who said that he had gone into a school and spoken about a particular view from a biblical perspective, and had gained the distinct impression that he should not come back and talk about the issue again. We must protect people with sincerely held but minority beliefs from the chilling effect that legislation can have on free speech in our society.

Let me now say something about the connection between the new powers in the Bill and the Government’s counter-extremism strategy. I understand that the Government are seeking to ensure that charities are not abused for extremist purposes. The problem is, however, that there does not currently appear to be a clear definition of extremism. That problem affects the Bill, and I think that it could have a very negative impact. The Government’s information document on the counter-extremism strategy defines extremism as

“the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs.”

That sounds fine, but previous definitions contained two or three additional words that now appear to be missing. They referred to “mutual respect for and tolerance of those with different faiths and beliefs”.

That was one of our fundamental British values, alongside democracy, the rule of law and individual liberty: mutual respect and tolerance of people who held different faiths and beliefs.

In March, I said in the House:

“It is entirely right that we should respect other people, including those with other beliefs, and to respect their right to hold those beliefs.”

I added, however, that we should be careful not to conflate that

“with a requirement to respect all other beliefs, which is quite a different thing altogether.”—[Official Report, 12 March 2015; Vol. 594, c. 496.]

That is the problem with the current definition of extremism. If I say that I respect scientologists but I do not respect scientology, I mean that I respect those who hold different beliefs, but I do not respect the belief of scientology. Does that make me an extremist? We must be very careful about the way in which we define extremism, and in that connection it is interesting to note that the Government have yet to provide a statutory definition of non-violent extremism.

We all value free speech very highly in the House. A free society is based on disagreement and mutual respect, and I believe that that is strengthened, not compromised, when I respect my fellow citizens without necessarily respecting their beliefs. I mentioned the suffragettes earlier, but the issue of slavery is another example. The wording of the current definition is deeply troubling, and we need to clarify it, because otherwise we could end up contributing to the marginalisation that feeds extremism. Open dialogue with those who hold different views is essential if we are to understand each other’s views, reduce prejudice, and promote community cohesion.

The role that faith groups play in community cohesion through their involvement in the voluntary sector is staggering. Research carried out earlier in the year established that they contribute about £3 billion to social action in their communities, and that is just in monetary terms. In my view, the social cohesion that they provide is unquantifiable. Thousands of churches have run, or helped to run, charity projects for decades. It concerns me greatly that the removal—or the mere deterrence—of those who hold faith-related views that, in our present society, might not be popular, and certainly could not be considered mainstream, could deprive the charitable sector of valuable experience and expertise for decades.

Having had more than 30 years of experience in legal practice and of working with the charitable sector, I know that people are increasingly worried about falling foul of legislation and, as a result, are not becoming charity trustees. Will the Minister look again at the
powers relating to disqualification? It is interesting that he used the term “self-regulation”. I would not like to become self-disqualified. I am concerned because the powers are so wide, and we need to ensure that the thousands of experienced servant-hearted volunteers involved in the charitable sector are not deterred from being involved in our civic society. I know that that is not the Government’s intention, and I would be grateful if they looked at these concerns. I am sure that that would be an unintended consequence, but we cannot afford any further marginalisation and exclusion of people from a sector in which they play such a vital role.

1 pm

Tommy Sheppard (Edinburgh East) (SNP): I rise in my capacity as the Scottish National party’s spokesperson on the Cabinet Office to make a brief contribution to the debate. You will note on the Benches behind me the absence of Scottish Members of Parliament. Please do not take that to indicate a lack of interest; it is merely an acknowledgement of the fact that the provisions in the Bill do not apply to Scotland and that our constituents will not be encumbered by them. That said, we have a few observations to make on the measures.

This is a certified Bill, but you will note that there is no willingness on the part of Scottish Members to take part in the debate anyway, so perhaps this could serve as an illustration of whether or not it was really necessary to burden the House with the amendments to Standing Orders relating to English votes for English laws. I want to make an effort to be constructive and to help the Government, so if you wish to speak up the passage of this legislation, I can assure you that we will not seek to make any further contribution to, or have any further influence on, the matter under discussion. You could therefore dispense with the legislative consent stage, should that become necessary.

There is a different system in Scotland, obviously, and I pay tribute to the Office of the Scottish Charity Regulator—OSCR—which has, since 2005, provided support for 23,500 charities of all shapes and sizes in Scotland. I want to pay particular tribute to OSCR’s trustees. I have some personal experience in this area, because I served for seven years as a trustee of the Edinburgh Festival Fringe Society, which is one of the larger such organisations in Scotland. It has benefited greatly from the support it has received from OSCR. That said, even though we have a different system, we live on the same island and the regulations that apply in England and Wales set some of the context in which we operate in Scotland, so we have an interest in the legislation relating to England and Wales that is passed in this House.

Susan Elan Jones (Clwyd South) (Lab): May I make a quick point? Not many people will be aware—I myself was not until about six months ago—that every charity in Scotland is registered with the regulatory body, whereas in England and Wales many of the smaller charities are not. I think that that is of relevance to the wider debate, and I wonder whether the hon. Gentleman has a view on the matter.

Tommy Sheppard: All I can tell you is that it works well in Scotland, and we tend to take the approach “if it ain’t broke, don’t fix it”.

I will make a couple of points on specific aspects of the Bill in a moment, but first I want to welcome the Minister’s general support for the role of charities in our society throughout the country. It is important to recognise, however, that the people involved in charitable organisations are not just there as service providers who deliver things. They are also a valuable source of information and opinion, which can inform many of our social policies, and despite the Minister’s support, the Government may have some bridges to mend with the charitable sector in some areas of social policy. In particular, more than 60 disability organisations and charities have been critical of the Government’s changes to disability benefits. Let us contrast that with the situation in Scotland, where the leading children’s charities have actually praised the Scottish Government for amending some of the regulations.

Turning to the Bill, there are some clauses in which you are bringing the situation into line with that in Scotland. Clause 2 relates to the time limit on the suspension of trustees and clause 8 relates to property. These provisions already apply in Scotland in more or less the same way. I note that in clause 10, which covers the criteria for the disqualification of trustees, you are going a lot further than we have done in Scotland. Our approach would be to let you get on with that and see how it works out—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I gently point out to the hon. Gentleman that he has frequently used the word “you”. Actually, that was quite appropriate in the first part of his speech, because he was in a way addressing the Chair. However, when he is referring to the Government, it is better to say “the Government”, or “the Minister”, rather than “you”, because I will not take the blame.

Tommy Sheppard: I stand corrected, Madam Deputy Speaker. Sometimes I use the word “you” in its Scottish vernacular to imply “one”, but I will try to refer to the Government in the third person.

There are some clauses in which you are bringing the situation into line, and some in which you go further, and it is our intention to wait and see what happens. A review is under way in Scotland, which has in part come about because of the discussions that are taking place in England and Wales.

Our main concern relates to the regulations on the ability of charities to raise money. The Scottish Council for Voluntary Organisations has expressed concern that the high-profile cases in English charities relating to the misuse of funds, and the inappropriate ways of raising funds, will have an effect on charities in Scotland, even though they are not part of the same regulatory framework; they could effectively be tarred with the same brush.

We see no great need to change the funding regulations at the moment. Our charitable fundraising arrangements are essentially self-regulatory, and we would like that to continue. However, a discussion involving the charitable sector is under way in Scotland and we are determined that, whatever happens, we will arrive at an appropriate agreement, in which the charitable sector will be involved. It is a matter of debate whether we continue with self-regulation or whether we see the Government becoming more directly involved. The Ministers here have taken
the view that this Government should be more directly involved, and that they wish this House to be the ultimate place to which the regulatory system is accountable. We shall watch the situation with interest, and we wish you very well in your endeavours to improve the regulation of charities in England and Wales.

1.7 pm

Maggie Throup (Erewash) (Con): I am delighted to be able to speak today on this very important Bill, which I believe will protect and strengthen the governance of our charities. Our charities play an extremely important role across our nation, and I believe we are stronger for the extensive work that they carry out. We would be so much poorer as a nation if we did not have our amazing charities. It is the hundreds of thousands of generous volunteers who really make a difference, and 41% of people have reported taking part in volunteering in the last year. That is a massive 21 million people across the UK.

Only three weeks ago, every member of my staff took a day’s holiday and spent it volunteering across the constituency as part of my inaugural Erewash volunteering day. One of my staff volunteered at the homelessness charity, the Canaan Trust—which I will talk more about later—and then went on to help with street collections for Children in Need. Another volunteered at a church food bank, then helped to serve a two-course lunch at the Pavilion luncheon club organised by Community Concern Erewash. She also helped to wash up afterwards, which I thought was very noble of her! A third member of my staff helped at the local hospice and joined the Treetops garden club. The club is very proud that one of its members has just been awarded Hospice UK’s volunteer gardener of the year award.

My senior caseworker spent the day at Direct Help and Advice, based in Ilkeston, which has just been awarded Big Lottery funding. And of course I did some volunteering too. I visited a local church to find out more about its outreach community projects. One of these involved chair-based exercises, which are a lot more energetic than they sound. But that project offered more than just exercise; it offered a chat over a cup of tea at the end of the session, and therefore provided social inclusion as well. My whole team really enjoyed the day, and we have decided to make it an annual event. We are already looking forward to next year’s Erewash volunteering day and to working with even more local charities.

Wendy Morton (Aldridge-Brownhills) (Con): Does my hon. Friend agree that “chugging”, as it is called, also puts people off donating, particularly when they hear about the sorts of fees these people receive for the donations they collect from the public?

Maggie Throup: My hon. Friend is completely right, and I met all the charity volunteers, the staff and the trustees. Trustees play a very important role in a charity—in the past, I have been a trustee of two charities. Before being appointed as a trustee, on both occasions I went through a selection process and was put under scrutiny. This is only right, as trustees hold very responsible roles. Sadly, we have heard some bad news stories recently of instances when trustees may not have been quite as scrupulous as they should have been. This should not happen, as it reflects very badly, and undeservedly, on every charity across the board, even those not involved. That is why I support this Bill and its aim to strengthen governance and give more powers to the Charity Commission to remove inappropriate trustees. As my hon. Friend the Member for Congleton (Fiona Bruce) pointed out, regulatory abuse in charities is rare, but it is vital that measures are in place to ensure that the public, and indeed the many charity volunteers, do not lose confidence when such incidents happen.

Another aspect of the Bill is to protect members of the public from unscrupulous and unrelenting fundraisers. Once again, there have been some very disturbing stories in the media recently, which simply end up reflecting badly on every charity, even though so many are not involved in such procedures.

Kevin Foster (Torbay) (Con): Does my hon. Friend agree that “chugging”, as it is called, also puts people off donating, particularly when they hear about the sorts of fees these people receive for the donations they collect from the public?

Maggie Throup: I completely agree. When we see these people on the streets, we tend to avoid them. I think it affects the local shopkeepers as well, as people get a bit fearful of what they are going to find on their high streets.

It has another effect, too. In their later years, my parents stopped donating to charities when the donations were in any way traceable. This was because after making one donation, they got phone call after phone call trying to persuade them to set up a direct debit. My parents were subjected to just a fraction of the pressure that Olive Cooke suffered, which ended in such a tragedy. With 44% of adults reportedly giving money to charitable causes every month, it is very important that donors feel they can make their donations freely and know that their donations are being spent wisely. This Bill ensures both things.

Of course, our small local charities do not employ third-party professional fundraisers, but have to use their ingenuity to raise their funds. Members will have heard me talk before about the fundraising events organised by my local hospice, Treetops, which provides amazing care in the community. I have awarded prizes at its dog show, which raised money, and taken part in its sponsored bike ride taking in all its charity shops across Derbyshire—and I did that on a tandem. There is always something happening somewhere in Erewash; there is always a charity event going on somewhere.

Only last Saturday I popped along to the Christmas fair organised by the League of Friends of Ilkeston Community Hospital. When I got there I was delighted not just to see Father Christmas but to find that Ilkeston Rotary had a stall there, as I knew from last Christmas...
that it would be selling locally made Christmas cakes which are very tasty, and which have saved me trying to find the time, rather belatedly, to make one. At the Long Eaton Christmas lights switch-on last Thursday, I was able to win on the Scout’s tombola—every ticket was a winner—and buy some handmade Christmas tree decorations from the Women’s Institute stall. All these make fantastic contributions to my local area, and it is much richer as a result.

I said earlier that I would come back to the Canaan Trust, a Long Eaton-based charity providing much more than just a bed for homeless young men. The social investment part of this Bill will provide the ideal vehicle for this charity, should it wish to provide low-rent accommodation for those young men once they get their lives back on track, and help them move on even further with their lives. As my right hon. Friend the Minister said, social investment is the way of the future, and I am delighted that it forms part of this Bill.

I believe this Bill provides a suitable means of protecting our many charities from unscrupulous behaviour, so maintaining the confidence of the public, the confidence of the many donors, and the confidence of the amazing volunteers as well as those who are employed by the charities. I will want to ensure in Committee that our many charities from unscrupulous behaviour, so maintaining the confidence of the public, the confidence of the many donors, and the confidence of the amazing volunteers as well as those who are employed by the charities. I will want to ensure in Committee that our small local charities will not be penalised in any way as a result of these changes, but I do like the way the Bill provides a mechanism to enable charities to develop social investments that can be of great benefit to those they serve.

I am delighted to have been able to speak in support of this Bill, with my reservation about its potential impact on small charities such as those I have talked about today, and to outline its benefits to the constituents of Erewash.

1.16 pm

Susan Elan Jones (Clwyd South) (Lab): It is a great pleasure to take part in the debate on this Bill. I want to make a few points. I think many people welcome the fact that the Government are taking action to prevent individuals who are unfit to become charity trustees from doing so and are tackling abuse and mismanagement of charities more effectively. However, I have a few questions over some details.

There is widespread agreement across the voluntary sector and among the general public—this very much recognises what the hon. Member for Erewash (Maggie Throup) said—about the problem with predatory fundraising when it is done in an unethical way. It is good that the sector itself is coming forward with the idea of a fundraising preference service. That will be very important.

It is worth bearing in mind, however, that across England and Wales there are 943,000 trustees, and we in this House bear some responsibility for making sure we do not scare them to death with regulation. The bulk of charities in this country are not like Kids Company, which appears to have got away with a remarkable amount. We are talking about people who give up their time to serve on management committees, often when they do not have much time to give up. We do not always do that well in the diversity of trustees. I think the average age is 57, and only about one in 200 is between the ages of 16 and 24, so I would be reluctant to do anything that scares off too many people. However, there is a case for returning to the proposal suggested a few years ago by Lord Hodgson for time limits—for larger charities only; it would be ridiculous for the village hall committee and many smaller management groups. I hope that can be considered during the Bill’s passage.

I have a couple of other small points. Members have already suggested that clause 1 gives the commission an absolute discretion to publish an official warning to a wider audience. However, charities depend heavily on funding and reputational matters, so if there is no real right to appeal against a warning and no minimum notice period, that needs to be looked at.

The issue with clause 11, which centres on the power to disqualify from being a trustee, relates to clarity. We agree in principle that, if there is genuine abuse, it is important that such a power can be used. On clear cases, there is a question about whether the amount of discretion available is too wide; many of us agree that that needs to be defined much more clearly. The hon. Member for Congleton (Fiona Bruce) raised the issue of past behaviour in her extensive speech.

I welcome the Bill. It is part of the consideration of how charities develop in the modern world, but we have to be careful. It is so easy for us to add new regulations that frighten charities, especially smaller charities, from doing their work. Often, charities start off very small. For example, Your Space in Black Park in my constituency started off very small, but it has now become a state-of-the-art charity working with children and young people with autism. Such things often begin from little acorns, but we must not smother the little acorns with too many regulations. I am not sure whether it is possible to smother little acorns, but if it is possible I do not think we should do it.

Although I broadly welcome the Bill, we need to look at some of those details. In the last Parliament, the Government made changes following the Committee stage of the Small Charitable Donations Act 2012. I hope we can debate at a later stage the issues I have raised.

1.21 pm

Wendy Morton (Aldridge-Brownhills) (Con): It is a pleasure and a privilege to take part in this debate. Charities do fantastic work, both nationally and locally, across the breadth of the country. We have heard some fantastic and inspirational examples from my hon. Friends the Members for Erewash (Maggie Throup) and for Congleton (Fiona Bruce), who is no longer in her place, of the work that goes on up and down the country.

In the days when I used to run half-marathons, such as the great north run, rather than just run from my office to this Chamber or to the voting Lobby, I was always particularly impressed by the number of charities represented by runners and the generosity and support of the general public. I was often a little disheartened when somebody wearing fancy dress ran passed me at a much quicker speed, but you can’t have it all ways.

The local charities in my constituency include Rosie’s Helping Hands, which was set up by a couple to help them handle the grief of losing a beloved daughter and to deal with it in a very positive way for our local community. They hold numerous events, including a charitable walk, and the money raised goes into helping children and young people in our local community.
[Wendy Morton]

We also have many local branches of some of the big national charities. Our local branch of the Royal British Legion does so much, like every other branch in the country, to raise awareness and funds for an incredibly important charity that supports armed forces veterans. In the village of Pelsall it encourages the whole of the local community to knit poppies in advance of Remembrance Sunday. The red poppies were placed over the clock tower, and the way in which the charity brought the community together and raised funds is another example of why the charitable community is so important.

Maggie Throup: Does my hon. Friend agree that this is partly about fundraising and partly about the feel-good factor created in communities?

Wendy Morton: I could not agree more. Even I got out the knitting needles and learned how to knit again. It was a case of knit one, purl one and then drop several, but I did my bit, as did everybody else. The community came together, worked together and had a bit of fun for an incredibly worthwhile cause.

Small charities often play a huge part in our local communities. They provide something over and above, or in addition to, what the Government or the public sector provide. Those small things often make a big difference to the lives of individuals and their families.

Through my involvement with social action projects over the years, I have been extremely fortunate to get to know many charities, both in the UK and overseas. I have also spent time with other Members on projects working with charities in Rwanda.

As some Members will be aware, a private Member’s Bill of mine is going through this place, to help Great Ormond Street Hospital Children’s Charity. I had the great pleasure of visiting the hospital and seeing some of the fantastic work it does in supporting patients. It is involved in building projects and has a chapel, and it does a huge amount of paediatric research. None of that would be possible without the work of the charity and all the people involved in it.

Sadly, the results of high-profile charity crises can damage trust in charities. It is really important that we do all we can to maintain and strengthen that trust, and the Bill demonstrates the importance of having an effective charity regulator.

I support the Bill because it will provide stronger protection for charities in England and Wales. It will also equip the Charity Commission with new and stronger powers to tackle charity abuse more effectively and efficiently.

Kevin Foster: My hon. Friend is making some strong points in support of the Bill. Does she agree that, in order to keep the flow of funds coming in from the public and from donors, it is vital that abuse is not possible and that the public have confidence that there is a mechanism to tackle it?

Wendy Morton: Absolutely. Trust and confidence are critical. That is why I believe that robust but proportionate action should be taken where serious mismanagement occurs. It is about maintaining and strengthening trust in a vital sector and enabling all charities, both large and small, to continue to do their work.

I have one plea, which is that the Bill needs to ensure that smaller charities are not disproportionately affected by any bureaucracy or too much legislation. It does not matter whether a charity is small or large: charities have so much to give to our country, society and communities, and I will do all I can to ensure that they get the support they deserve.

1.28 pm

Robert Jenrick (Newark) (Con): I welcome the Bill, which is a much needed and sensible Government reform. I am delighted that they have introduced it.

Before entering this place, I practised as a solicitor for several years. I practised corporate governance, among other areas, and over the course of the past year, I think we have all come to realise that the governance of charities is in crisis and it is affecting all charities. The large charities are infecting the small charities, which is why it is so important for this House to act.

As has been said by many Members on both sides of the House, we all support the charities in our constituencies, including those we give to and those of which we are trustees. We want them to thrive and we want public confidence in them to increase, because, undoubtedly, public confidence in charities has been knocked this year. As the head of a charity based in my constituency recently told me, charities are different from many other parts of our society. When large businesses get knocked by scandals, the public turn towards the little guys and confidence in them rises. If there is a horsemeat scandal at Tesco, we all go to our local butchers and sales there start to rise. Charities seem to have the inverse situation. If the big charities get hit by scandals, the little guys suffer as well.

It is essential that we protect the thousands of excellent small charities that we, as Members of Parliament, get to know more than most members of society. It is for them that we must ensure that the larger charities, in particular, have the highest quality of governance. That comes down to trustees. It has been a torrid year in many respects for how the large charities have behaved, whether the scandals have been about the high salaries of chief executives and the management teams of big charities, about the question of politicisation or, above all, about the question of the inappropriate use of fundraising on our high streets. Of course, there has been the tragic case of Olive Cooke.

Kevin Foster: My hon. Friend is making a very strong speech. Does he agree that part of it is about the public having confidence about how much of the pound that they donate ends up going to the good work of the good cause, particularly as with some of the larger charities there have been issues about how much ends up going on overheads and administration?

Robert Jenrick: My hon. Friend makes a strong point. I want to come on to how we can ensure proper financial management of our charities. That cuts in both directions: how they govern themselves and what percentage of their organisation and resources is deployed on central management.
Kids Company has seen the last and perhaps most prominent scandal, which has raised all manner of questions about the governance of our most high-profile and largest charities, particularly their capacity to handle their finances appropriately. I do not want to dwell on Kids Company, which is an outlier, but it has done huge damage to other charities. That is why those who have been at the heart of it and those parts of Government that have worked with Kids Company have to take it seriously. It is damaging all our charities throughout the country. The powers in the Bill to bar ineffective and inappropriate trustees from acting as trustees will be tested if there are Kids Company-type scandals in future.

Nigel Huddleston (Mid Worcestershire) (Con): Is that not at the heart of the matter? The vast majority of people who work with, volunteer for or have leadership positions in charities across the UK generally do the right thing in their day-to-day activities. Through this Bill and other initiatives, we need to try to get the right balance between governance and allowing them to get on with doing the things that they really want to do.

Robert Jenrick: My hon. Friend makes the point perfectly. It is important to remember that the core activities of our charities are rarely questioned. They are usually performed incredibly well and incredibly sensitively and appropriately. The scandals and disappointments tend to come from the way the operation of our charities occurs. That is why it is incredibly important that trustees play their full role in managing, scrutinising and supporting those organisations, as do directors and non-executive directors of our companies.

The role of a trustee has to be at the heart of it all. The new Bill is important in that regard as the power to bar individuals who are not appropriate to be trustees and who bring charities into disrepute is incredibly important. I would be interested to know from the Minister how many trustees he believes that that would apply to in an average year. Will the difference be marginal, or will it be more significant? As for the question of preventing trustees from moving on, after damaging an organisation, to continue in many others, we all know that many people—many good people—are trustees of several charities and so, inevitably, the bad apples are also involved in many charities. We want to ensure that that involvement cannot continue.

The power to issue warnings to charities is important if the Charity Commission considers their actions to amount to misconduct or mismanagement. Of course, that must be done proportionately and the Charity Commission has not always acted proportionately on a range of other issues, including, as we heard from my hon. Friend the Member for Congleton (Fiona Bruce), the issue of the Plymouth Brethren. Had I been in the House at the time, I would certainly have supported that important campaign.

Many involved in the third sector have expressed concern that the Bill gives the commission the benefit of the doubt, but bearing in mind the importance of raising public trust in our charities, particularly the big ones, it is essential that we have a strong regulator with the tools to act. The Bill provides that.

I have some questions and thoughts for the Minister on the role of trustees. First, it is absolutely essential, as Kids Company showed—this seems a simple and obvious point—that a board of trustees contains the right range of expertise. That is stipulated within the guidance of the Charity Commission but, clearly, it does not always happen. In particular, that must include the right range of financial expertise. When charities reach a certain size, like our larger companies, they qualify to be in the FTSE 250. They are huge organisations and require individuals with genuine financial expertise and knowledge of financial controls so that they can scrutinise the organisation and hold it to account.

Fiona Bruce: I hear what my hon. Friend is saying, but my concern is, as the hon. Member for Clwyd South (Susan Elan Jones) mentioned, possible regulations for larger charities. My concern is how that is defined and that one might bring in the smaller charities. Does my hon. Friend not share my concern about the difficulty in attracting officers of charitable organisations, particularly to the role of treasurer, as my experience shows?

Robert Jenrick: I share that concern. We all know through the other organisations in which we are involved how difficult it can be to find good people, particularly younger people, as has been said, to act as trustees. Incidentally, the charitable sector is a lot more diverse than our corporate sector. About 40% of charitable trustees are women, and that figure is not the same in the corporate sector. It is important that we do not put people off from getting involved. It might be that the time has come when “one size fits all” does not work and that our largest charities, which uphold public trust and confidence in charitable giving more generally and which are very large—we are encouraging charities to merge and get larger—should be subject to far greater scrutiny and a different regime from the small ones that we all know in our constituencies and want to thrive.

Fiona Bruce: My hon. Friend is being very generous in giving way. Perhaps for the very small charities there needs to be some sort of Charity Commission kitemarked course that a would-be trustee can go on to ensure that they have the necessary understanding of the role required.

Robert Jenrick: My hon. Friend comes on to a point that I wanted to make. By the Charity Commission’s own reckoning, knowledge of governance rules and best practice is quite limited among our trustees. I do not blame them—they are busy people who are doing this voluntarily and we want to encourage that—but knowledge is quite limited. The awareness and knowledge of some of the guidance—for instance, CC3, which is “The essential trustee” guide—are quite modest. Surveys that the Charity Commission has put out to trustees of larger and small charities suggest that basic functions of being a trustee are not widely known by our trustees.

Anything that the Charity Commission can do to boost awareness without putting off our trustees is essential. I know that the Charity Commission takes that seriously, because I have spoken to it, but it needs to do something to boost that awareness and support trustees in a way that strikes the right balance between not deterring people and ensuring that they know what they are supposed to do. Some of the reports and surveys are quite scary when it comes to how few trustees understand their responsibilities, particularly as regards finance.
Kevin Foster: My hon. Friend is being extremely generous with his time. Does he agree that it is also important that we ensure that anyone who wants to do the best for their community or to support a good cause does not feel excluded from being a charity trustee merely because they do not have formal qualifications? It is important that the Charity Commission helps to build the skills they need, as I would not want to see trusteeship become a graduates-only zone.

Robert Jenrick: That is very important, but I do return to the theme of some of our biggest charities. They are major organisations dealing with hundreds of millions of pounds of not only the public’s money, through charitable donations, but the taxpayer’s money. I am nervous to dwell on the case of Kids Company, but its trustees had very little relevant expertise. One was a celebrity hairdresser—there is nothing wrong with that, but I do not expect that person necessarily to have expertise in running a major multinational business, as Kids Company had become. It is therefore essential that those organisations step up and have appropriate trustees. I would like this Bill and the Government to push our biggest charities to have those individuals.

I know that charities are now required in their annual return to confirm whether or not they have reviewed their financial controls. Clearly, that important lesson has come out of recent scandals, and such a provision is essential. Anything we can do to beef it up, without deterring the little guys, is essential.

Another issue is that, unlike as happens in companies, most trustees do not meet in mixed board meetings with their management, and so the interplay between the two is often limited. Those trustees who take their role most seriously and work hardest at it no doubt get to know the senior management of their organisation, but others do not and often rely, crucially, on the chief executive, who may be, as we have seen in other scandals, an overbearing founder. Such a person may be incredibly charismatic, powerful and knowledgeable about the organisation, but it is difficult to scrutinise them, stretch them and hold them to account. That is important, and our larger charities have started to have mixed board meetings involving executive and non-executive directors—I use the corporate setting there.

I would like the Government to think about the role of overbearing founders, because it is an incredibly important issue. Anyone involved in the charitable sector sees examples where someone who may be a brilliant individual founds a charity and then it gets out of control, as they become extremely difficult to scrutinise and perhaps the time comes when they should step aside or hand over to somebody else. Perhaps it would be appropriate for these individuals to have term limits, as we might have for a chairman of a public company, where they have to go through a rigorous procedure at the end of a certain term in order to be reappointed.

A number of our charities, even the largest ones, are riddled with conflicts of interest. We see trustees having friends and relatives employed in the organisation, and trustees sometimes getting benefits that are not appropriate. I do not think the Bill particularly deals with that issue, but it does a lot of damage and undermines confidence in the charitable sector.

Lastly, I wonder whether the Minister really believes that the Charity Commission has the capacity to regulate the vast number of charities. We have thousands of charities in this country, some of which are extremely complex organisations, as we have seen. Does the Charity Commission have the resources to do that work? I suspect it does not, a view shared by many in the sector. Some of our most experienced chief executives believe the time has come for some form of beefing up of the Charity Commission through self-funding, whereby the big charities, which are the holders of public trust and confidence, might contribute some money towards ensuring that trust in the wider sector is maintained through a Charity Commission that has the funding required to see that happen.

I know that the Minister wants to speak, so in conclusion, trustees are absolutely essential and those of our biggest charities are letting down the entire sector. Scandals such as what happened at Kids Company matter, because they are harming the small charities, which are the lifeblood of charitable giving. As a Member of Parliament, I have taken huge pleasure in getting to know and working with these charities in my constituency, and I know other Members feel the same. Those who hold those positions in the big organisations need to step up and behave as if they are non-executive directors of large and important organisations, which they are.

1.43 pm

Louise Haigh (Sheffield, Heeley) (Lab): This is my first time at the Dispatch Box responding to a Bill, so may I say that it has been a pleasure listening to learned contributions from hon. Members on both sides of the House? I would have liked a few more hon. Friends to be behind me today, but I assure the House that the fact there are not is not a signal of our disinterest but one of our wholehearted support of the Government’s objectives in the Bill.

This has been an important and helpful debate, and I congratulate all Members who have participated in it and everyone who has been involved in getting the Bill to this place, particularly our colleagues in the other place. We have had a small number of contributions, but fortunately this debate has been defined by its quality, not its quantity.

The hon. Member for Congleton (Fiona Bruce), who brings extensive experience in the sector, spoke about the difficulties in encouraging trustees to charities. She also discussed concerns about giving the Charity Commission the power to judge whether a potential trustee had committed misconduct and about powers to publish a warning notice, risking enormous damage to a potential trustee’s reputation.

The hon. Member for Edinburgh East (Tommy Sheppard) spoke about how the Bill cannot be viewed in a vacuum and should be viewed in the context that charities in our communities are increasingly being asked to do more with less, as the cuts, particularly those to our local authorities, bite further.

The hon. Member for Erewash (Maggie Throup) paid tribute to the many volunteers across her own community who respond to vital need, just as they do across all our communities. All of us will have fantastic charities that fill sadly much-needed demand in our
constituencies, but I will not put your patience to the test by listing all the ones in my constituency, Madam Deputy Speaker.

My hon. Friend the Member for Clwyd South (Susan Elan Jones) praised the charitable sector for developing the fundraising preference service, demonstrating the willingness of the sector to tackle issues highlighted by the Bill.

The hon. Member for Aldridge-Brownhills (Wendy Morton) spoke passionately about her experience of volunteering, the impact of small charities in her constituency and her own private Member’s Bill on supporting the renowned, fantastic work done by the Great Ormond Street Hospital Children’s Charity.

The hon. Member for Newark (Robert Jenrick), a fellow former corporate governance practitioner, spoke about how we must ensure that small charities do not pay the price for the mistakes of larger, misbehaving charities. He made reference to Kids Company, whose case has had ripple effects across the whole sector. I am glad that that charity has not dominated our debate today, because, as he said, it is an outlier, at best.

Today’s debate has provided a platform to debate the much-needed powers that will allow the Charity Commission to regulate the sector better, but first I wish to echo the feelings of Members on both sides of the House by saying that we know the special role charities play in our constituencies and in the country as a whole. As the Minister for the Cabinet Office and Paymaster General recently said, “the work charities do transcends politics and unites” this House. Britons donate billions of pounds per year, and very often it is those without a great deal donating what they can to the causes close to their heart or to those in need in the community around them.

Charities are also the vehicle by which many of us can try to make a difference for the communities in which we live. Figures vary, but the latest estimate is that nearly three quarters of us do some form of volunteering for charities at least once a year. To put it simply, the values and ethos of those nearly 1 million trustees who give their time to make our country a kinder and more interesting place are the best of Britain.

We know, therefore, that charities have a great deal of good will and public support. As my hon. Friend the Member for Redcar (Anna Turley) rightly said in opening for our side, they support our vulnerable and our sick and elderly, and give people the chance to change lives. With that in mind, it is vital that charities and their regulator have the appropriate powers to act in the extremely rare event that misconduct occurs.

As we have heard, deliberate wrongdoing in charities is extremely rare, but it is important that the regulator has the power to take robust action where it does occur. We know that the measures in the Bill to prevent trustees who are not fit to hold the position from serving as trustees are widely supported by both the public and charities themselves—this is simply common sense.

We therefore support Government moves to close the loopholes and strengthen the Charity Commission in this important respect. As Members across the House will know, the Charity Commission already has a wide range of compliance and enabling powers, but there are underlying weaknesses, including a limit on the commission’s ability to prevent and/or tackle abuse in charities. The powers the Charity Commission did have were not powers that we would expect a modern regulator to hold—they did not go far enough—so we welcome the strengthening of its powers.

In securing these new powers, we will enable the Charity Commission to regulate more effectively. We know that it is of the utmost importance that we are able to find the right balance between having good governance that gives people the confidence to support the sector and ensuring that charities have the freedom to be able to do what they do best—being brave in their determination to build a better society, innovating, responding to the challenge of today and tomorrow, and delivering effectively and with value for money.

As we have heard, the vast majority of charities and trustees act in the interest of their beneficiaries, but the poor governance and unscrupulous fundraising activities of a few undermines confidence in the whole sector. We therefore welcome this Bill, and we very much welcome the new social investment powers and powers to disqualify trustees. But we would not be an effective Opposition if we did not point out areas of room for improvement.

We are disappointed that the Government will seek to overrule the other place by removing clause 9, a vital amendment that protects charities from arbitrary rulings requiring them to dispose of their assets in contravention of their charitable purpose. I hope we can revisit that matter in Committee and that we can do so in the same cross-party manner of this debate.

A number of hon. Members have made good points on fundraising, on the very important protection of minority views, which we in this House should hold so dear, and on ensuring the balance between regulation and enabling charities to do good in their communities. I know that the Minister will have been listening closely to this debate. I hope that we can work together on a cross-party basis to improve this Bill at Committee stage. With that, I can assure the House that we are happy to support this Bill on Second Reading.

1.50 pm

The Minister for Civil Society (Mr Rob Wilson): I thank all hon. Members for their excellent contributions to this debate. Clearly, these issues are very important to them and their constituents. May I add my welcome and congratulations to the hon. Member for Sheffield Heeley (Louise Haigh) on her first outing at the Dispatch Box? I am sure that it is the first of many.

It is clear that the House has great respect and admiration for the good work currently being done by charities throughout the UK. I also know that hon. Members have much experience and expertise of charities in the voluntary sector, which was demonstrated during some of the speeches today.

There is also a strong desire to protect the privileged position that charities hold in the eyes of the public, as was demonstrated in the latest world giving index, which found Britain to be the most generous nation in Europe. We also have a strong, diverse and growing charity sector. Over the period of the last Parliament, the number of registered charities in England and Wales increased by more than 2,000 to 165,000. Their combined income has grown by more than £10 billion, and is now just short of £70 billion a year.
Before I address the remarks that have been made by hon. Members, let me take the time to echo a point that has been made throughout this debate. The vast majority of charities in this country do excellent work and are run by good, honest and generous people. They wish to help those most in need and make the world a better place. I particularly wish to pay tribute to charity trustees, without whose unpaid efforts there would be no charity sector. For their selfless passion and commitment, they have my respect and sincere thanks. However, their good work is threatened by a small minority who seek to abuse charitable status for their own ends. The Bill will help the independent regulator to take robust action against that small minority. By doing so, it will reinforce public trust and confidence and protect the reputation of charities as a whole.

The powers in the Bill have broad support from the charitable sector and the public. The charity commissioner has been involved throughout the process of developing these proposals. The sector has also been subjected to public consultation and pre-legislative scrutiny, both of which helped inform and refine the proposed powers.

Some have argued that the Bill would give the Charity Commission too much power, or that some of the powers are too broad. In response, I say that the Bill seeks to achieve a balance. The new commission powers need to be broad enough to make them useful. If they are too narrow they would be impractical and go unused or would leave loopholes to be exploited by the unscrupulous. Charities also need to know the circumstances in which the commission will use its powers.

Although this Bill achieves the right balance, I wish to draw the attention of hon. Members to a couple of key safeguards. The Charity Commission is subject to a general duty under section 16 of the Charities Act 2011. That means that the commission must be satisfied that the exercise of any of its powers would be in line with the principles of best regulatory practice, including that it is proportionate, accountable, consistent, transparent and targeted only at cases in which action is needed.

Fiona Bruce: I thank the Minister for drawing our attention to that section. It is a pity that it was not invoked when the whole interpretation of public benefit was being debated, and that the Charity Commission did not refer itself back to it then. My concern is that this Bill could be in force before there is a clear definition of non-violent extremism. The Government’s counter-extremism strategy says that this Bill would give the commission powers to disqualify trustees for wide reasons, including past conduct and a variety of other abuses, such as extremism. In the same strategy, there is also reference to non-violent extremism. Will the Minister address that point?

Mr Wilson: I thank my hon. Friend for her contribution this afternoon and her question. She raises some extremely important issues, with which I intend to deal in full. As she has asked, let me just deal with the public benefit and religion issue first. Religious charities play a hugely important role in our public life. Over 25% of registered charities have a religious purpose and are often working in some of the most hard-to-reach communities. The advancement of religion is one of the oldest charitable purposes, and there is no question but that it is under threat. There are more than 25,000 registered religious charities, almost all of which have no difficulty in demonstrating their public benefit.

My hon. Friend mentioned the Plymouth Brethren in her speech. Its case was an exception, and I am pleased that it was resolved in a sensible way, even though it took too long. I will come back to some of the other issues that she raised later in my comments.

All the proposed commission powers in the Bill have a right of appeal, in most cases to the Charity Tribunal, ensuring that there is independent judicial oversight of the exercise of the commission’s powers. There have also been some questions, notably from my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier), about the rehabilitation of offenders.

The Government believe that individuals with serious convictions should not be able to hold the position of charity trustee and have control over charitable funds and fundraising activities until those convictions are spent or a waiver from disqualification is obtained from the commission. The waiver regime exists to enable disqualified individuals who wish to be a charity trustee to apply to the Charity Commission for their disqualification to be overturned.

A waiver application would be considered on a case-by-case basis, and the Charity Commission would take into account the nature and seriousness of the conduct that had resulted in the conviction and consequential disqualification. A decision by the Charity Commission not to grant a waiver could be appealed to the Charity Tribunal, which would consider the matter afresh. That strikes me as a fair and proportionate system that on the one hand protects charities from individuals who present a known risk, and on the other hand provides for the rehabilitation of offenders and a way back into charity trusteeship on a case-by-case basis.

People have also raised concerns about the official warning power and the fact that there is no right of appeal to the Charity Tribunal. There is a right of appeal, which is judicial review. That is the same position as now, where the commission publishes its operational compliance case reports on non-inquiry cases that have attracted public interest and that highlight important lessons for charity trustees.

The Bill provides for a period of time to allow representations to be made in relation to an official warning, which the commission would be obliged to consider. There is then the option of judicial review. We consider that proportionate.

A right to appeal an official warning to the tribunal would be disproportionate and could tie the commission up in red tape, rendering the power impractical for its intended purpose. The last thing that we want to do is give the Charity Commission powers that it cannot use, and for which it could be criticised for failing to exercise several years hence. The Joint Committee that undertook pre-legislative scrutiny agreed that, with the appropriate safeguards in the provision, judicial review was the appropriate route for appeals.

Let me turn now to fundraising. I was deeply disappointed to see the extent of poor practices by large charities in relation to their fundraising. That matter was widely exposed by the media earlier this year following
the sad death of Olive Cooke. Since then, further damaging cases have come to light, and once again the reputation of charities has been put at risk by the actions of a small minority. Public trust and confidence in charities have not been this low since 2007, and charities now rank 12th in the list of most trusted institutions, below supermarkets and television and radio stations. Only 48% of people said they trusted charities.

In response to the fundraising scandals, we acted swiftly to amend the Bill in the other place to reinforce charity trustees’ responsibilities and accountability for the charity’s fundraising. Clause 14 will encourage charities to exercise greater control and oversight of those who fundraise for their organisation. It will ensure that there are proper processes for dealing with vulnerable people and will generally safeguard the public. Large charities will make this commitment public through their annual reports so that anyone can hold them to account for how they interact with them.

I asked Sir Stuart Etherington to conduct an independent review of how fundraising regulation could be improved to safeguard vulnerable people and better respect the public’s wishes about how and whether they are contacted. He was supported by a cross-party panel of peers. I have since accepted the review’s recommendations in full, and I am now encouraging the sector to move quickly and firmly to show that it gets the public’s anger and concern and is committed to making self-regulation work.

I also expect the sector fully to back the new fundraising regulator, both financially and through compliance with its rulings. In the past few weeks, I have announced that Lord Michael Grade has been recruited as the interim chair of the new body and will oversee the set-up and initial phase of operations. I am confident that he is the right man to lead this important task and that the sector will unite behind him to address these urgent issues and restore public trust in fundraising.

The new regulator will also host the fundraising preference service, a tool that will allow people to opt out of receiving fundraising requests and that will stop charities wasting resources on approaching those who do not wish to hear from them. A working group is currently being set up to establish how the service will work in practice. In addition to a simple reset button, there will no doubt be a few more nuanced options should people wish to opt into certain charities only. Crucially, it will provide everyone with a way to get off charity contact lists they no longer wish to be on.

Charities need to demonstrate that fundraising and its self-regulation can work in the best interests of the public. They will have the chance to do so at a summit tomorrow, when the next steps for implementing better self-regulation will be announced. I hope that this will be a constructive and collaborative meeting where charities show their commitment to the new self-regulator and to meeting the public’s expectations. Should they fail to do so, I stand ready to step in to safeguard the public and their trust in charities.

For that purpose, I will seek to add two reserve powers to the Bill: one to compel charities to sign up to the new regulator and a second to mandate the Charity Commission with regulation should the sector fail to rise to the challenge. I also welcome the commission’s revision of its guidance for charity trustees on fundraising, which it has published today. It reminds trustees of their duties and responsibilities in relation to fundraising, including the need to protect their charity’s reputation and that of the wider sector.

The Bill also provides support to social investment. As many will have seen in the autumn statement, the Government have shown a strong commitment to social investment, having invested £80 million to grow social impact bonds in the UK. For charity investors, the power of social investment enables them to increase their mission impact and sustainability by making investments that provide a financial return as well as furthering the purpose of the charity. Although most charities can make social investments under the current law, it can be complex and costly to do so. The new social investment power for charities in clause 15 was recommended and drafted by the Law Commission to overcome that complexity and reduce the costs of investment for charities. It was widely supported on consultation.

The UK is already recognised as a world leader in social investment, an area in which the Government have taken pioneering action. For example, we have set up Big Society Capital and stimulated the use of social impact bonds to deliver services to some of the most disadvantaged in society through initiatives such as social outcomes funds. With the power of social investment conferred on charities by the Bill, we take another step forward in building a sustainable social investment ecosystem.

I now turn briefly to interventions and speeches. My hon. Friend the Member for South West Wiltshire (Dr Murrison) asked about the transparency of direct debit fundraisers. Professional fundraisers are already required to state how much they are paid for asking the public to donate, but I would be happy to discuss the matter further in Committee. I was delighted by the contribution from the hon. Member for Edinburgh East (Tommy Sheppard), who spoke for the SNP and may well have set a precedent under English votes for English law: he said that the SNP would not be taking part in any other stages of the Bill. I hope that that precedent will now stand.

I thank my hon. Friend the Member for Erewash (Maggie Throup) for an uplifting speech and her comments about her inaugural volunteering day. I hope it sets a precedent for other MPs. It is great to see that that will now become an annual event, and I certainly wish it well. I also thank the hon. Member for Clwyd South (Susan Elan Jones) for supporting the fundraising preference service. For the sake of fundraising in the future, it is important that it works. I also thank my hon. Friend the Member for Aldridge-Brownhills (Wendy Morton), who told us the wonderful story about poppy knitting in one of her villages. It demonstrates the value of civil society and the contribution of charities. She is absolutely right that a small kindness can make a big difference.

For several reasons, legislating for a maximum trustee term does not appeal. The evidence is that 50% of charities are carrying at least one trustee vacancy, and we must be mindful that the role is a voluntary one. My hon. Friend the Member for Erewash mentioned the impact on small charities and made an important point about minimising the burden of regulation, as did the hon. Member for Clwyd South. We are keen to minimise the burden of regulation on small charities. For example, the new reporting requirement on fundraising in clause 14
[Mr Rob Wilson]

will apply only to charities with incomes over £1 million, and the new fundraising self-regulator will need to consider exemptions for small charities from the fundraising preference service.

My hon. Friend the Member for Newark (Robert Jenrick) made a strong speech that clearly set out how big charities were causing great concern for some smaller charities. It is certainly our intention to try to protect them. The Opposition raised concerns about campaigning. To be clear, charities cannot engage in party-political campaigning, and where they undertake any other types of campaigning to support their charitable purposes, they must avoid adverse perceptions of their independence and political neutrality. In addition, they must not embark on campaigning to such an extent that it compromises their legal status as a charity. The Charity Commission provides clear guidance, in CC9, about what is permitted. It makes it clear that charity law recognises that non-party political campaigning can be a legitimate activity for charities and sets out the general principles.

A concern was raised about whether the commission should be able to publish official warnings. Charities exist for public benefit and depend on public support, so there should be transparency and publication of official warnings when the regulator considers it necessary to intervene, unless there is a good reason not to publish them. There should always be an opportunity, though, to make representations about the factual accuracy of a statutory warning before it is published, and a process for representations is included in the Bill. Concerns were also raised about the scope of official warnings being too broad. We consider the scope to be right and clear. Under the Bill, a warning can be issued in respect of a breach of a statutory provision, breach of a commission order or direction or breach of a trust or duty.

I will turn briefly to the concerns about extremism raised by my hon. Friend the Member for Congleton (Fiona Bruce). Extremism or the terrorist abuse of charities of any kind is very rare but must be addressed to protect public trust and confidence in charities. Although it may not represent most of the Charity Commission’s compliance work, it represents a serious risk to public trust and confidence. The reforms proposed in the Bill are not specifically focused on counter-terrorism or extremism—they would enable the commission better to tackle all types of abuse of charity—so the Bill does not seek to define extremism, nor should it. Charities and their work can be an important protection against extremism. We have no intention, as I said, of undermining freedom of religion or freedom of speech, and the Bill has been certified as compatible with the European convention on human rights.

Susan Elan Jones rose—

Mr Wilson: I am going to finish there as I know that many Members want to get away from the Chamber today.

This Bill is about protecting charities and safeguarding their place in the public’s mind. It is about ensuring that charities will not raise funds in a manner that victimises the most vulnerable in our society, and it is about giving charities a new way to utilise their assets through social investment. Charities rely on the public’s trust and confidence. Abuse, where it happens, must be rooted out. These measures have broad support, as my right hon. Friend the Minister for the Cabinet Office said earlier: 83% of the public and 92% of charities support new powers being introduced for the commission.

Charities play a vital role in our communities and this Bill aims to bolster their position in the public’s trust and help them to continue the good works they have been doing for hundreds of years, continuing our country’s long and rich tradition of charity. On that basis, I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

CHARITIES (PROTECTION AND SOCIAL INVESTMENT) BILL [LORDS] (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A (7)).

That the following provisions shall apply to the Charities (Protection and Social Investment) Bill [Lords]:

Committal

(1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

(2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 7 January 2016.

(3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

(4) Proceedings on Consideration and proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

(5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

(6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

(7) Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed.

—(Sarah Newton.)

Question agreed to.

CHARITIES (PROTECTION AND SOCIAL INVESTMENT) BILL [LORDS] (MONEY)

Queen’s recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52 (1) (a)).

That, for the purposes of any Act resulting from the Charities (Protection and Social Investment) Bill [Lords], it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided. —(Sarah Newton.)

Question agreed to.
Mental Health: Out-of-Area Placements

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

2.12 pm

Norman Lamb (North Norfolk) (LD): It is a great pleasure to be able to raise a very important issue for debate, albeit three hours earlier than expected. It is good to see the Minister for Community and Social Care taking his seat.

I want to raise an issue of profound importance. It is a practice which I think is intolerable but which carries on every week of the year and probably every day of the year; the shunting of people around the country, sometimes a long distance away from home, at a moment of mental health crisis. Typically, someone at a moment of acute crisis would be taken into hospital but there would be no bed available for them, so they would be taken away somewhere else in the country. There are numerous stories of people being taken hundreds of miles away from home on a regular basis.

Such practice would never be tolerated in physical health services. Let us imagine, for example, someone who had had a stroke or with a heart condition being taken by ambulance and being told, “I’m sorry, there’s no room at the local hospital. We’re taking you to Cumbria from Norfolk.” It would be an outrage. It would be regarded as a scandal, so it does not happen—yet it happens every week of the year in mental health. I regard that as discrimination at the heart of our NHS and it is one of the very many examples of how people who suffer from acute mental ill health are disadvantaged by the system.

Incidentally, I make no criticism of any individual Government; this practice always happened, but there has been a rise in the number of instances, which I will come to in a little while. In many ways, someone suffering from mental ill health does not get the same right of access to treatment at a moment of need as someone with a physical health problem. If any of us in the Chamber stopped and thought about it for a moment, we would conclude that we cannot begin to justify that, and that there must be a programme designed to achieve genuine equality of access to support at that moment of need.

Mr Mark Williams (Ceredigion) (LD): I congratulate my right hon. Friend on securing this debate about an area in which he has done so much work to date. The debate is about out-of-area mental health placements, but does he agree that there is also a huge problem in some of the vast health board areas—in our case in Wales—where rurality is an important factor? For instance, the closure of the Afallon mental health ward in Bronglais hospital in Aberystwyth means that constituents of mine have to travel or be sent 50 miles away—not over the easiest terrain—to the Morfa’s ward in Carmarthen. There is a huge problem across the country, but there is a great problem in those great geographic areas too. I do not expect my right hon. Friend to comment on the details of the Welsh national health service, but I am sure the problem is replicated in English health areas.

Norman Lamb: I am grateful to my hon. Friend for raising that. He makes an extremely important point. I will come on to address it in more detail later.

There is, for example, evidence of an increased risk of suicide if people are treated a long way from home and family and friends who struggle to visit them. The idea of care close to home is incredibly important in mental health. We should, as far as possible, seek to care for people at home, not take them into hospital unless that is unavoidable. There are times when that is necessary, and as far as possible there should be a place close to home.

Mr Williams: I know that what I am about to ask is not a central point of my right hon. Friend’s debate, but does he agree that one of the unacceptable outcomes has been the increased use of the police and police cells for holding people overnight? That has been the situation in my constituency.

Norman Lamb: That is a shocking practice. I applaud my hon. Friend for the work that he has done on it in his area. The idea of putting someone who is suffering an acute mental illness into a police cell, which is defined in the legislation, unbelievably, as “a place of safety”, is bizarre and ought not to be tolerated. I am pleased that the Government have indicated an intention to legislate, in effect to eradicate the problem completely for under-18s and to make it an exception for adults. We managed to reduce the numbers in England by 50% in the past two years, which was considerable progress, but we need to go much further and bring an end to an unacceptable practice.

It is interesting that where local passion and drive exist, amazing things are possible. In our capital city, London, last year around 20 people in total ended up in a police cell, whereas in Sussex the number was over 400. That demonstrates that with real drive from both police and mental health services, practices can be changed and people’s lives can be made better. My hon. Friend is right to persist with the issue in Wales, just as I have tried to do in England.

Kevin Foster (Torbay) (Con): I congratulate the right hon. Gentleman on securing the debate and on the work that he has done to bring the issue to the fore. A police cell should be for someone charged with a crime, not for someone who is unwell. Does he agree that to some extent the problem could be overcome with better co-ordination? I had a case in my constituency where a local treatment unit was full so a person was placed in Maidstone. We then discovered that there was someone from Maidstone in the local treatment unit in Torbay and arranged a swap.

Norman Lamb: Such a story makes one weep and leaves one feeling that there is a degree of incompetence somewhere. I will come to that point. Much of what I want to see happen can be done by better organisation, rather than by providing more money. I strongly believe that we need more investment in mental health services, but a lot can be done just by organising things much better.

Tom Brake (Carshalton and Wallington) (LD): Will my right hon. Friend commend the work that South West London and St George’s Mental Health Trust has done with a number of local authorities in the area, including mine? The police work with a nurse, to ensure that if the police are dispatched somewhere where a
person has a mental health problem, there is someone who is able to assess them immediately and ensure that they go to a place of safety, as opposed to going to a police cell.

Norman Lamb: Absolutely. My right hon. Friend is talking about something called street triage—I am sure that the Minister is familiar with it—which we introduced in many areas of the country over the past two to three years with a bit of pump-priming grant. Some pioneering areas, such as Leicestershire, just went ahead and introduced it before the national pilots started. The evidence is dramatic. Where we have that collaboration between the police and mental health services, with a nurse embedded in the police team, we achieve amazing results. We completely reduce the number of people being taken in under that legislation, because the nurse can find alternative solutions or provide care at home. Where it is necessary to take somebody to a place of safety, the numbers having to go into police cells falls dramatically. That innovative work was very much part of the crisis care concordat that I pioneered when a Minister, the aim of which was for the first time ever to set standards in mental health crisis care.

Mr Mark Williams: It would be wrong not to acknowledge in my area the Dyfed-Powys police and how the health board has embarked on such an initiative. My right hon. Friend will acknowledge that areas such as mine face the challenge of rurality and making those services available where they are needed. There is still a fear that all too often the need is not met.

Norman Lamb: I agree. My own county of Norfolk, with its widely dispersed rural communities, suffers from the same challenges. Sometimes having a nurse in a car with a couple of police officers does not work in a big rural area. However, we can do other things, like having a nurse embedded in the police operations room so that whenever an issue arises they can speak immediately by telephone or, if necessary, get a resource to the scene. Depending on the geography, there are ways of dealing with those challenges. We need to be much smarter in doing that. I applaud the innovation across the country.

Our whole approach in the crisis care concordat was rather different from the traditional Government approach, which is sort of to impose a straitjacket. The crisis care concordat said, “These are the principles. You come up with your plan for implementing them, working with the police, mental health services and the local authority, in a way that works for your locality.” That generated the most amazing degree of innovation across the country, and real progress has been made. Although I initiated it, I have enormous admiration for the people on the ground who got on and did it. It was inspiring.

Tom Brake: Will my right hon. Friend give way?

Norman Lamb: I will give way, but then I really ought to make some progress.

Tom Brake: I want to return to the point my right hon. Friend started with. We had an issue in Sutton where the mental health facility is based on what had been the Sutton hospital site—it was shut down mainly because Legionnaires’ bacteria were discovered. Patients now have to travel to Springfield hospital. As we see more people being treated at home, which is what we want, and therefore fewer people in acute crisis, how does he deal with the fact that, because hopefully fewer people will need to be treated in specialist centres, there is likely to be a smaller number of them?

Norman Lamb: My right hon. Friend makes a good point. Again, it means that we need to think afresh and innovate. The third sector has been very good at coming up with concepts such as crisis houses, where at quite low cost a facility can be provided in a locality where someone can go at a moment of crisis. They therefore might not need a formal hospital admission, and it might be a much more therapeutic place to be as they get through their crisis. I recently visited the Hertfordshire Partnership NHS Foundation Trust, which, in addition to crisis houses, has host families that someone can go to be with, if that is appropriate, for a week or however long is necessary. That might be exactly what is needed, rather than the cold, clinical environment of a hospital ward. That sort of innovation is what we need in order to ensure that we have services that meet patients’ needs.

I want to share with the House the testimony of a constituent who has experienced an out-of-area placement. It has been anonymised, for obvious reasons, but it is very powerful none the less. It is quite shocking. It reads as follows:

“I was admitted to accident and emergency at Norfolk and Norwich Hospital on a Wednesday afternoon, following a suicide attempt. I regained consciousness the following day, having been transferred to the Acute Medical Unit, and it was quickly decided that I needed to be admitted to a mental health ward.

I had previously been on Glaven Ward at Hellesdon.”

That is the mental health hospital in Norwich. My constituents continues:

“At this point I was very woozy, suffering from a dangerously low mood, and angry that my suicide attempt had failed. I was at grave risk of making another attempt on my life. Throughout the Thursday and Friday efforts were made to find a mental health bed.”

That is what happens in the system.

“My parents were frantically trying to find out what was happening, as they were desperate for me to be looked after locally. For a time we were told that I would be going back to Glaven Ward at Hellesdon, but the news kept changing between there and a unit in London.”

London is between 120 and 130 miles away from Norwich, and further away from my constituent’s home.

“I was expecting to go to Hellesdon on Friday morning, but we were then told later that day that I would be going to south London. During the Friday, I twice walked off the ward and out of the hospital, without my absence being noticed, and went down to the Watton Road”—which is near the hospital—

“with the intention of walking in front of a bus or a lorry. The main reason I didn’t go through with it was that I did not want the vehicle to swerve into an oncoming car and cause death or injury to someone else.

Meanwhile, my parents resorted to contacting the crisis team, as they could not get any information from the bed team. A member of the crisis team took responsibility for finding out what was happening and he was able to let me and my parents know that I would be transported to south London later that Friday evening.

Finally, after more uncertainty”—this is really shocking—
“two men arrived to take me to London. At 10 pm, feeling suicidal, frightened and confused, I got into the back of a private ambulance (which was no more than a pretty austere minibus) and was driven away from the Norfolk and Norwich Hospital. Throughout the three-hour drive, I was spoken to just once by one of the two men, and felt more like a prisoner being transported than a patient.”

That is the way our NHS deals with someone who is acutely ill. It is really shocking. It ought not to be accepted. My constituent went on:

“At 1 am, by now completely disoriented, I arrived at the front door of the mental health unit in south London. After lots of knocking at the door, someone answered, and I was handed over with a quick ‘good luck’. I was booked in and shown to my room. I felt isolated and scared. My room was nice, but the unit felt like a prison. The internal doors were like cell doors, and there was a tiny outdoor area, fringed by a high fence with spikes on the top. It was a mixed ward, both in terms of sex and in terms of illness: people with depression and anxiety were alongside those with psychosis, personality disorders and acute problems.”

It is really shocking that a whole load of people with completely different conditions were thrown together like that. It is probably the least therapeutic environment imaginable. That is about containing people, not caring for them, and it ought to be a thing of the past.

Mr Henry Bellingham (North West Norfolk) (Con): I had a similar case in King’s Lynn, although I cannot go into it because it ended in tragedy, with the individual committing suicide, having previously made an attempt. Does the right hon. Gentleman agree that it is absolutely essential in such cases that there is proper monitoring and supervision of the individual, whose life is obviously at risk during such an episode?

Norman Lamb: It is absolutely critical that that happens—not only monitoring but proper treatment. As I will go on to describe, that is not what happened in this case.

The constituent continues:

“The following morning, I had a meeting with my named nurse. Extraordinarily, it was the only real conversation I had with him until I was discharged back to Norfolk 10 days later.”

That is not therapeutic care—it is neglect. I have asked whether there are any contractual requirements on the private provider who provided that “care” and received a substantial sum of money for it. I have been told that it was understood that there would be therapeutic care but no apparent requirement that that should be undertaken in return for a substantial amount of public money being spent on his care. He goes on:

“The care was unacceptable. It felt as though I was being kept in a holding facility, and my mental health deteriorated, with my suicidal thoughts increasing. In stark contrast to Glaven at Hellesdon, the staff were holed up in an office with a heavy steel door that you couldn’t see into. I was being checked up on every 15 minutes, as I was a suicide risk.

But I rarely had a conversation with a member of staff. My parents came down from Norfolk twice to see me, and were horrified by what they encountered—both the level of care and my deterioration. They were constantly contacting Norfolk and Suffolk mental health trust to try to get me moved back to Hellesdon. The stress made them both ill.”

That shows the impact there is on families as well. He continues:

“Thankfully their persistence paid off, and after 10 days, I was told that I was going to be recalled. I had a brief period of uncertainty, as I didn’t know whether I would be going to Hellesdon, King’s Lynn or Great Yarmouth.

Eventually, I was told it would be Glaven at Hellesdon, and I got into a taxi with a member of staff and was driven from south London to Glaven Ward.

When I arrived there, I cried, mainly through relief. I was greeted with compassion and understanding by the staff, and—after 10 wasted and expensive days—my recovery finally began.”

That experience, sadly, is repeated day in, day out across the NHS. It is a scandal that it continues. One of the things I will put to the Minister when I conclude is that I want his commitment to end this practice, because it is intolerable that it continues in this day and age.

I mentioned cost. An analysis has been done by the national confidential inquiry into suicide and homicide by people with mental illness, which, having looked at 29 providers, says that the cost of out-of-area placements went up from £51.4 million to £65.2 million in 2014-15. That is an extraordinary amount of money to spend on an unacceptable practice, demonstrating that with smarter use of the resources available it should be possible to bring that practice to an end.

The national confidential inquiry also found that being treated out of area increases someone’s risk of suicide. The pattern is most apparent in England, where suicides by in-patients and patients recently discharged from hospital have fallen, although suicides following discharge from an out-of-area ward have increased. The annual number of suicides after discharge from a non-local unit has increased from 68 in 2003-07 to 109 in 2008-12. Experts have warned that mental health patients are at the highest risk of taking their own lives in the first two weeks after being discharged from hospital, and these figures confirm that. When we are talking about a risk of people actually losing their lives, surely we have to see the absolute importance of bringing this practice to an end.

I want to refer to a recent report by the Independent Mental Health Services Alliance called “Breaking Down Barriers: Improving patient access and outcomes in mental health”. It says that we must prioritise something that I have argued for consistently—the introduction of comprehensive waiting time standards in mental health so that someone with a mental health problem has exactly the same right of access to treatment as anyone else. It also says that people who end up in an out-of-area placement, sometimes a long way from home, get “lost in the system”; they are almost forgotten about. They are away from the commissioners and the normal provider, and they can sometimes languish in these centres for far too long. That, again, is completely intolerable.

The report also refers to the problem of delayed discharge. It says:

“We have found that between 2013/14 and 2014/15, the average number of days of delayed discharge per month for trusts providing mental health services increased by 22.2 per cent. This indicates that delayed discharges are having an increased impact on patients’ access to appropriate care.”

In other words, if beds are clogged up by people who are ready to leave and go home or to go to another facility, but they cannot because nothing else is arranged for them, then someone else at a moment of crisis cannot get access to a bed and is shunted off, sometimes to a place a long way from home. That is a completely unacceptable practice.

The report refers to children and young people’s mental health services. The Minister will be particularly aware of the acute concern about children being shunted
off, often to places hundreds of miles away from home—an intolerable practice. I know that that has happened in the south-west, where there has been a particular shortage of beds for children. A team within NHS England undertook an inquiry that came up with recommendations for eradicating that problem. The taskforce’s report, “Future In Mind”, which we published shortly before the general election, pointed to the absolute need to care for people close to home and to have better crisis support to avoid admissions where possible. Yet the practice continues, and it must be a priority for the Minister to bring it to an end.

One of the things that “Future In Mind” sought to address is the perverse incentive that exists in the system with the awful tiering of care within children’s mental health services. If a child is put into tier 4 from tier 3 because it is judged that they need more acute in-patient care, then the financial responsibility for their care is transferred to NHS England. There is therefore an incentive for local commissioners to push them into the top tier, which is precisely the opposite of what ought to be happening. We ought to be focusing our incentives on preventing deterioration of health, not shunting people into the most acute care, too often away from home. Imagine what it must be like for the parents of, say, a 14-year-old child who is taken to a unit 100 miles or 200 miles away from home. It is really shocking, and I hope that the Government will feel the need to commit to eradicating that practice as quickly as possible.

When the issue came to my attention as a Minister, I asked my officials to provide me with data to find out what was happening around the country. I was confronted by freedom of information requests by campaigning organisations and by news reports of shocking things that were happening in the system, but I had no information on which to base my own judgment. I was told by the officials that they did not collect data on the issue. The Government are operating in a complete fog, and we have to rely on campaigning organisations to make inquiries under the Freedom of Information Act 2000.

Incidentally, I urge the Minister to use what powers of persuasion he has to argue against undermining the Freedom of Information Act. At the moment, a process is under way that runs the risk of doing precisely that. It seems to me that freedom of information is a really important way of holding the Government to account.

I was faced with having no information or data on that practice, so we initiated a process to collect such data. We have now collected those data. They are still in experimental form, but they are better than nothing. The data show that there is extraordinary variation around the country. That brings me back to the point that this is about not just extra money, but good practice. It is about learning from areas of best practice. We now discover that many mental health trusts have no out-of-area placements, but they are funded in broadly the same way as those in areas that have a persistent and unacceptable problem.

There is a three-month delay before the data are published, so the latest data are those from the end of August, but 2,198 people were in out-of-area placements at that time. We are not entirely clear about whether the drift upwards is caused by the collection of more data or by a worsening of the problem. I do not want to draw the wrong conclusion from the numbers, but they certainly do not appear to be going down.

I want to raise with the Minister the issue that the data are incomplete because some private providers refuse to return data. Under their contractual dealings with the NHS, they are obliged to return those data. When I was a Minister, I raised that matter with officials and with the information centre. Surely, it is completely unacceptable. I have no difficulty with a good private provider providing a good service, but they must absolutely play by the same rules as everybody else.

Tom Brake: To return to my right hon. Friend’s earlier point about freedom of information—in fact, there is a case for extending it—is it not right to ensure that private companies doing public work are covered by FOI in exactly the same way? That applies to the health sector, as well as to many other sectors.

Norman Lamb: I agree. There should be a level playing field, which there is not at present. We now have the unacceptable situation that data are incomplete because some private providers refuse to play ball. That leaves one suspicious, because if they do not provide data about how many people are held, it is impossible to hold the system to account or, indeed, to hold such private providers to account. The Minister must find a way to hold those providers to account and to ensure that they return the data they are obliged to provide.

A horrific number of people are still sent a considerable distance away from home. In August, 501 people were sent more than 50 km away from home. Surely that practice is intolerable, given what I have said about the increased risk of suicide, the fact that it does not provide therapeutic care and that it can lead to someone being confined for 10 days at enormous cost to the public purse. It seems to me that this is the most outrageous misuse of public money.

There are areas where that problem is persistently at its greatest. In August, the Devon Partnership NHS Trust had 45 people in out-of-area placements. The caveat is that we do not know precisely where responsibility lies, and whether this is a commissioning or a provider issue. However, that is the local provider, and one would normally expect such people to be in a bed provided by the local provider. The figure of 45 people means that significantly more than one person a day is shunted more than 50 km away from home, which is outrageous.

Mr Bellingham: Has any analysis been done of whether the families have been contacted in such cases? It is incredibly important that one strand of support for these patients is through their families. What percentage of cases involve families being informed, having given permission for the patient to be moved?

Norman Lamb: We do not have that information—the data are very basic—but that matter is crucial. I imagine that communications often fall down when urgent referrals to another location take place.

I would raise another issue about families. If they have to visit a loved one 50 km or 100 km from home, just imagine the cost involved. Members in the Chamber—
any of us could be in this situation—can afford to visit a loved one, but many people cannot do so. That is another reason why the situation is intolerable.

Kevin Foster: It is very interesting to hear the right hon. Gentleman’s statistics on my own area of Devon. It is important to get to grips with the issue for the reasons he has mentioned. He raised the point about communications in the example of the expensive round trip from Devon to Maidenhead. In many cases, families may know where their loved one will go, but the reality is they are presented with a choice: “Your loved one needs treatment—this is where it’s going to be. There is not much you can do, other than trying to mitigate all the impacts in the best way you can.”

Norman Lamb: Such a situation leaves the family feeling desperate, guilty that they can do nothing to help their child or loved one, and powerless to do anything. That is similar to the case of Josh Wills, a little boy with autism, who lives in Cornwall. He was placed in a specialist unit in Birmingham, so we can imagine the journey his parents had to make every week. He was there for more than three years, and when I was the Minister, I had to intervene personally to get the commissioners to London to try to sort out the case. Josh is now back in Cornwall, but it took far too long for that to happen. Such cases must put families under intolerable pressure and strain.

I should mention the areas where the problem is at its worst. In the Lancashire Care NHS Foundation Trust, there were 30 cases in August. Again, that is one a day. In the Kent and Medway NHS and Social Care Partnership Trust the figure was 30, in West London Mental Health NHS Trust it was 25 and in Birmingham and Solihull Mental Health NHS Foundation Trust it was 25. Again, there is the caveat that we do not know where the responsibility lies, but we should all accept that the practice is not acceptable and has to be brought to an end.

The data focus on non-specialist beds. There will be cases, just as with physical health problems, where a patient needs specialist input and where a referral to a specialist hospital, such as Papworth in the case of a heart condition, is appropriate. However, non-specialist beds and services should surely be provided closer to home. So we got these data together and they now allow us to hold the system to account. As well as establishing the dataset, we got Monitor and the Trust Development Authority to do, to use the jargon, deep dives into a number of organisations, both good organisations and those with a bad record of out-of-area placements, to get a better understanding of what was going on. When they reported back to me, their conclusion was that this problem ought to be solvable.

That is the important point for the Minister. It is not that this problem is something we would all love to solve but find it impossible to do. It is achievable, but it requires drive, ambition and determination to see it through. If I may, as an ex-Minister, I will offer a bit of advice to the incumbent. It is no good saying that we need to make incremental progress to reduce the numbers. We need to establish the principle that this practice is not acceptable. Someone in a mental health crisis who does not require specialist care should not be sent away from home, full stop. This is not a difficult issue. It should become what in the NHS is known as a “never event”—it should never happen. If we know that there is a link between this practice and an increased risk of suicide, how can we tolerate it?

The Minister has to set the objective of ending this practice. I understand that it will take time. Back in March, I wanted to see it end by the end of this calendar year. I now recognise that that is not now achievable, but I set the objective of ending it within 12 months. That is achievable, provided that there is drive, ambition and purpose to make it happen.

A related issue is that of money. I have made it clear that I totally sign up to the importance of doing things differently and making better use of resources to achieve good results for people. However, investment is needed in mental health. In the negotiations in the run-up to the March Budget, my right hon. Friend the Member for Sheffield, Hallam (Mr Clegg) secured £1.25 billion of extra investment in children and young people’s mental health services for the five-year period of this Parliament. In year 1, the amount that ought to have arrived on an equitable division of that £1.25 billion was £250 million. The amount that was made available was £143 million, which means there is a shortfall.

We were told that that was because we were part way through the year, we had had the general election and we needed to make sure that the money was spent effectively. I sort of accepted that explanation, but I have since heard from reliable sources that there was a land grab going on and that money was taken away from children and young people’s mental health services to prop up the finances of acute hospitals, for example. I urge the Government to make good the shortfall in future years.

On 13 October, the Minister helpfully reconfirmed that the full £1.25 billion would be spent in this Parliament. I call on him to repeat that commitment today. It is critical that the extra investment that was confirmed in the Budget in March is stuck to. It is a matter of good faith by the Government and I would like to hear that confirmation. I also think, incidentally, that we should make good the shortfall in year 2 because, just as with the rest of the NHS, frontloading the money to invest in change is the best way to use the resources that are available.

I will move towards the end of my contribution, which has been rather elongated owing to the additional time that is available. I will end by asking specific questions of the Minister. I would be grateful if he addressed each of them directly this afternoon. If he is unable answer any of those questions directly, I would be grateful if he wrote to me as soon as possible and responded to them directly.

First is the issue of principle. Does the Minister accept that this practice is intolerable? I am not talking about specialist beds; I am talking about non-specialist beds where someone at a moment of mental health crisis, or in other circumstances, is shunted around the country—a practice that would never be tolerated in physical health. Secondly, will he commit to ending that practice completely within 12 months? Will he make it a “never event”? Thirdly, will he personally drive that change, because I know from experience that that is necessary? He needs to be on the case constantly to ensure that the system responds to that moral imperative.

Fourthly, will he ensure that all providers provide the data that their contracts oblige them to provide to the information centre? Anything short of that is completely...
The data are still in experimental form, and information centre notes state that they provide a “reference point” for a more accurate measurement in the future. There must therefore be an evolution to get to a point where data around the country are completely accurate, so that providers and commissioners can be held to account. Will the Minister commit to ensuring that the experimental data are turned into final-form data that we can all rely on?

Finally, will the Minister reconfirm his total and absolute commitment to ensuring that £1.25 billion of additional investment is spent on children and young people’s mental health services this Parliament? Will he commit to sticking with the vision that we published in October last year and to introduce comprehensive maximum waiting time standards? I did that work—which led to the publication of that document—in collaboration with the Secretary of State, and he was incredibly helpful in supporting me to get that published. The vision was clear, and it recognised that until we have comprehensive waiting time standards for mental health, just as exist for physical health, we will not get equality of access to treatment. An essential principle in a publicly funded service is that all people must have the same right to receive evidence-based treatment on a timely basis. As I have said, will the Minister write to confirm any specific point that he feels unable to deal with this afternoon?

2.58 pm

The Minister for Community and Social Care (Alistair Burt): We have been fortunate in having rather longer than we normally get for an Adjournment debate, and that has allowed the right hon. Gentleman to speak at greater length about some of the issues affecting the historical imbalance between mental and physical health, with particular emphasis on out-of-area mental health placements. I congratulate him on securing this debate, and I am delighted to respond to it.

I thank other hon. Members who have contributed to this debate, including the hon. Member for Ceredigion (Mr Williams), the right hon. Member for Carshalton and Wallington (Tom Brake), and my hon. Friend the Member for Torbay (Kevin Foster), and for North West Norfolk (Mr Bellingham). My hon. Friend the Member for Halesowen and Rowley Regis (James Morris), who chairs the all-party group on mental health, has dropped in as part of his responsibilities in the House, which I welcome. I also welcome the Whip, my hon. Friend the Member for Truro and Falmouth (Sarah Newton).

Before I come on to respond in more detail, let me make one or two general remarks. The right hon. Gentleman referred right at the beginning to the long-standing nature of some of these problems. These issues have not arisen in the past six months. They have been here—Government in, Government out—for some time. The coalition Government made huge strides in recognising the importance of mental health and drove forward some of the changes that needed to be made. It is certainly clear that part of my responsibilities now is to pick up on that and to build on it.

If I may just make reference to the right hon. Gentleman for a moment, I think his key achievements include: the expansion of psychological therapies; the reduction in the use of police cells for people experiencing a mental health crisis; introducing the first access and waiting time standards; and piloting the sense that there has to be parity of esteem. Those achievements absolutely underpinned what I came in to find in the Department. The intractable nature—or at least intractable up to now—of some of the problems has been graphically illustrated by the right hon. Gentleman’s passionate expression today of some of the things he was not able to do during his time as Minister. They set the baseline for what I hope to do. He asked for a personal commitment to drive forward the changes. Absolutely. The bar has been set quite high.

As the right hon. Gentleman and others have mentioned, what has puzzled me most since being in office is the variability of practice. How is it that in two areas side by side with exactly the same resources there will be one that has a set of procedures in place to ensure that good treatment is provided, while in another that is not the case? It is not always about resources, but management and leadership. I have been puzzled by why there is so much variability.

There is another puzzle that is very pertinent to what we are talking about today and to which the right hon. Gentleman referred: the perverse incentives in the system. Treatment costs are split between local authorities and the NHS. They seem to be based not on what is in the best interests of the patient, but on what suits the budget best. Now, none of us are naive. We all know this goes on. However, his description of the letter from his constituent, which I know about because I responded to him about it this week, illustrates the impact on the individual of decisions that people make for perverse incentive reasons—perhaps relating to budget, if that was one of the reasons. I am interested, as he is, in why there is such variability between areas. Some areas seem to have very few out-of-area places and others do not.

I hope to be able to deal with all the right hon. Gentleman’s questions, but before I do I want to put a few points on the record. The Government’s commitment is clear. We have given the NHS more money than ever before for mental health, with an increase to £11.7 billion last year. We have made it clear that local NHS services must follow our lead by increasing the amount they spend on mental health and making sure beds are always available. In the spending review and autumn statement, we announced an additional £600 million for mental health over the next five years to increase psychological therapies, crisis care and perinatal mental health. This reaffirms our commitment to achieving parity of esteem for mental and physical health.

In perinatal mental health services, for example, I want to ensure that women are able to access the right care at the right time, and close to home. I know that provision of specialist perinatal mental health services varies across the country. Some women have access to excellent care and support, while there are serious gaps in provision in other areas. Women suffering the most severe and complex perinatal mental illnesses need access to specialist in-patient mother and baby units, and good quality community support care in the area where they live. There are currently 15 units in England—I understand that the number fell by a couple from between 2010 and 2015—but NICE estimates there is a UK shortfall of between 60 to 80 mother and baby unit beds. That is why we announced in the March Budget that the
Government would invest an additional £75 million over the next five years, £15 million a year, to support women suffering from mental ill health in the perinatal period. NHS England is leading a work programme to ensure that this extra money is spent in the right way at the right time and in the right places. The right hon. Gentleman’s work has made that base. I give him as much assurance as I can that in the areas where he set the work in progress, that work is going to continue; in places where the work is going slowly, it will be challenged; and in places where he was not able to make the progress he wanted to make, I set myself the challenge to do just that. I do not have to worry an awful lot about freedom of information requests because I will get the questions from him and from a number of hon. Friends and colleagues who have grasped how important this issue is.

Let me return to the source of the debate. I greatly appreciate the work that the right hon. Gentleman put in train earlier in the year with NHS England and mental health provider organisations to understand the pressures that lead to people being sent away from home for treatment that should be available locally. This has helped to provide a picture of the scale of the problem with a much better profile. We know that the principle should always be for care close to home in the least restrictive setting. It is not acceptable for people to be travelling for miles when they are acutely unwell.

I know about the case that the right hon. Gentleman raised because I dealt with it this week, and I agree with him that some of the attitudes expressed by some of those responsible for people’s care are just not good enough. It cannot be acceptable and it cannot have been acceptable to listen too little to those who are in care or who are being cared for when they have made complaints about treatment. I am well aware of the problem—I am occasionally chased on Twitter about it—and I say to one or two of the groups that I am looking carefully at occasionally chased on Twitter about it—and I say to them as human beings. Is the Minister prepared to make sure that those statutory groups, including the CCGs, have really got a grip. I am keen to pursue that.

Mr Bellingham: Does the Minister agree that there is something fundamentally unsatisfactory—and, indeed, wrong—about moving someone late at night unless it is absolutely necessary for medical and clinical reasons?

Alistair Burt: Yes. It seems very puzzling that that should be a regular practice, if it is. That should not be the case. Of course there are all sorts of different pressures on the system, and it would probably not be appropriate to say that it should never happen, but, in principle, people who are in a state of anxiety should be moved with the maximum care, at the time that is of greatest benefit to them and their health needs.

As I was saying, it is not acceptable for people to be travelling for miles when they are acutely unwell. It is not also not acceptable for staff to be spending time phoning around to find beds for their patients.

Let me return briefly to the impact of social media. A couple of weeks ago, I read in a tweet from a frustrated doctor—I hope he will pick up on today’s debate—that on that particular day no bed had been available for a woman anywhere in England. Along with the hon. Member for Liverpool, Wavertree (Luciana Berger), who had raised the matter with me, I made inquiries and found that that was not technically true; beds were available. The response from the doctor was, “You may be technically correct, Minister, but it is very difficult to find them”, and the results of my inquiries suggest that that is true. We need to establish a better system of identifying beds that may be available, because that too is part of the problem. People should not be spending time looking for beds. I have an idea about that, which I shall mention later in my speech.

I had to tell the clinician that I did not think that, technically, what he had said was true. However, I recognise that for those who are in the business of finding beds for people, it should not be as difficult as it appears to be, and I want to establish what we can do to help.

We know that the need to place people out of area, away from home, family, friends and networks, is a “warning sign” of a mental health system that is under pressure, and we know that no one wants to spend scarce resources on sending people out of area. However, we cannot look at out-of-area treatments in isolation,
because they are part of the mental health acute care pathway as a whole. I welcome the interim report of Nigel Crisp’s commission, which was set up to review the provision of acute in-patient psychiatric care for adults, and I look forward to reading his final report and recommendations early in the new year.

Lord Crisp’s interim report made it clear that—as I am sure the right hon. Member for North Norfolk knows—the situation is more complex than a shortage of beds. We know that there has been a long-term reduction in the number of psychiatric beds in England, but the report suggests that in many areas there would be enough beds if improvements were made to other parts of the system and integrated, community-based services were commissioned. That very point has been made this afternoon in relation to the variability of practice. The report also made it clear that the so-called bed crisis, or admissions crisis, is a problem of discharges and alternatives to admission, and can be dealt with only through changes in services and in the management of the whole system.

As the right hon. Gentleman pointed out, that can be done, as has been demonstrated in a number of local areas. Sheffield, for example, has almost entirely eliminated adult acute out-of-area treatments, and has reduced average bed occupancy to 75% by redesigning the local system. That has included investing in intensive community treatment, and working in partnership with housing. In the right hon. Gentleman’s own constituency, Norfolk and Suffolk NHS Foundation Trust has begun to reduce its historical problem of out-of-area treatments through a combination of investing in more acute adult beds and working with commissioners to develop community and crisis resolution services.

I understand that the independent Mental Health Taskforce has spent some time discussing these issues. I hope that its report, which will be published in the new year, will be an important driver for improving mental health services over the next five years, and will address many of the key issues raised in Lord Crisp’s interim report.

Norman Lamb: Can the Minister confirm the likely publication date of the taskforce’s report? I think he said it would be in the new year, but can he give me his best estimate of a specific date? Also, I would like to acknowledge that the Norfolk and Suffolk NHS Foundation Trust has made real progress. The number of people being sent out of area has come down significantly, and that needs to be recognised.

Alistair Burt: I am grateful for the right hon. Gentleman’s comment about his trust. My understanding is that the taskforce’s report will come through very shortly. I am not sure whether it will be done this month or by the start of next month, but it is imminent.

I appreciated the right hon. Gentleman’s kind remarks about the Secretary of State for Health. The Secretary of State has already agreed an action plan to tackle out-of-area treatments for adult acute in-patient care. Where out-of-area treatments are a problem, local areas will be asked to put in place clear action plans demonstrating how they can reduce out-of-area treatments, in the best interests of patients, during the course of 2016-17. Now I come to one of the right hon. Gentleman’s challenges.

Building on this, I intend to go further and put in place a national ambition to address out-of-area treatments. I will do this in consideration of the Crisp commission and the taskforce report, and I will communicate details of this ambition by the end of March 2016—that is, by the start of the next financial year.

I want to wait and see what Lord Crisp and the Mental Health Taskforce say and then consider exactly what the ambition should be. Should it be an ambition for complete elimination? Should it provide a much tighter variation? I want to see those reports before I set the ambition, but I will set it, and the targets, and come back to the right hon. Gentleman and the House before the end of March next year to communicate those decisions. I hope that helps.

I also commend the right hon. Gentleman for recognising the need to improve mental health crisis care and for launching the mental health crisis care concordat, which we have discussed today. This debate has given us an opportunity to talk about variation in practice, the quality of street triage and the fact that we can do different things in different areas. I saw the work being done in Bradford, for example, where the mental health practitioner is located in the control room, as opposed to being on the street. The galvanising of local groups to work together by giving them the responsibility of doing the job has been absolutely vital. The way in which we are reducing the number of people detained in police cells is a clear example of how that process is working.

The Government are equally committed to reducing out-of-area mental health treatment for children and young people. In-patient child and adolescent mental health services—CAMHS—admission is a relative rare event. At any one time, however, there are approximately 1,300 children and young people from England in CAMHS in-patient services. Services themselves are usually subdivided into different specialties, such as eating disorder units or low secure units. That means that it is highly challenging to provide complex care in all areas, and on occasion, some children and young people may need to be referred for specialist treatment at a distance from their home, if that is in the best interests of their care. However, we are committed to ensuring that that is as rare an event as possible, and much progress has already been made.

Norman Lamb: One of the recommendations from the taskforce that NHS England established to look at tier 4 services, at the number of beds required across the system and at the variability of the services was that treatment should always be contained within a region—in other words, that no child who lives in the south-west should ever go out of the south-west for treatment. I cannot remember where the child from Torbay had to go—

Kevin Foster: Berkshire.

Norman Lamb: Indeed. Is the Minister going to stick to that? Is he going to ensure that that is the objective, and will he monitor it to ensure that he meets it?

Alistair Burt: As much as possible, absolutely, yes. There will be occasions when very specialised treatment has to be given, and that will on occasion be outside the
area. But apart from that, absolutely. We want to provide care that is appropriate to people in a place that is closest to where they are, as much as possible.

In 2014, NHS England published the tier 4 CAMHS review. This found a relative shortages of beds in some regions, meaning that some children and young people had to travel long distances to access a bed, owing to an uneven distribution around the country. As the right hon. Gentleman knows, there was an immediate response to this: £7 million in additional funding, taking the total number of beds now to 1,440, the highest number there has ever been. In addition, NHS England has introduced new national protocols for referrals and discharge, and a new “live” bed monitoring system to make the best use of existing capacity. I am interested in whether that capacity has reference and relevance to the adult acute beds, and could it make the job of my friend the clinician doctor that bit easier?

But while these measures have helped in the short term, we want to build on this progress still further and ensure long-term, sustainable improvements. In January this year, NHS England commenced a comprehensive review of the procurement and commissioning of inpatient beds. The aim of this is to establish the long-term requirements for inpatient services and ensure quality, sustainable services are commissioned in the right place, based on population need.

It is not enough simply to provide more and more beds. In order to ensure that improvements are sustainable, we need to improve the community-based support we offer to children and young people. This is at the heart of the vision set out in “Future in mind”, and we are determined children and young people have easy access to the right support, from the right service, at the right time and as close to home as possible.

Key to achieving this vision are the local area transformation plans now being put in place. CCGs have been asked to work with NHS specialist commissioning teams responsible for inpatient services in the creation of these plans.

I have two final points. I have been interested in what data are available and what are not, and I answer a number of questions by saying, “The data for these are not collected centrally.” I am looking hard at each and every one of those questions, asking, “Are there occasions when we should be doing more on the data?” There is a lot still to do, but I entirely take the right hon. Gentleman’s point.

On data, we are looking at the limitations. The right hon. Gentleman was right to talk about the problems in getting this dataset right, but, again, I am on to that; it is essential, and I will take the challenge of driving and moving on that data.

On providers, the responsibility seems to come down to CCGs. It is unacceptable that private providers do not submit data. Some have more started submitting since the summer. It is the responsibility of CCGs, who have the contractual levers, and need to use them. That is not good enough; if we need this information, we need this information. I am going to look at whether the CCGs are using those contractual levers, and if not, why not. If they are not, and a sanction can be applied, we will apply the sanction. That information is necessary, and I am going to do this. The right hon. Gentleman is absolutely right on that.

On the principle in respect of determination, I will come back to the right hon. Gentleman by March next year and set out the national ambition. Do I commit to ending the practice completely? I do not know yet, because I want to get the result of the commission. It is right that it should be reduced to an absolute minimum. I want to know technically whether it is possible to eliminate it, or whether that would actually not do the job that is necessary. I want to see what the commission has to say.

Will I drive these changes? Yes, I will. Will all providers provide data? Yes, they will. Will I commit to the £1.25 billion? Yes, I will. I have said that enough times in enough places to make this a very difficult Government commitment to slip away from. It is over the course of the next five years, but I am happy to repeat that.

Norman Lamb: I am grateful to the Minister for his patience in allowing me to intervene again. I am conscious that there is a risk that the shortfall in the first year is made up in 2020 or something like that. Because of the principle of frontloading to invest in change, it would be incredibly helpful if we could get the commitment to make good the shortfall in 2016-17. Can he commit to doing that?

Alistair Burt: There are things I can do and things it is unwise to take a flyer on, standing at the Dispatch Box.

Norman Lamb: You can try.

Alistair Burt: I will try, but we need to make sure all the money is used sensibly. There are a lot of pressures on the system, and I am trying to be as bold as I can without being foolishly bold and saying things just for the sake of it. I understand the importance of this £1.25 billion. I have spoken about it a great deal; I want to see it all used. I am not responsible entirely for the timescale, but I understand the right hon. Gentleman’s point and I suspect it will come up in the Opposition day debate we have next year.

I will talk to the Secretary of State about the right hon. Gentleman’s last point about comprehensive maximum waiting times. I will see where we can go further and include it in a comprehensive letter to the right hon. Gentleman.

I hope that this has been helpful. I am delighted that we had extra time to cover the ground. I am pleased to take up the challenge to do some of the things that could not be done in the past few years, and I will do my best to live up to the expectations of the House, as expressed by a number of Members today.

Question put and agreed to.

3.25 pm

House adjourned.
James Berry (Kingston and Surbiton) (Con): I beg to move, That the House sit in private. Question put forthwith (Standing Order No. 163). The House divided:

Ayes 0, Noes 51.

Division No. 140] [9.34 am

AYES

Tellers for the Ayes:

Kevin Foster and

James Berry

NOES

Ansell, Caroline

Bacon, Mr Richard

Boles, Nick

Bottomley, Sir Peter

Brokenshire, rh James

Brown, Lyn

Burrowes, Mr David

Cairns, Alun

Campbell, rh Mr Alan

Coffey, Dr Thérèse

David, Wayne

Dudbridge, James

Efford, Clive

Ellison, Jane

Eustice, George

Field, rh Mark

Gamier, Mark

Glass, Pat

Goodwill, Mr Robert

Hayman, Sue

Hinds, Damian

Hoare, Simon

Hollobone, Mr Philip

Hopkins, Kris

Huq, Dr Rupa

Kirby, Simon

Lammy, rh Mr David

Mackintosh, David

Tellers for the Noes:

David Morris and

Julian Knight

Question accordingly negatived.
across the country that autumn, including the Broadwater Farm riot in London, showed similar violence and destruction.

Twenty-six years later, a series of riots, starting in Tottenham and spreading across much of London and then into other major cities, were a horrible reminder of just how fragile public order can be. The August 2011 riots left many vulnerable communities counting the cost of some of the worst and most destructive public disorder in a generation. The human and social cost was immeasurable, nowhere more so than in the senseless murder of Haroon Jahan, Shahzad Ali and Abdul Musavir, who were deliberately run down while trying to protect their community in the Winson Green area of Birmingham.

Here in Greater London we saw horrific images of the Reeves furniture store burning down. This family run business had been built up over years, but it was destroyed in minutes. The image was broadcast all over the world and it continues to haunt us. Elsewhere around the country, large cities experienced similar destruction, with businesses destroyed, property wrecked and dreams up in flames.

In the heat of the riots, many people were surprised to learn that, under current legislation, responsibility for compensating victims of riots lies entirely with local police forces. The legislation dates back to 1886 and is basically a consolidation of legislation going back to the 18th century, so the word “current” does not seem entirely appropriate. The system requires police forces—the Metropolitan Police Authority, the common council of the City of London and, elsewhere in the country, police and crime commissioners—to pay out millions of pounds in riot compensation, much of it to large businesses and insurance companies, while lacking the flexibility to respond effectively and promptly to the needs of individuals and small businesses that need their payments, and need them quickly. Against a background of tight budget constraints, potentially limitless liability for police forces is unfair and unsustainable.

James Berry (Kingston and Surbiton) (Con): I thank my hon. Friend for promoting the Bill. If the police are to be held liable for the acts of third parties—of rioters—would it not be fairer for the victims to have to prove that the police were themselves at fault before compensation could be paid out of the public purse?

Mike Wood: I will respond to my hon. Friend’s intervention in more detail later in my speech. Although I have some sympathy for that argument—the causes of riots can be extremely varied and in many cases they are not the direct result of police action or inaction—I think there are both principled and practical reasons to maintain the current principle of strict liability. One such practical reason is that, if someone is unable to afford insurance and has suffered losses during a riot, it is very unlikely that they would have the means to bring a court action to establish that the police had been negligent and thereby claim damages through the usual legal means.

Mr David Burrowes (Enfield, Southgate) (Con): My constituency was a victim of the riots in 2011, when there were huge disturbances on the streets of Enfield. For some businesses in my constituency and in Enfield North the problem was not just liability and who would pay, but the time it took to be paid. The delay was an ongoing victimisation of those businesses and their prospects of continuing. Will the Bill help to improve the decision-making process and lead to such businesses getting the money they deserve?

Mike Wood: A key purpose of the Bill is indeed to have a more effective, streamlined and clear mechanism or procedure to enable those businesses and individuals to get the compensation they need within the timeframe necessary to make a difference in getting their lives and businesses back on track.

In 2011, the coalition Government responded to the riots by agreeing to cover the costs incurred by the police in compensating homeowners and businesses under the Riot (Damages) Act 1886. That was one part of the package that the then Government announced in response to the scale of the destruction suffered in some of our major cities. I am sure that Members on both sides of the Chamber recognise the importance of the creation of a high street recovery fund immediately after those riots, which helped local communities to decide for themselves on measures, specific and relevant to their area, that would get their high streets back on their feet. However, we cannot necessarily rely on future Governments choosing to underwrite police force liabilities or investing additional moneys in rebuilding areas hit by riots.

Julian Knight (Solihull) (Con): This issue is not just about the riots of 2011; many other localised riots have led to very extensive and expensive bills for local police forces. For instance, the total bill for the rioting in Bradford in 2001 amounted to £450 million, even though it was a localised riot.

Mike Wood: I fully agree. In the region we both know best, the west midlands, there were the Handsworth riots in 1985, which I have already mentioned, and of course the riots in the same part of Birmingham in 1981 and 1991. Such localised riots have a huge impact on the local community, and cause huge cost to businesses and individuals directly affected.

We need to act now to build a new compensation system that works. As my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) said, that system needs to be fair to the people and businesses affected by riots and fair to the taxpayers who, ultimately, will always foot the bill.

In the wake of the 2011 riots, work was conducted by the independent Riots Communities and Victims Panel, which looked at both the root causes of the disturbances and the prevention of future riots. Other studies were conducted specifically to examine the response of the police. Although the Government have done a lot of valuable work on the causes and the immediate responses to the riots, now that we have had time to reflect on and learn from those terrible events, it is right and necessary to ensure that the current legislation is updated to make it fit for the 21st century and to enable the victims of riots to be adequately compensated.

Recognising criticisms of the limitations of the 1886 Act, the Home Office undertook an internal review, and my right hon. Friend the Home Secretary then commissioned
The Bill makes much-needed changes to address those concerns, while still supporting households and businesses affected by rioting. Although, as I have said, I accept the arguments for retaining the principle of limitless liability for riot damages, I do not accept that we can continue with limitless liability. Whether through police budgets or central Government, the public purse cannot be expected to pick up costs that are the reasonable responsibility of private insurance.

The Bill proposes to end the unlimited compensation afforded through the 1886 Act. Instead, it will set a cash cap, set at the appropriate level of £1 million, on each individual claim. The Government determined in their early review that if such a cap were in place in 2011, 99% of the claims made after the riots would have been compensated in full, but the limit would have saved the public purse tens of millions of pounds in compensation for the very largest claims.

As prudent homeowners, most people hold some form of insurance for their property. The same is true of most business owners. In the most recent cases, more than 80% of the compensation has been paid as reimbursement to insurance companies. Despite that, measures to cap compensation have been supported in principle by their largest representative body, the Association of British Insurers.

Antoinette Sandbach (Eddisbury) (Con): Clearly, property values will differ throughout the country, and many members of the public do not read the fine print in insurance documentation. What is to stop insurance companies excluding riot from their cover? If that does happen, what will happen to those who suffer losses greater than the ones mentioned in my hon. Friend’s Bill?

Mike Wood: Of course we recognise the difference in property values around the country, but we have to accept that basic responsibility for buildings insurance, and indeed contents insurance, needs to be with private insurers. I would certainly hope that we can work together with the insurance industry to make sure that there is a fair response so that the premiums that most people believe they are paying to cover them for damage, however it is caused, really do cover them.

These new provisions are not just about saving money; they are also about improving and modernising the claims process. The short timescales in the old Act for submitting and evidencing a claim were not feasible for many potential claimants. The original 14-day period was extended to 42 days under the Government’s emergency amendment for the 2011 riots. Those riots demonstrated that the period was not long enough in certain cases. Many homes and places of business were inaccessible because they were designated crime scenes. In the most recent cases, more than 99% of the claims made after the riots would have been paid within 42 days.

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Mr David Lammy (Tottenham) (Lab): Does the hon. Gentleman accept that the areas that experience riots are often the most deprived in our country? In those communities, increasingly, particularly in London—in the constituency of my hon. Friend the Member for Croydon North (Mr Reed), and certainly in mine—many constituents speak English as a second language. I can think of a constituent who had a heart attack after the riots. Forty-two days is still a very short time after experiencing shock of this kind.

Mike Wood: I recognise the right hon. Gentleman's point. It is important that alongside any new legislation and regulation we have the co-ordination at a community level to support the people he mentions, who, as he says, are often in our most vulnerable communities.

The basis for switching from old-for-old to new-for-old is one of basic fairness for riot victims. It cannot be fair for them to be expected to engage in extensive negotiations on the book value of a three-year-old dry cleaning machine as was the case in one claim in 2011, and then to have to search for such a machine at the specified price just at the point when they are trying to rebuild their homes or their businesses. A new-for-old system is already used in most private insurance policies, and it would mean that victims could set about the important business of getting their lives, homes and businesses back on track.

Mr David Nuttall (Bury North) (Con): My hon. Friend is right to say that new-for-old replacement will be welcomed by businesses that are affected by a riot, but often the most worrying and biggest problem for such businesses is the consequential losses that arise from that destruction and loss of property. Will he explain why those losses will not be covered, and why they are expressly excluded?

Mike Wood: As my hon. Friend says, the Bill would explicitly restrict a police force's liability to direct losses, and it would exclude the consequential losses to which he refers. This is a question of fairness and affordability, because the potential impact on the public purse would be enormous should the riot compensation scheme be extended to cover full consequential losses.

Mr Nuttall: There is a cap, so any claims would be limited and caught by that cap. Bearing in mind that that exclusion exists, does my hon. Friend agree that it is extremely important that all businesses—especially small businesses—are made aware of the limitations of the Bill, and the need for them to take out insurance to cover otherwise uninsured losses?

Mike Wood: My hon. Friend makes an excellent point, and businesses need to do as he suggests. This is about what private insurance should reasonably cover. Although direct losses tend to be relatively easy to quantify, consequential and other indirect losses can be more difficult to quantify, and they cause much more difficulty for public authorities when assessing and paying for them.

Mr Nuttall: I am grateful to the hon. Gentleman for giving way again. His point about new for old is incredibly well made.

There are many small business owners in areas that have experienced riots. I think of my area in particular, which is unfortunately one of the few areas of the country to have experienced two riots in a generation. Those small businesses are under-insured because of the cost of insurance, which is because those areas have had riots. Unless we want such areas to be completely boarded up, like cities in the States such as Detroit, we ought to think carefully about consequential loss. We should not place further insurance burdens on the private sector. After all, the fact that a riot has occurred is not the fault of a business.

Mike Wood: Many insurance policies already have business disruption cover, and focusing on direct losses, with a fair cap of £1 million, will allow businesses or individuals to reclaim quickly the significant sums that they need to get back on track.

Julian Knight rose—

Mike Wood: I give way to my hon. Friend, who knows a lot more about this.

Julian Knight: Does my hon. Friend hope, as I do, that if the Bill moves forward today it will encourage the industry and the Association of British Insurers to engage further with business owners and make them through no fault of their own? Does he also agree that not many people would have been aware of the Riot (Damages) Act 1886 until after the 2011 disturbances?

Mike Wood: My hon. Friend is right, and in conversations I have found that a surprising number of right hon. and hon. Members from across the House were similarly unaware that police forces bear those liabilities. We should be under no illusions that most members of the public are much better informed.

Let me return to the principle of switching to a new-for-old system. From the perspective of public finances, much of the additional cost of such a change can be expected to be offset through savings on spending on the loss adjusters needed to calculate second-hand values. It is much simpler and more efficient to assess the cost of a new replacement product, which is why so much of the insurance industry has moved to such a process.

Mr Steve Reed (Croydon North) (Lab): Was the hon. Gentleman referring to the case in Croydon North of Mr and Mrs Hassan? They had recently bought a dry cleaning business with old dry cleaning machines. It was burned to the ground, but because they were offered only like-for-like funding they could not re-establish their business or get their livelihood going again. They went into serious arrears and were threatened with the loss of their home because they could not pay the mortgage. Surely that is unacceptable and needs to change.

Mike Wood: The hon. Gentleman puts his constituents' case far better than I could, and he is absolutely right. New for old makes sense—it will save time and make the process simpler, fairer and less labour-intensive for local police bodies.

Mr Lammy: I am grateful to the hon. Gentleman for his comments. Does he know a lot more about this?

There are many small business owners in areas that have experienced riots. I think of my area in particular, which is unfortunately one of the few areas of the country to have experienced two riots in a generation. Those small businesses are under-insured because of the cost of insurance, which is because those areas have had riots. Unless we want such areas to be completely boarded up, like cities in the States such as Detroit, we ought to think carefully about consequential loss. We should not place further insurance burdens on the private sector. After all, the fact that a riot has occurred is not the fault of a business.
aware of such things as business disruption cover? In addition, they could make them aware of the Bill’s provisions.

**Mike Wood:** That is precisely what I have been calling on the ABI and other insurance bodies to do leading up to today’s debate.

I turn to the Bill’s provisions on a riot claims bureau. It sets out that the Secretary of State may assume responsibility for managing riot compensation claims. That is appropriate if rioting spreads across more than one police force area, as it did in 2011. It may also be appropriate at the request of a local policing body, particularly in one of the smaller police force areas, should the volume of compensation claims prove challenging to manage and be beyond its capacity. It is not about taking away local policing bodies’ financial autonomy. It is merely about providing capacity, consistency and additional oversight where necessary.

**Mr Steve Reed:** I am grateful to the hon. Gentleman for being so generous with his time. He mentions compensation being paid to victims. Is he aware that when local communities came together to raise and distribute funds to support businesses, families and individuals who had been financially affected by the riots, those funds were then deducted from the more official compensation payments? Does he agree that that was completely wrong and went against the intentions of people who generously donated to help their fellow citizens recover from the terrible circumstances in which they found themselves?

**Mike Wood:** I would certainly hope that money raised to support local communities would be used for that purpose. Of course, we would want to avoid double compensation, with damages being repaid twice so that people were not just put back in an equivalent position to before the riots but received additional payments on top of that. I do not think that that would be appropriate. I do think that after a riot money should be retained more at a community level and invested in rebuilding community cohesion.

The structure of a riot claims bureau would include, in its running and financial decision making, a role for a police and crime commissioner or equivalent, or their designated representative, as well as insurers and loss adjusters. The Bill would allow local policing bodies to place the day-to-day management of claims into the hands of experts in the loss-adjusting profession. That is clearly a better alternative to expecting police forces to retain such responsibility in-house. Companies already have the capacity available to manage major insurance-related incidents, as has been seen in their response to major weather-related events. Moving responsibility for the management of the process to those who understand it best would allow police and crime commissioners to utilise fully industry experts, while retaining full control of the financial decisions for which they are democratically accountable.

The Bill provides, for the first time, cover for some motor vehicles. Understandably, motor insurance and damage to motor vehicles was not considered in the 1886 Act. It is time, nearly 130 years later, to address that. Most insurance companies cover riot damage in comprehensive motor vehicle policies, the type held by the overwhelming majority of the country’s motorists. The Bill would not seek to replace that coverage. The intention is to provide compensation for motorists not covered by comprehensive insurance. Where the vehicle is held in accordance with the law, it would be covered under the Bill: it would cover third-party claims that meet basic minimum legal requirements for insurance, or vehicles that are exempt from requirements for insurance.

**Kevin Foster:** My hon. Friend is being extremely generous in giving way. Does he agree that part of the reason for updating the legislation is to address its core purpose, which is to compensate those who might lose their business and equipment? In the modern era, as opposed to 1886, many people will have their tools and their business based in a motor vehicle.

**Mike Wood:** My hon. Friend is absolutely right. In fact, I wonder if he has read the next passage of my speech. The Bill is indeed about creating a safety net not only for vulnerable people but small businesses and the self-employed.

The purpose of the compensation scheme is not to pick up unlimited bills related to criminal activities, but to provide a vital safety net. We should recognise the serious implications for communities recovering from major public disorder. They include many of my constituents who work in Birmingham and were affected by the 2011 riots and earlier riots. It is the role of Government to protect the most vulnerable and ensure they are not unduly disadvantaged, whether at home or operating their businesses. It is not reasonable to expect a statutory compensation scheme backed by the taxpayer to provide the same coverage as insurance for which one pays considerable insurance premiums. Since 2011, the Government have done significant work on the causes and effects of the riots, but it would be wrong to hand over millions of pounds of public money to individuals and businesses that should have insured themselves against losses, and likewise, insurance companies that benefit from the premiums paid by millions of households every year should not expect the public purse to indemnify them against limitless losses.

The Bill would allow for a balance between the responsibility of the police to maintain order and the responsibility of the Government to protect the vulnerable and make adequate provision for insurable risks. It would retain the principle that the police are responsible for maintaining order, provide that local accountability remains in place and ensure that communities have the right mechanisms in place to recover quickly from serious disorder. It seeks to make an outdated 19th century Act relevant to the world in which we live, and to create a fairer, faster and more affordable system. I commend it to the House.
several times before giving up and scurrying off. Helen, who had had warning through the grapevine, told me recently that, at 5 pm, she was on her way back from Peppa Pig World, when she was given a tip-off that rumours were circulating on Facebook. That shows the modern nature of the 2011 riots. She could not believe it. She thought, “Why Ealing? Why us? I don’t believe this.” The same sentiment of incredulity also hit Ravi and Amrit Khurmy, of Ealing Green local store, who said that the word of mouth was that something might happen.

Both were small businesses into which the proprietors had sunk everything they had, and both, like Ealing itself, were rocked by the 2011 riots. Sadly, the initial prophecies became a reality. Both received a phone call itself, were rocked by the 2011 riots. Sadly, the initial propositions became a reality. Both received a phone call from the company that maintained the alarm system, saying, “Something’s up. Can you come?”, and both from the company that maintained the alarm system, saying, “Something’s up. Can you come?”, and both returned to scenes of destruction and carnage. Mr Melville said it was like something out of a zombie movie: “28 Days” comes to Ealing—is that the one?

Dr Huq: Sorry, I am not into zombie movies. It was Mr Melville’s example. They found cars burning and other such things one does not expect to see in Ealing. Bang & Olufsen closed early, as a precautionary measure, but even so, the glass was shattered and the footage attracted many millions of views on YouTube. Ravi found his store in flames. The London fire brigade was in attendance for 24 hours. It was not just the shop; there were flats above as well.

The Bill attempts to redress some of the imbalances in the current legislation and revamp the compensation provisions, as the hon. Member for Dudley South (Mike Wood) described. The existing legislation is on the aged side, if that is not too much of an understatement. Very few statutes—very few anything—dating from 1886 continue completely unaltered today. It was a time when Queen Victoria was on the throne, and I think both Lord Salisbury and Gladstone had turns at being Prime Minister that year. A house dating from 1886 would at the very least have needed a bit of updating: a lick of paint, central heating and other mod cons. Riots in the UK are, thankfully, relatively rare, but the legal framework needs to be brought into the 21st century, as the hon. Member for Dudley South said.

A lot of people called the riots of four years ago the social media, high-tech riots. Some commentators even likened them to the contemporaneous Arab spring, which I think is going a bit far—the riots in Tunisia and those countries had a different cause. To pursue the parallel, if we were updating an 1886 house in line with what the legislation needs, we would need several coats of paint, not just a lick of paint, and total rewiring and heating, with a new boiler and radiators. The cumulative effect is that it becomes too much of a job to stick with the existing structure, so we do need new legislation. It makes perfect sense, and I congratulate the hon. Gentleman on bringing the Bill to the House today, because we need to bring that Victorian legislation kicking and screaming into the present day.

Ealing council’s riot scrutiny panel report from 2012 stated that over 1,000 999 calls were made on 8 August 2011, many of which went unanswered. The report states that there was damage to 100 shops and businesses and that “one supermarket burnt down”—Ealing Green Local, which I referred to. It took 18 months to reopen. It now has half its original footprint and has been rebranded as a SPAR. When the riots happened, I was cowering indoors watching Twitter, but I remember going the next day and seeing an Edwardian turret from the roof structure of that building being lifted away by crane. It was quite surreal.

Ravi outlined what happened in the aftermath and told me what he would like to see in future riot compensation legislation. He said that the insurers had paid out, but that the process was painfully slow. He reckoned that his claim was accelerated somewhat because he knew someone on the inside. That should not be so: we should be a nation above corruption in those things. He pointed out—the hon. Member for Bury North (Mr Nuttall) also made this point—that consequential loss should be covered as well. Ravi said that, at present, compensation covers only fixtures and fittings, whereas he would like loss of earnings to be included.

Ravi’s other point was that the role of the council was relatively limited. Ealing’s report said:

“Feedback on the Council was very positive—the payment of £1,200 was delivered promptly, and the named officer had been in frequent contact with advice and support.”

That is what the council said.

Mr Steve Reed: If Ealing is the queen of the suburbs, Croydon is surely the king. There was another role for councils, in the receipt of riot recovery funds. Croydon council—run by the Conservatives at the time—received more than £20 million from the Greater London Authority, spent half of it in an area that was not affected by the riots and left the rest in a bank until the GLA tried to claim it back. Does my hon. Friend agree that there should be a bigger role for communities and victims in overseeing how such funding is spent, so that the worst affected areas can recover faster?

Dr Huq: My hon. Friend makes an excellent point. He anticipates what I was going to say about the Ealing example, but he is correct that these decisions should be taken at a local level.

Ravi said that the council was very good initially, but that “after 18 months their door was closed.” He also praised police actions after the event, but recognised that their role too was limited. His was a flat with a shop beneath, and both were subject to an arson attack, as in probably the most extreme case, which was in my hon. Friend’s constituency—or was it in Croydon Central?—with the famous picture of the girl jumping out of the burning building.

Mr Steve Reed: That was at Reeves Corner in Croydon Central.

Dr Huq: He’s not here, is he?

Mr Reed: No, Gavin Barwell is not here.

Dr Huq: Never mind. Not to worry.
Madam Deputy Speaker (Mrs Eleanor Laing): Order. We cannot have conversations between Members. If the hon. Gentleman is intervening, that is absolutely fine, but we cannot have a running commentary between Members.

Dr Huq: Thank you, Madam Deputy Speaker. I will continue.

Now the place is half the size and split into two units, although the takings are thankfully back to normal. As my hon. Friend the Member for Croydon North said, further follow-up financial support should be considered at local government level. I have not found any measure proposing that in the Bill, although perhaps I have not looked at it closely enough. Ealing council’s panel report said that larger sums were available in subsequent phases—£157,426 of allocations in total.

I accept that the problem with these sorts of events is that they are unforeseeable. Nobody would have guessed on 7 August that this would have happened by 8 August: these things occur out of the blue. We are living in a time when local government budgets are being squeezed like never before, so I would be interested to hear how this Bill fits with local government provision. Ealing is losing £96 million in this parliamentary term.

Clause 8 sets the limits for damages at £1 million, as the hon. Member for Dudley South described. Disappointingly, however, subsection (2) states that the “compensation must reflect only the loss directly resulting from the damage” to the property and “not…any consequential loss resulting from it.”

That is disappointingly short of what Ravi and others said would have made a real difference. Perhaps in extreme cases such as these, an agreement could be reached with the insurers for a limited amount more. It need not all come as a burden to the public purse, as some allowance could be made for special cases.

Mike Wood: I certainly understand the hon. Lady’s point on behalf of her constituent, but will she recognise that the independent reviewer specifically considered the issue and concluded that extending the scope of the Riot (Damages) Act 1886 to cover consequential losses would be a step too far currently and might leave the door open for far greater liabilities?

Dr Huq: I thank the hon. Gentleman for his intervention. I would feel happy if this issue were addressed to some limited extent. One would expect the Association of British Insurers to be on the side of the insurance industry, but it has found this aspect left wanting in this legislation—it could perhaps be explored at future stages.

David Morris (Morecambe and Lunesdale) (Con): I declare an interest as a commercial business owner and property owner. Most insurance companies insure the buildings and the contents separately. That may not be under discussion in this context, but normally claims for buildings damaged through rioting as separate from contents claims.

Dr Huq: I am talking about loss of earnings. The store owner, his wife and two kids had to live off their savings for 18 months. It is an extreme case: 18 months is not the norm, and riots are not the norm. We do not usually expect these occurrences. Let us hope they never happen again.

Helen from Bang & Olufsen remarked that the shop front had not been smashed. The video was shared so many times because people were saying that the rioters had been defeated, along the lines of “Hooray: victory against the rioters”. In the end, she faced a bill of £10,000 for the glass splinters. High-end products were involved, as expensive televisions behind the glass were also damaged. Helen’s point was that a cheque had to be written from the firm’s business account, which caused a problem for cash flow afterwards. She said that she had sunk all her savings into the business, which had been open only for six years, and when it started there was a massive recession. The hit to cash flow to pay the glazier was huge. She suggested that a temporary loan would have been helpful in that instance. It was a frightening time for her: she had a little kid and a second one was on the way.

Mr Steve Reed: It was not just Reeves Corner that was affected. Nine businesses and 40 flats were destroyed in London road, west Croydon. Some of the businesses had to continue to pay mortgages or rents on properties that had been destroyed, which is enough to put businesses or individuals who are not wealthy in severe financial difficulty. Does my hon. Friend agree that riot compensation should apply to those who have suffered serious losses of that kind?

Dr Huq: That is an excellent point. There were the headline cases that got all the attention and went viral, but I believe that the proprietors of many small Asian shops in the London road have been waiting a long time to be compensated. I am not sure whether they have received any compensation yet. We may focus on the headline cases, but these are all tragic stories.

Simon Hoare (North Dorset) (Con): I understand that local authorities have discretion to deem domestic and commercial properties exempt from council tax and/or business rates in the event of, for instance, floods, fires or riots. Authorities are aware of those powers, and should use them to help people.

Dr Huq: I believe that the hon. Gentleman is right, but local authorities live in ever more straitened circumstances, and are trying to do more and more with less and less. I am surprised that the Bill does not mention that, and I should be interested to hear from the Minister what provision will be made for it in future legislation.

Helen also referred to “just the amount of time it took and the amount of paperwork to submit.” I understand that the Bill would simplify such processes. Claims can, of course, be made online nowadays, although that was obviously not a possibility in 1886. The Kingham report, to which the hon. Member for Dudley South referred earlier, recommended that the processes should be speeded up, observing that “none of the police authorities had any experience of claims handling” or of the demands, “or the resources to meet it. They also had to cope with legislation written 125 years previously”.

My right hon. Friend the Member for Tottenham (Mr Lammy) mentioned language difficulties. Those difficulties are compounded by the archaic language to be found in a lexicon that was used in 1886.
The Ealing report commented that the public had been reassured by the fact that shops and businesses remained open—that it was business as usual. I remember passing a hairdresser’s shop where all the glass had been blown out. Presumably the clients were being given blow dries “au naturel”! However, although that “business as usual” spirit was reassuring, we need to help businesses to get back on their feet more quickly.

The Bill contains much that is of merit. Clause 4 creates a new body, the riot claims bureau, which the Minister can direct to delegate decisions on claims that are taken to it by local police authorities. While the hon. Member for Dudley South was speaking, however, it occurred to me that if the police are to decide these matters in the first instance and are also to be liable, it is possible that those roles are too close to each other. The Association of British Insurers has referred to a direct conflict of interests, and, although it may have misunderstood the position, the police certainly should not be both judge and jury. The hon. Gentleman did say, however, that if a case straddled two separate police authorities, then the Secretary of State would make the ultimate decision.

The highest bill was run up in London, where policing is devolved, and I believe that the Sony warehouse claim is still being contested. The London Assembly welcomed the Bill in its pre-general election version as recently as March; in 2012, it had produced a report entitled “Picking up the pieces”, which recommended an overhaul of the current Victorian legislation.

The 1886 Act was instituted after the Trafalgar square riots, at a time when there was no provision for motor vehicles. I did a Google search to find out how many people in the country owned cars in 1886, and discovered that it was the year in which Benz trialled the first petrol engine, which had just been invented. The Act places the onus on the police, but as early as 9 August 2011, Rob Garnham, chair of the Association of Police Authorities, warned that “in a context of cuts the public will see little sense in a shrinking police fund being diverted to pay for criminal damage.”

Touch wood, God forbid, let us hope and pray the frightening disturbances of 2011 never happen again, but we do have a duty to learn from precedent and we need to bring the law on these subjects into the 21st century. We need to defend and protect small businesses. I am a child of small business—that is what my dad did. Small business owners sometimes take enormous risks: they sometimes do not eat to put food on the table for their kids and do not take holidays. They are not even SMEs; they are microbusinesses, and people such as Stuart and Helen, whom I described, and Ravi and Amrit need our support as they are key drivers of regional economies and pillars of our local communities.

It was not just the glass at the Bang & Olufsen franchise in Ealing that shattered; it was also the notion of suburban calm in our area. It shocked me and many other long-standing residents. This Bill is a good start, but there are still little bits and pieces that could be improved, such as the issues of leaving small businesses out of pocket when cash flow is difficult and the speed at which claims can be processed.

Riots in this country are, thankfully, pretty rare. I remember them in my lifetime two or three times. In 1981 it was Brixton, Toxteth and Moss Side; then in 2001 it was Bradford, Burnley and Oldham, where we had a very good result for the Labour party last night; and then in 2011 it was Ealing, where I was and where I always thought it would never happen, and other Compass points in London—Croydon in the south, Tottenham in the north—and Manchester and Birmingham as well. So we do not know when they are going to happen, but there is a likelihood they will. There is a more than zero probability that in the next 130 years we will see some sort of urban, or suburban, disorder again, so we must never say never.

The 2011 riots were noteworthy for various reasons. Some of the commentary talked about the role and function of social media, and the issues of youth justice and the sentencing process were also raised. Some people saw the looting and violence as spelling the end of social bonds because of the “broom armies”—the community-led clean-ups that happened the day after. Some of the points that arose are addressed by the legislation: the motives of the perpetrators; whether it was a riot or not; whether it was a consumer orgy or a shopping spree. There is a new definition of riot in this Bill, which I am pleased to see is based on the Public Order Act 1986.

There are still bits and pieces that my residents and businesses would like to see addressed, and I could mention many more such businesses: the Red Lion pub, Santa Maria Pizza, the Hare and Tortoise, Visage Hair, and the Baby Boutique, whose proprietor went on television a lot in the heat of the moment blaming “feral youths”. It has since closed its doors and is now an online business only. Most of the measures they would like to see are here, but one or two could be added at a later stage.

In conclusion, this Bill is a vast improvement on the existing provisions, but if history repeats itself and this little known piece of legislation does have to be dusted down in the next 129 years, we might as well get it right now. On the whole, however, I commend it, and the hon. Member for Dudley South (Mike Wood) for bringing it to the House today.

10.48 am

David Morris (Morecambe and Lunesdale) (Con): It is a great pleasure to follow the hon. Member for Ealing Central and Acton (Dr Huq). A lot of the points she made were very poignant, especially in this debate on how we amend legislation to compensate businesses or individuals, or even where there has been damage to a home, when there has been a riot.

I must make a declaration: I am a commercial property owner. I congratulate my colleague and friend, my hon. Friend the Member for Dudley South (Mike Wood), on bringing this Bill to the House, as it is timely that we look at what we should do now compared with 1886. I should make another declaration: I am the small business ambassador to the Government, and I want to touch on how this change in legislation would help the self-employed.

Let me consider the issue in hand. Currently, if there is a riot, the police must pay. I think that is absolutely bonkers, because we are expecting the police to work harder than ever in this time of austerity when budgets are capped. We must look sensibly at what the police’s role is and what is expected of them, and at the responsibilities of society at large. We ask the police to...
pay with the budgets they have, but those budgets are correctly defined by the Government and do not cover compensation for individuals’ loss of property, whether that is business or private property.

It is timely that we stop that practice, but I am concerned by the sharp practices of insurance companies and what they might do in respect of insurance for businesses, small businesses and the self-employed. I was once a small businessman. In my experience, most insurance companies have policies that are broken up into various areas. I had to insure the glass of the building, the fabric of the building and loss of earnings, and the fixtures and fittings within the building. When riots occur—thankfully, we do not riot often in this country—there is no one-size-fits-all of damage. The hon. Lady mentioned a shop where there was no shop-front damage, but where inside there was total carnage. That shop was not covered. We should look at those aspects.

If we change the legislation so that insurance companies have to provide policies to business owners or individuals, the loss of earnings, fixtures and fittings, the fabric of the building and glass—the whole premises—should be covered under one clause when damage occurs. That is partly why businesses cannot get compensated quickly enough. The loss adjusters look into things separately and it takes them a long time to come to the right conclusion.

I know a lot of small businesses that utilise reconditioned machinery. It is a problem when an insurance company says, “We don’t do new for old,” and all the rest of it. In that limit of £1 million for the fabric of the building—I think I am correct in saying that—if everything comes under one banner when riot damage occurs and all insurances are grouped together, compensation should go up to a certain percentage of what the machinery would cost new. We could go round and round in circles—I saw it done many times when I was in business when people had robberies and machinery was damaged. They could not get compensated quickly enough through their insurance company.

Yes, a cap is welcome—I agree we should have caps—but if we go down that route, insurance companies should address responsibly the value of buildings. Most of my buildings were insured for up to £2 million. In that case, £1 million would not be adequate as a blanket cap, so there should be scope to allow insurance companies to value buildings and to say that a building must have a higher cap for insurance purposes.

However—I will say it as it is—I do not trust insurance companies. Insurance companies will try their damnedest to get out of paying in certain circumstances. Some insurance companies are more reputable than others. Hon. Members know them and hear of examples of sharp practices through our constituents. We must make it clear that, if there is to be a new law, the insurance companies cannot see it as a milch cow and start increasing the cost of policies. Businesses and the self-employed could be at the mercy of the insurance companies in conducting their livelihoods from thereon in.

The hon. Lady made a very interesting point. In 1886, we did not have cars or mobile businesses. Most self-employed people in this country today are mobile in that they do not operate from premises. Something should be incorporated in the Bill so that the self-employed—white van man, to coin a phrase and a category—are insured adequately. Most mobile businesses—those white or whatever colour vans—carry £50,000 in the back. That must be addressed. It should be pushed through to the insurance companies that, should there be a change in the law, mobile businesses affected by riots should be compensated by the same criteria as businesses with fixed fabric promises.

I do not want to take too much time in summing up. I am absolutely elated that the Bill is before the House again. I once more congratulate my hon. Friend. He has worked very hard on the Bill—he has hardly been out of his office these past few weeks because he has been putting so much work into it—and I commend him wholeheartedly. I hope that, after this grown-up debate, we see a change to our laws that encompasses what we do in our modern society.

10.55 am

Mr David Lammy (Tottenham) (Lab): I am grateful to have the opportunity to speak in the debate and congratulate the hon. Member for Dudley South (Mike Wood) on bringing the Bill to the House. I have reservations that I want to put before the House, but I agree with the general consensus that the 1886 Act is in serious need of review and change. It is right and appropriate that we have arrived at that point today.

The starting point for any discussion on riots is understanding that the basis of our policing in this country is consent—it is a source of great pride, and countries throughout the world look at policing in this country and try to learn from it. That is the idea that our police do not routinely carry guns and do not police by force. They police alongside the general public, and the general public act as citizens alongside them in the matter of policing. When that consent breaks down in a catastrophic way, we experience riots, which we do from time to time in our communities.

Because we all pay our taxes, and because we supply the uniforms and the badge and contribute to the training of our police officers, we rightly and appropriately say that, when the consent breaks down, people should be compensated for their loss—obviously, in our country, the vast majority of us do not participate in that consent breaking down and would not dream of participating in a riot. The detail of what that compensation should be is described in the 1886 Act.

It was a devastating four days for my constituency. It was a devastating moment. In constituencies such as Tottenham, we do not want another riot in a generation. Fortunately in Britain, we do not have areas that are so crippled by social unrest that the prospect of regeneration and a future looks bleak. Parts of the United States—I think of the city of Detroit—effectively went bankrupt when industry left, people fled, populations fell and buildings lay derelict for year after year. We do not want that in any community in this country, which is why the subject of the debate is so important.

When catastrophic riot occurs to a community, we must do all we can to put that community back together as quickly as possible, so that we do not see business and industry flee such that economic activity can never occur in that community again. I said this at the time of the 2011 riots: the vast majority of my constituents, including the vast majority of young people, were terrified in their homes. They did not participate in the riots. Indeed, because of the nature of the 24-hour media
these days, with flames going up and the same scenes being repeated over and over again, it was a red rag to criminals all over London to participate in those riots.

I spent a lot of time with those small business owners on Tottenham High Road. I also spent some time with small business owners in communities such as Croydon. These were the most decent people, people who get up very early in the morning and finish work very late at night and who, frankly, do not rely on the state at all other than when they are ill. They were devastated by what had happened to them in the rioting over those four days.

For the first time, we saw riots in parts of London—Clapham, Ealing, in the constituency of my hon. Friend the Member for Ealing Central and Acton (Dr Huq), and Enfield—in which we might not previously have thought we would see them. Somehow, this was a moment in time when we needed to take stock and to ensure that the arrangements were right not only for those individuals who lost their businesses but for those who lost their homes. I pay tribute to the men and women of my constituency who, the morning after the riots, standing only in their pyjamas, holding their children, had had their homes burnt to the ground. At the time, promises were made, but it was declared, and it is appropriate that we return to the circumstances in which a riot is declared as that is covered in the Bill. The assumption is that that decision will be made by the police.

The Government then said, quite rightly, tough things about those who had rioted and said to the victims, “We will compensate you. We will put you back to where you were.” That was said by the Prime Minister, by the Mayor of London and by other city leaders across the country. Sometimes, when we see a terrible event, usually in a country a long way from here—an earthquake, a tsunami, a flood, a terrible and horrific natural event that disrupts lives and causes damage—we can go to a bank and contribute a little bit of money towards a relief fund. One gets the sense that the whole world combines so that people affected by the event can be brought back to normal. Why, then, did small business owners up and down the country find that three months, four months, six months, a year, two years or three years after the events of 2011 they still had not been compensated? I can think of one business in Tottenham that still has not been compensated.

It was a shocking example of bureaucracy out of control. The performance was patchy across different police forces, and patchy in partnership with the insurance industry. I was very critical of the insurance industry at the time, and the insensitivity of loss adjusters was extraordinary. People were weeping because of the hurdles they were being put through and how they were made to feel as though the rioting was somehow their fault. I must put these comments in the strongest terms because if I had some of those small business owners standing by my side they would expect me to say this. It was not a pretty sight. They said to me time and time again that if their business had been caught up in a tsunami in Thailand, they would have been better treated. They have said to me: “This was no fault of mine. I pay my taxes, I do not rely on the state, but my business is gone, I have had a heart attack. I can’t eat. I keep seeing flashes of the fire. Everything has been destroyed and a year later I have nothing.” Time and time again those were the stories we heard across the country.

Mike Wood: I strongly agree with what the right hon. Gentleman is saying, but does he recognise that the key part of this Bill, putting the riot claims bureau on a statutory footing, will address exactly the kind of issues that he identifies, such as the unnecessary and unacceptable delays in getting the money that is needed to the people who are trying to rebuild their lives and their businesses?

Mr Lammy: The hon. Gentleman is right, of course. The riot claims bureau will be a step forward, but let us be absolutely clear about it. It sounds good, does it not, the riot claims bureau? We get the sense of bureaucrats hard at work somewhere in the Home Office as we speak. No one is staffing the riot claims bureau as a result of the Bill; I suspect it will be brought together rapidly in the event of a riot.

It is important to ensure that the expertise and knowledge are present, that there have been practice exercises and that there is understanding of the sorts of communities that experience such things. There must be a sense that we must put small businesses first on these occasions, because often the big businesses can defend themselves. Members might remember from the riots the atrocious behaviour of the head of JD Sports, who said that it was great that people were breaking down windows to grab trainers because it showed how important his products were. I would suggest that that chief executive can defend himself, but he was in a very different position from those on the high street.

I pay tribute to Sir Bill Castell, chair of the Wellcome Trust and one of the great industrialists of our country. He was chair of the High Street Fund, which did so much to support small businesses across the country. I will never forget Sir Bill ringing me up just a day after the riots, determined to make a difference and to bring big business together to support small business and to bring those funds to individuals. I will also not forget Bill’s consternation that months later funds had not been paid out under the Riot (Damages) Act and that when those funds were paid out, despite the fact that the High Street Fund was a charity relying on contributions from big business, they were discounted against that money. I say to the hon. Member for Dudley South, will we see that happen again?

In these circumstances, when there is philanthropy and charity and when human beings come on side and say that they will support somebody, that should not be discounted against the obligations of the state. We should not be saying that it is for charity to pick up the tab and reduce the burden that we all face as taxpayers when consents break down in this way. I know that Sir Bill felt very strongly about that and I hope that we might get an answer about what will happen in the future in this regard.

I come back to the point about the expertise. Will the bureau have the expertise? How many people will staff it? How will it be brought together? How will it be different from the patchy performance we have seen? For example, I understand that the police in Manchester performed quickly and were able to pay out quickly, although they had a smaller group of businesses involved, whereas the Met were woefully slow in paying out. That led to the then Leader of the Opposition coming to the Dispatch Box during Prime Minister’s questions and asking when businesses would receive their funds. He did that well over a year after the riots—the Met’s
performance was that poor. It is important to understand what the bureau will look like and to make sure that it is not just a fancy name, but will work effectively.

I come to the role of loss adjusters. The hon. Gentleman is right that new-for-old compensation will mitigate some of the insensitivity that so many business owners said they experienced as they were quizzed about the age of their products, whether they were sure those products were in the premises, where they were in the building, why they could not get into the building, why their English was not good enough to fill in a form, and so on. I hope new for old will lead to a better system.

In these circumstances there should be a loss of earnings component. If we were able to pay out relatively quickly, the loss of earnings component would be reduced, which was not the case last time round when the process was so poorly handled. Many of us may not be here for the next set of riots in our country. I hope we are not here—I hope it is that far away—but if the claims process goes on for a long time, there is a terrible loss of earnings for small businesses. I can think of a wonderful mechanic’s business that was burned to the ground. It sat next to the iconic Union building in Tottenham that was also burned to the ground. I think of the wonderful Cypriot owner. He came to see me, devastated by the flooding and destruction of his family business. The road was shut off, the building next to it had been burned down and it was months before he could get into his business premises. He had a heart attack. He was laid low at home, panicking about the pressure of finance and money. I will remember that man and his family for the rest of my life. So I believe that loss of earnings should be a component of the compensation. Consequential earnings are also fundamental when the state breaks down in this way.

The cap of £1 million is right and totally understandable. It is important, though, that that cap is sufficiently high to compensate the vast majority of businesses. I think that that probably is the case, but I would like reassurance that it is index-linked and will rise. It is £1 million today, but what will it be in 50 years or 100 years? In areas of the country that are fragile, where there is deprivation or pockets of deprivation, we must not scare big business away because it fears that it would not be adequately compensated in the event of a riot. We must not do what has happened in other parts of the world, particularly the United States. It is important that private insurance is available for larger businesses for which, if they were to suffer a loss, it would be substantially more than £1 million.

It is easy to see how a relatively small business with stock could lose more than £1 million over several months in the circumstances. I am a little bit nervous about what the effect of the cap may be and whether it will harm regeneration and the prospect of those communities moving forward towards prosperity through regeneration. On the whole, people do not tend to riot if they have a job and a mortgage, but in parts of the country that cannot always be guaranteed, so it is important that big business is there, small business is supported, the £1 million cap is not too low, and that we are sure the insurance industry will provide support beyond that £1 million.

We need to be clear that under-insurance is common in the kind of communities that saw rioting in 2011 and communities where riots have historically taken place in this country. Because of the delicate margins with which businesses operate in such communities, there is often under-insurance. It was the people who were under-insured who paid the heaviest price last time round. They were able to claim from the High Street Fund, but that was discounted down the line. They were the ones who found it hardest to get payments under the Riot (Damages) Act in good time.

The 42 days feels like a long period. People know the riot has happened to them. They must know that there is some means of compensation. People say that on the news, but it does not reach them because they are in shock, because everything they own has been burned to the ground, and they have no paperwork, they have no ID, they do not know who they are. This is not just about shops; it is about homes as well. I am worried about the 42-day period. I can think of many constituents who would not meet that.

The Minister for Immigration (James Brokenshire): It might help the right hon. Gentleman to know that if the Bill were to pass, that would be dealt with in regulations. Our intention is that the 42 days would be a notification period—a time for people to give notice that they were going to make a claim—but there would a further 90-day period to quantify that claim and provide further details. I hope I can offer him some reassurance that we are thinking carefully about lessons from 2011 and about time periods that will allow people to gather paperwork and quantify the amounts that they are claiming for.

Mr Lammy: I am grateful for that indication. My hon. Friend the Member for West Ham (Lyn Brown) on the Opposition Front Bench also has the kind of constituency where I am sure she would recognise that, in our multicultural London, many businesses are run by people who speak English as a second language and who, in times of riots, are a long way from the state. That is because they do not rely on the state very much at all. Even notifying their intention to make a claim is not something that they would understand. Many of my constituents did not understand that they could make a claim. They simply sat with their head in their hands, under-insured and not aware that the state would support them in this way. They got to the understanding that they could make a claim because word about the High Street Fund spread quickly among the businesses alongside theirs. That was how they started to realise that they, too, could make a claim. I am grateful that the Minister has indicated some flexibility on that, but I wanted to stress my concerns that people might be caught out of the system.

I broadly welcome what has been said today, with some reservations about the nature of the bureau and the expertise that it will need, and real concern that we should understand the sort of areas that can experience riots in our country and why it is important that, as a nation, we support those communities.

There is a potential conflict between the Met declaring a riot and the fact that the budget comes from the declarer. I hope that the Minister will say a little more about the circumstances in which a riot is declared, because in 2011 the situation was so patently clear that it would have been very hard for the Met not to declare a riot, but that is not always the case. I remember just a few hours into the rioting the former Member for Holborn and St Pancras said to me, “Watch and see if it
actually declares this to be a riot.” I would therefore like some reassurance about the circumstances in which a riot is declared, because that could be a source of contention.

When the London Assembly looked into the 2011 riots, it came to the view that the police were handling the situation so badly that the money ought to be in the local authority’s pot. There is some merit in that, because local authorities are much closer to local businesses and can liaise very intently with Government. The money is coming from the Treasury anyway—let us be clear about that—but how it works within Government is the big question. I had sympathy with the London Assembly’s view, although I think that it is important that the police understand that consent must not break down and that, if it does, it comes from their budget stream. There is a discussion to be had about that potential conflict. The Bill is settled on the money coming from the police. It is therefore important to understand the moment at which a riot is declared and how that decision is reached.

There was a sense in those early months that the Met was losing money as a consequence of having to give money out—there was no extra money from the Treasury. We need our most deprived communities to be policed; we do not want all the money available to go to compensation. That is a complexity in the Bill that I think requires further explanation.

11.22 am

Kevin Foster (Torbay) (Con): It is a pleasure to follow the right hon. Member for Tottenham (Mr Lammy), particularly given his wide experience, his knowledge of the current legislation and the many concerns he has highlighted about it.

It is worth considering just how ancient the current legislation is. In 1886 Queen Victoria was on the throne, the Severn railway tunnel had just opened and, as the hon. Member for Ealing Central and Acton (Dr Huq) mentioned, Mercedes-Benz was experimenting with the first petrol engine, never mind thinking that someday there would be millions of them on the roads. There were also riots that year: one in west London and a couple in Northern Ireland, as we now know it, over proposed legislation for Irish Home Rule. It is also interesting to read the language of the 1886 Act. It refers to “persons riotously and tumultuously assembled”. I wonder whether many people might think that I could make a claim if my phone was damaged during Prime Minister’s questions on a Wednesday.

It is clear that the current legislation has come to the end of the line and desperately needs an overhaul. We all hope that riots do not happen and that order is kept, but it would be unrealistic to believe that there will not be another incident in the next 20 or 30 years that requires modern riot damages legislation. As several Members have noted in interventions, the age of the current legislation means that it is no longer fit for the modern age. For example, many small businesses depend on a van or mobile equipment. Even if they were compensated for damage to a shop or to putative premises, the loss of a van or vehicle would cause far more damage.

David Morris: What struck me when I was self-employed is the fact that rioting, terrorism and even political activity—that could cover what we do in this Chamber—are excluded in certain forms of insurance for commercial properties, especially for the self-employed. Does my hon. Friend agree that that should also be considered?

Kevin Foster: My hon. Friend makes a strong point. That partly reflects the change of era. There was terrorism in the 1880s, but its impact was very different from what a Semtex explosion would do today. The nature of terrorism has changed so greatly, as we saw in the recent attacks in Paris, with the use of automatic battlefield weaponry. In 1886, an automatic weapon was a Gatling gun, which needed a crew to operate it. Sadly, today’s automatic weapons can be carried quite easily. It is therefore absolutely right that we update the legislation. We should give the Bill a Second Reading and then in Committee look in detail at how we can make it suitable for the modern era. On political activity, for example, were the recent events at the Cereal Killer Cafe a disturbance or a riot? My hon. Friend sums up the issues perfectly. In Committee we will look in detail at where we should draw the lines, using modern language, not language that was suitable in the late 19th century.

It is also worth dwelling on the fact that the current legislation—it seems laughable to describe something from the 1880s as current—means that there is strict liability on the police. As has been mentioned, the areas that have been affected by rioting tend to be those areas that rely most on their local police force. If the local police force ends up picking up the bill for a very large amount of riot compensation, ultimately that is likely to be paid for either by putting additional taxes on communities that are least likely to be able to afford them, or by cutting police provision, and that would be in an area that had just suffered rioting and might therefore require more police provision. I respect the Government’s intervention after 2011 to prevent that from happening, but that is not guaranteed for the future. That is another reason why it is vital to update the legislation so that it is not just one community taking the risk.

As we heard in an earlier speech, some police forces could be bankrupted by a large-scale riot that affected particular commercial interests in their area. That is just not a sensible position to be in. That could also act as a disincentive to have economic activity in the local area. If we know that for some reason there might be a public order disturbance—even a once-in-a-century scenario—and that a particular economic interest could be damaged or destroyed, we would know that ultimately we might end up copping the whole bill for compensation. A review of that situation is long overdue.

Therefore, I also think that it is right to include the £1 million cap. Statistics from the House of Commons Library suggest that about 99% of claims made in 2011 would be covered under these proposals. To be clear, this will not be denying justice to thousands of interests; it is about having fairness between the large interests that are the most able to protect themselves and the smaller interests that find it the most difficult.

Mike Wood: Not only would 99% of the claims that were paid following the 2011 riots have been unaffected by the £1 million cap, but over 80% of the claims paid in 2011 paid for insured claims, so that money was effectively going straight to the insurance companies.
Kevin Foster: I thank my hon. Friend for that intervention. As he says, the result is that a lot ends up going to the insurance companies, although I think that we will need to proceed with a great deal of humility and understanding. The trouble is that we will not have any control over it as my hon. Friend the Member for Morecambe and Lunesdale (David Morris) and the right hon. Member for Tottenham have pointed out, ultimately insurance is based on the premiums paid by people, so there is a balance to be struck. If the risks to insurers increase and the amount they have to pay out increases, much of that will likely be recovered through increased premiums. That is why we will need a good discussion about that in Committee.

Kevin Foster: I see the hon. Member for West Ham (Lyn Brown) nodding. It makes sense to update the legislation.

I was particularly struck by an intervention by the hon. Member for Croydon North (Mr Reed) on my hon. Friend the Member for Dudley South (Mike Wood). He said that people who had tried to help out their neighbours with a charity collection found that they had probably ended up helping out those responsible for paying compensation. The Bill Committee should look at that. People who give money and assistance voluntarily and out of the goodness of their hearts, would not want to think that they were, in effect, saving money for the person who was supposed to pay compensation. They are de minimis amounts, but the details should certainly be looked at in Committee.

On limits placed on compensation, it is right to discuss the role of the taxpayer in protecting people against the breakdown of public order and the legitimate role of private insurance. There are other crimes whereby, if someone is not insured, they will not be compensated for their losses. Nobody chooses for their shop or premises to be affected by a riot, or to have their home burgled or for someone to steal large amounts of money from them. Nobody chooses for someone to commit arson and set fire to their business, potentially causing huge amounts of losses and, in some cases, putting them out of business. It is important that we look at the traditional approach taken to riots, but we must also balance that with what is appropriate for private insurance, particularly with regard to consequential loss. It is difficult to know where to draw the line, which is why it makes eminent sense to have a more modern definition.

The current time limit is also a subject of debate. It has been proposed that there should be a 42-day limit during which people could make an initial claim. As I said in an intervention, I suspect that not many people, including virtually everyone in this House, were aware of the impact of the Riot (Damages) Act 1886 until after the 2011 riots, which brought the issue suddenly to the fore. It would probably be much easier for various communities to understand modern legislation. I was reassured to hear the Minister say in an intervention that, under the 42-day limit, people could simply say, “I am likely to submit a full claim.”

James Brokenshire indicated assent.

Kevin Foster: The Minister nods. It makes sense that people should not have to get absolutely everything together and that they would then have a further 90 days to make the final claim. That could be explored further in Committee, but it will give anyone affected by a riot, who will clearly be going through emotional distress and experiencing financial problems, the opportunity to flag up their claim and then submit the detail. That is far fairer than the current situation. If we do not agree to give the Bill a Second Reading, we must remember that we will end up not in a better position, but with that laid out in 1886, which has made it extremely hard for many people who are not conversant with the financial system. Unlike larger businesses, many smaller businesses do not have an accounts department to file a claim for the compensation they are due. That is another good reason to support the Bill.

On the provision on the replacement of property, it is bizarre to argue in favour of old for old. As my hon. Friend the Member for Dudley South touched on in his introduction, that means that people have to find something that matches what they have lost. It is unlikely, particularly in the aftermath of a riot, that they are going to find a five-year-old piece of equipment of exactly the same make and in exactly the same condition as that which has been lost. That is why insurance has changed from an old-for-old and like-for-like approach, as was the case in the Victorian era, to allowing people practically to replace an item.

On the limitation of damages, I suspect that many businesses that get same-for-same compensation end up using consequential loss compensation to find the piece of equipment they need to replace the item for which they are being compensated. Businesses in more deprived communities are less likely to have the most modern, advanced and expensive equipment, so they spend a lot of time trying to find a new piece of kit, whereas a large business can bring in replacement equipment from elsewhere as part of its existing renewal process. The proposed reform is eminently sensible. It will put smaller businesses in the same position as their wealthy counterparts. They will be able to buy a replacement and avail themselves of the compensation at a later date. Many Members have indicated how important that is and I think it is the most sensible change among a raft of very sensible changes proposed by the Bill.

It is also appropriate to introduce a structure to decide what constitutes a riot. I also agree with the proposal to transfer claims nationally if more than one area is affected or there is a particularly significant riot. Clearly, the Committee will discuss the detail—it is not a matter for the Second Reading debate—but the proposed provisions make eminent sense. I look forward to them being fleshed out in more detail in Committee.

It has been a pleasure to speak in this debate and to have heard some of the other comments that have been made. I thank my hon. Friend in particular for the work he has done in promoting the Bill. We should give it a Second Reading so that we can have riot damages legislation that is fit for the 21st century, not the needs of the 19th century.

11.36 am

Julian Knight (Solihull) (Con): It is a great pleasure to follow my hon. Friend. Friend the Member for Torbay (Kevin Foster), and I congratulate my hon. Friend the Member for Dudley South (Mike Wood), who is the proud son of a west Midlands police officer. I know from my dealings with him on matters to do with West Midlands police and fairer funding that he is a strong advocate for law and order and justice in the west midlands.
I commend and support the Bill. The right hon. Member for Tottenham (Mr Lammy), who is no longer in the Chamber, made a powerful speech in the shadow of the 2011 riots, which were obviously a great shock. What started as a local, limited protest burst into rank criminality. Ordinary individuals going about their daily lives found themselves embroiled in terror, violence and damage to property on an unprecedented scale in my lifetime. Even in daylight hours, ordinary people were being abused by feral elements in our society.

At the time, the police cautiously and correctly went about extinguishing those four days of violence in our society. Following on from that, the Prime Minister made many telling remarks, including that we would hunt down those responsible and bring them to justice. That is exactly what happened. I was pleased that the judiciary listened to the public voice on that occasion and handed out some exemplary sentences to those who had rioted. There was much talk in the newspapers about people being sent to prison for stealing relatively small items such as bottles of water, but it was the aggravated nature of the criminality that counted in this respect. Our authorities did their job and correctly followed through on what they had promised. The only area where there were problems—this has been mentioned by many hon. Members—related to compensation and delays to compensation. One of the main reasons for that was that they were acting under the auspices of antiquated and outdated legislation.

The Bill, which I hope will proceed to the Committee stage, correctly defines “riot”. It gives it a much more modern, telling and understandable definition. It tidies up much of the antiquated language used in the late 19th century. As the right hon. Member for Tottenham mentioned, it is difficult for people who do not have English as their first language to understand what constitutes a riot and to apply for compensation under the 1886 Act.

Kevin Foster: I am sure my hon. Friend would agree that many people for whom English is their first language would find it difficult to understand the definitions in the 1886 Act.

Julian Knight: English is my first language, and I, too, find it very difficult to understand fully the wording of the Act. That is not the only reason, but it is another reason why we need this update. Let us not forget that the Bill comes after very extensive, independent reviews, such as the Kinghan review. I welcome the fact that many people for whom English is their first language and may need a gentler approach to seeing how that plays out in Committee in catering for those who, as the right hon. Gentleman said, may be suffering a great deal of shock, may not have English as their first language and may need a gentler approach to time limits and more understanding in relation to time barring.

My hon. Friend the Member for Torbay focused extensively on the provision of new for old, and I completely agree with him. As someone who worked on a range of financial matters, particularly personal finance, for the best part of a decade and a half, I must say that I know of no insurance policy that would replace items on an old for old basis. That almost disappeared 20 or 30 years ago, so to continue to insist that an item is replaced by one of a similar age is, frankly, ridiculous and completely out of kilter with modern society and modern insurance practices. The provision of new for old will give greater clarity and certainty for all those affected by riot, including small businesses.

The cap of £1 million per claim is eminently sensible. As I understand it, if there is a claim of £1 million for a building, there may be a separate claim by another individual for the loss of its fabric and other elements. That aspect takes good account of rising modern property prices. The advent of a riot claims bureau is also welcome. I want to know a bit more detail about exactly how it will work, but I am sure that that, like many other elements of the Bill, will be examined in Committee.

The Bill reflects the reality of modern insurance patterns not only in the provision of new for old, but, frankly, in recognising the existence of the motor car, which did not exist in 1886. I believe it does not make provision for third-party cover. As someone who has written about insurance and other financial matters, I know that third-party car insurance is almost extinct. In fact, if someone applies for a quote on a website, they will almost invariably find that car insurers’ quotations are higher for third-party cover than for fully comprehensive cover. To be honest, car insurers think someone taking out third-party cover is a bad insurance risk per se, so they are unlikely to write the business. It is good that the Bill covers the modern car, as well as tools and other items that may be left in vehicles overnight.

The Bill will allow for compensation to be paid more quickly, which we all desire. The proof of the pudding will of course be in the eating, but as my hon. Friend the Member for Torbay said, if the Bill does not go into Committee, we will simply be left with the 1886 Act and we already know how it works—or does not work—in relation to compensation. I do not agree with the idea that legislation should be introduced just because something must be done, but the fact that the Bill has already been considered extensively by an independent review reassures me that such matters will be looked at further.

I share some of the concerns expressed by the right hon. Member for Tottenham about the 42-day limit, so I welcome the Minister’s comments. I look forward to seeing how that plays out in Committee in catering for those who, as the right hon. Gentleman said, may be suffering a great deal of shock, may not have English as their first language and may need a gentler approach to time limits and more understanding in relation to time barring.

My hon. Friend the Member for Torbay asked whether the Bill would lead to increased premiums. Most claims will be paid out up to the £1 million cap, but, knowing the insurance market, I genuinely believe that the effect on premiums would be very marginal. Home insurance is in fact a very profitable business, unlike—strangely enough—car insurance. In the past 20 years, the car insurance industry has made a profit from writing its policies on only four occasions. Home insurance is generally quite a cash cow—a Steady Eddie, as it were—for the insurance industry. Let us not forget that there are moves ahead to help out on insurance premiums, such as by clamping down on the compensation culture and the no win, no fee blight in our society. Looking at it in the round, the effect of the Bill will be very marginal and will not be felt to the degree that some people fear.

Some legislation is brought forward almost because it is said that something has to be done and this feels as if we are doing something—I always vehemently oppose
that aspect of lawmaking—but the Bill advances and upgrades the law, makes it more relevant to our society and sets us on a new footing so that if such an awful eventuality happens again, we can, I hope, respond more quickly and in a better manner.

11.47 am

Mr David Nuttall (Bury North) (Con): I draw the House’s attention to my entry in the Register of Members’ Financial Interests. I hope that none of the properties I own is ever affected by a riot, but that is a theoretical possibility.

I rise to speak briefly in support of the Bill. I congratulate my hon. Friend the Member for Dudley South (Mike Wood) on introducing it this morning. It is a pleasure to debate a Bill that does not seek to add further cumbersome regulations or which creates more problems than it seeks to solve.

We have heard a lot about what happened in London in 2011, but, as the right hon. Member for Tottenham (Mr Lammy) mentioned, Manchester and Salford were also affected by riots in the summer of 2011. In August 2012, it was reported that Greater Manchester police had paid out £442,000 for uninsured claims and £584,000 for insured claims under the Riot (Damages) Act 1886. It was a very big story locally. The right hon. Gentleman mentioned JD Sports, which has its headquarters in the borough of Bury. It was one of the companies affected when its store in Manchester was looted.

As hon. Members have said, the riots demonstrated the need to look again at the 1886 Act and to update what is widely accepted to be archaic and out-of-date legislation. While updating it, however, we will still maintain the principle that as the police are responsible for the maintenance of law and order, they should be liable if law and order breaks down and a riot breaks out. The Kinghan review, which was set up to look into how the 1886 Act could be improved, decided that maintaining such a statutory principle was the best way forward, but we could have provided for these losses to be dealt with as losses for uninsured motorists are dealt with through the Motor Insurers Bureau. I agree that we should maintain the existing principle from 1886.

The legislation has to deal with the competing interests of taxpayers, whom the Government want to protect by restricting the amount that is paid out, and uninsured businesses and individuals, who need to be protected when they are affected by loss. It makes absolute sense in the 21st century that the legislation should cover vehicles.

I agree that there is a simplicity in having a cap on claims of £1 million, but the amount needs to be kept under review. We do not want to think in 40 or 50 years’ time, “Oh dear, we should have reviewed that £1 million limit because it is woefully inadequate.”

Mike Wood: To reassure my hon. Friend, there is provision in the Bill for the sum to be amended by regulation, without the need for primary legislation. The intention is very much for the £1 million to increase as appropriate.

Mr Nuttall: My hon. Friend is right that that ability is written into the Bill, but it requires the Government to take a proactive approach and make use of it.

Mr Lammy: On the very sensible point that the hon. Gentleman is making, is he worried, as I am, that the Government will recognise that £1 million is inadequate only after another riot? It is very unlikely that the Government would return to the limit between riots, because there would be no reason to do so.

Mr Nuttall: That is my concern. We need an assurance from the Minister that someone will look at the limit every few years because, as the right hon. Gentleman says, there is a danger that the legislation will be dusted down and looked at only after the event, as happened after the 2011 riots, when everybody realises that it is woefully out of date. A proactive approach is therefore needed.

Where I perhaps part company with the right hon. Gentleman is on whether the riot claims bureau should be a permanent body. Was he suggesting it should be?

Mr Lammy: No.

Mr Nuttall: No, he was not suggesting that. I would not have agreed with that. I do not think we could set up such a body and have it permanently in operation.

Mr Lammy: Given the infrequency of riots, it would be quite a nice job to have, because someone would not work very hard, would they?

Mr Nuttall: That is the point I am making. Thinking back to the Toxteth riots in the early ’80s, they are mercifully infrequent.

In urban areas that are seen as most at risk, it would make sense to have a stand-alone leaflet available that could be distributed in the event of a riot, so that business owners and affected individuals could be given information simply and straightforwardly in the immediate aftermath to put their minds at ease. They would then know what they needed to do and that they needed to do it within 42 days, or whatever the limit was. They would be aware straight away of the need to take action. In this day and age, there could also be a permanent website after the Bill reaches the statute book, as I hope it will, that can be found easily by somebody who does a search on the internet.

Bob Stewart (Beckenham) (Con): I am certain that when the right hon. Member for Tottenham (Mr Lammy) went around all the destroyed buildings and spoke to the people whose livelihoods had been ruined, he told them, “This is what you’ve got to do.” I entirely endorse the point that an aide memoire should be available immediately to people who wanted to help, particularly Members of Parliament. This is a situation where Members of Parliament can help out big time. When there is a riot, it affects us directly, and that goes straight the way through local government. MPs should be there in protection of their constituents. They should have an aide memoir in their pocket that says, “Sign there”.

Mr Nuttall: I am grateful to my hon. Friend for his support on that point.

In conclusion, I congratulate again my hon. Friend the Member for Dudley South on introducing the Bill. He is absolutely right that the legislation should be updated and the archaic language replaced. It is one of
The key requirements on us as legislators to produce legislation that can be understood not just by us, but by those who have to use it outside this place—in this case, by the police and members of the public who may be affected in the event of a riot. That is what the Bill seeks to do. I wish it well and hope it has a speedy passage through this House. [Interruption.]

11.56 am

Lyn Brown (West Ham) (Lab): Sorry, Madam Deputy Speaker; I was sat quite comfortably, waiting for the hon. Member for Bury North (Mr Nuttall) to perform his usual tour de force to the Chamber, and thought I had more time.

I congratulate the hon. Member for Dudley South (Mike Wood) on bringing the Bill before the House. I was saddened to hear that his popularity has declined. I hope that it does not spoil his Christmas. I was rather worried to hear the story about the rogue squirrel. As a city girl who has only just started to experience these creatures in her back garden, it has made me a little more wary of coming into contact with them.

The riots that blighted many of our cities and towns in August 2011 were a truly destructive event. More than 5,000 crimes were recorded in just a few days, five people lost their lives and it has been estimated that the material cost of the London riots alone was over half a billion pounds. That material cost has fallen on the public, local businesses, the police and the taxpayer during a period of harsh economic conditions.

As we have heard today, the existing legal framework for compensating the victims of riots has proven to be inadequate. It is therefore right that we consider carefully how the financial burden of any future riot events should be shouldered.

The House has heard that there is an established principle that the police are liable for damage incurred during riots. There is an implied contract between the public and the police: the public will respect the authority of the police and, in return, the police will secure law and order for the public. It has been contended that when riots break out and property is damaged, the police have failed to keep their end of the bargain and are therefore strictly liable for damages incurred.

As we have heard a number of times today, that principle is enforced through the Riot (Damages) Act 1886. It was perhaps inevitable that a 130-year-old piece of legislation did not prove to be up to the task of handling the aftermath of the 2011 riots, which were as widespread and destructive as any we have seen for a generation. The language of the Act, as Members have said, is archaic, defining riots as “persons riotously and tumultuously assembled together”.

That sounds like a decent football match.

Mr Lammy: Only West Ham.

Lyn Brown: That’s when we’re happy.

Mr Lammy: Which is not very often.

Lyn Brown: No, we are doing quite well.

The 1886 Act pays no consideration to what are now important questions for any legislation dealing with insurance and compensation. For understandable reasons, there is no mention of motor vehicles. There is no consideration of interim compensations for victims while claims are being processed or of the new-for-old replacement of damaged goods, and there are no powers for the police to delegate administering the compensation process to experts in legal claims. As a result, in 2014, three years after the 2011 riots, victims were still waiting for over £40 million of compensation to be paid out. This is an inordinately long wait for compensation. The existing legislation has therefore been shown to be not fit for purpose, and so the hon. Member for Dudley South is doing the House a favour today.

I pay tribute to my hon. Friend the Member for Croydon North (Mr Reed) for his work on this issue. His constituency was hit as hard by the 2011 riots as many others, and he has worked tirelessly highlighting the difficulty that locals have had in receiving the compensation that they should be entitled to. He used the Freedom of Information Act to show that three years after the riots, 133 victims in London had yet to receive a penny in compensation from the police. Just 16% of the requested compensation had been paid out at that point. These victims of rioting must feel badly let down considering that the Prime Minister had promised they would not be left out of pocket. Without his tireless work and that of my right hon. Friend the Member for Tottenham (Mr Lammy), I gently say that I doubt this Bill would have been before the House today.

To be fair to the Government, being even-handed on a Friday, they have recognised the problems that people have had in receiving compensation. They commissioned an independent review of existing legislation chaired by Neil Kinghan. The Kinghan review was published in September 2013, and it made a series of recommendations. It recommended that the principle that the police are strictly liable for damages incurred during riots ought to be maintained; that legislation ought to protect insurers so as not to deter people from taking out insurance policies, or to inflate the cost of insurance; and that payments to insurance firms should be limited to businesses insured with an annual turnover of less than £2 million. It suggested that legislation should allow the police to delegate the administering of claims to a body made up of insurance professionals rather than the police having to take on that complex administrative task themselves. A further important recommendation was that allowance be made for compensating at the cost of replacement goods—old for new—as is the case in most modern insurance practice. The review judged that new legislation replacing the 1886 Act would be necessary.

The Government ran a consultation exercise after the publication of the Kinghan review, and the Bill before us, as we have heard, has the support of the Government and takes up many of the review’s recommendations. This includes a number of provisions that are uncontroversial but nevertheless important, such as including cars within the scope of compensation and providing for interim payments. Given the clear need to update the legislation that governs riot compensation, we welcome this Bill and believe that it ought to move forward to Committee, where it can receive further scrutiny.
While we support the principle that the police ought to be strictly liable for damages incurred during the course of a riot, it is important that our police forces are not asked to promise a blank cheque. It is impossible for police forces to plan and budget for the possibility of having to compensate victims of riots without some understanding of the likely costs to be involved. This is particularly true when our police forces are still absorbing the 17,000 police officer cuts from the previous Parliament. It might be Friday but this is not politics-free.

To deal with this problem, the Kinghan review originally proposed that insurers would be able to claim only for businesses with an annual turnover lower than £2 million. The Bill instead places a £1 million cap on the total claim that can be made, and removes any reference to company turnover. The Association of British Insurers estimates that 99% of commercial property claims for material damage from the August 2011 riots would have been fully covered by this new £1 million limit. The Home Office makes similar estimates, and the impact assessment that accompanies the Bill suggests that just 19 of 1,988 impacted businesses would wish to claim over £1 million in the case of large-scale rioting. This appears to be a significant improvement on the turnover-based model suggested by Kinghan. According to the ABI, only 33% of commercial property claims for material damage during the August 2011 riots came from businesses with a turnover of less than £2 million. There were serious fears that the £2 million turnover limit would have therefore created a disincentive for large businesses to set up in areas that they would possibly consider to be susceptible to rioting, and that some businesses would be left unfairly out of pocket. These details need to be looked at very closely as the Bill moves through Committee, particularly as the £1 million limit represents a departure from the recommendations by the Kinghan review and may have an impact on insurance premiums. I want to ensure that the Government are taking seriously the competing interests of the insurance industry, businesses, the police, and the public finances.

Another area of concern that we will pursue in Committee is what constitutes a riot and who decides when a riot has taken place. At present, the Bill empowers police and crime commissioners to determine when there has or has not been a riot, which they must do in accordance with the definition of a riot provided by the Public Order Act 1986. It is the budgets of police and crime commissioners that will ultimately be hurt if they do judge that there has been a riot, so we might, in effect, be allowing the police to mark their own homework. This was raised by Mark Shepherd of the ABI, who has called for “a more independent determination of when a disturbance is a riot”.

That might be appropriate given the quasi-judicial nature of the decision.

My final area of concern is that the Bill does not cover loss of trade for businesses, loss of rent for landlords, or the cost of alternative accommodation needed in the wake of a riot. These are all instances of what insurers call consequential loss. Many of those most severely impacted by the 2011 riots would therefore not have been fully compensated through the provisions in this Bill. That is particularly true of businesses with small capital holdings who rely on trade that has been disrupted by rioting. This needs to be carefully looked at during the next stages of the legislative process so that we can provide the most equitable deal possible between the police and the community in the unwelcome event of future riots.

The current arrangements for dealing with compensation after riots is clearly inadequate, and a new framework is required. I look forward to going through the details of the Bill to make sure that we can have a system that commands the support of the public, business, and the police alike. That will mean looking carefully at the caps on compensation, the process of determining when a riot has taken place, and the clauses setting out which losses are, and which are not, eligible for compensation. We must make sure that we try to minimise the numbers of people who fall victims of future riots, as, unfortunately, so many did in 2011.

12.9 pm

The Minister for Immigration (James Brokenshire): I thank hon. Members from both sides of the House for an informative and passionate debate that has reflected the interests of their constituents on the issue of riot compensation. I particularly commend my hon. Friend the Member for Dudley South (Mike Wood) for his hard work, his approach in bringing the Bill before the House, and the way that he has sought to conduct this morning’s debate. He has achieved consensus on the need to move forward and the need for change, and I know how hard that can be. He stated that as a new Member, he has become popular ever since he was successful in the ballot to introduce a private Member’s Bill, but given how he has conducted himself thus far, I suspect that he will remain very popular in future, and I commend him for that.

I have listened to the speeches made during this debate, and there is no doubt that the 2011 riots remain fresh in the minds of many. As my hon. Friend said, it is important that we respond effectively and promptly to those whose lives have been wrecked as a consequence of the riots. I share his hope that this Bill will never be used, but it is right that we prepare for such eventualities and learn the lessons of the past to meet the potential challenges of the future. The Government acknowledge that payment of riot compensation in the aftermath of August 2011 was not as streamlined as it could have been, first because processes had to be put in place at short notice, and secondly because decision makers were required to work with a piece of legislation that is almost 130 years old.

We may not have “riotous” assembly in this House—we certainly do not—but we might have “tumultuous” assembly. The sense that that terminology may remain—and indeed was—relevant when claims were being considered after the August 2011 riots, underlines the need for us to improve and modernise the way that we approach the payment of compensation to individuals and businesses who experience losses or damage to property caused by riots. I therefore commend the hon. Members for Ealing Central and Acton (Dr Huq) and for West Ham (Lyn Brown), the right hon. Member for Tottenham (Mr Lammy), and my hon. Friends the Members for Torbay (Kevin Foster), for Solihull (Julian Knight), and for Bury North (Mr Nuttall), who broadly welcomed the need to move forward on this issue.

Mr Lammy: The Minister may recall the former Member for Croydon North, Malcolm Wicks, who is no longer with us. He made an important contribution to the Croydon community immediately after the riots.
Mr Lammy: I am grateful for that reassurance. The right hon. Gentleman is right to remember Malcolm Wicks, and the steps that he took in his community. That is reflected by the hon. Gentleman. Members who represent Croydon today and who are following through on that tradition of representing their constituents at what was an extraordinarily difficult time. That shows how we as Members of Parliament can respond and be community champions in seeking to provide aid and assistance to our constituents at times of significant trouble in their lives. The right hon. Gentleman is right to remember those who have served this House with dignity and honour in achieving that, and I underline what he has said.

We recognise that change is needed, and in keeping with the overall objective of modernising riot compensation arrangements, the Bill simplifies the definition of a riot that is to be used when determining claims. Currently, decision makers must consider the definition in the Riot (Damages) Act 1886, and the Public Order Act 1986 when determining whether individual claims should be considered as relating to a riot. The Bill would introduce such simplification, for which there is a clear need.

If the Bill is enacted, guidance will be produced to better inform decision makers about how to apply the right definition. That will help when dealing with more difficult scenarios, such as whether all members of a riotous group must have entered a building where damage occurred in order for it to meet the definition. There will always be claims that are likely not to qualify, and guidance must be included to enable decision makers to weed out opportunistic claims. We are clear about the need to provide further guidance, which we hope will assist with that.

Bob Stewart: Huge damage was done in areas such as Tottenham and Croydon, but in Beckenham just three businesses were damaged. The riot was not as big, but those affected suffered just as much. When we define a riot, we must be careful about the language we use so that those people can be included in compensation arrangements.

James Brokenshire: The right hon. Gentleman is right to remember Malcolm Wicks, and the steps that he took in his community. That is reflected by the hon. Gentleman. Members who represent Croydon today and who are following through on that tradition of representing their constituents at what was an extraordinarily difficult time. That shows how we as Members of Parliament can respond and be community champions in seeking to provide aid and assistance to our constituents at times of significant trouble in their lives. The right hon. Gentleman is right to remember those who have served this House with dignity and honour in achieving that, and I underline what he has said.

We recognise that change is needed, and in keeping with the overall objective of modernising riot compensation arrangements, the Bill simplifies the definition of a riot that is to be used when determining claims. Currently, decision makers must consider the definition in the Riot (Damages) Act 1886, and the Public Order Act 1986 when determining whether individual claims should be considered as relating to a riot. The Bill would introduce such simplification, for which there is a clear need.

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Tottenham and my hon. Friend the Member for Torbay in their speeches. It is our intention that charitable donations should not be deducted from compensation, but that formal aid such as that funded by local government should be. I think that clarity can be provided.

The hon. Member for Ealing Central and Acton talked about the police marking their own homework, and other Members developed that theme. We expect claims, other than those of relatively low value, to be subject to a loss adjustment-type process, as most insurance claims are. I also underline that clause 9 provides for a reviews and appeals mechanism, which gives an important assurance about how claims will be addressed.

My hon. Friend the Member for Morecambe and Lunesdale (David Morris) rightly focused on small business, and he asked whether mobile businesses might be covered. That is an interesting question that may be worthy of further development in Committee. Members also mentioned the compensation cap, and as we have heard, there is provision for it to be extended. Any legislation requires regular Government assessment, and there are processes in place for that, which I hope will allow for reflection on the level of the cap. I am sure that that point, too, will be subject to further examination in Committee.

Several of the proposals in the Bill will make compensation arrangements more generous. The way compensation has been paid in the past has created hardship for some vulnerable people and businesses, and it is right to ensure that those in the greatest need can recover more easily from the impact of riots. We are mindful of our responsibilities to protect public money, and the proposals to limit payments to large businesses and to apply excesses to compensation will help balance out the impact of increased compensation.

Ultimately, however, the purpose of the Bill tabled by my hon. Friend the Member for Dudley South is to protect vulnerable people from hardship. The current provisions may have been suitable to provide for the living standards of Victorian Britain, but they do not reflect the needs of our modern society. That is why I agree with him about the need for change. I commend him again for bringing the Bill before the House. In the light of today’s debate and the clear need for reform, I hope that the House will not just commend him but give his Bill a Second Reading.

12.25 pm

Mike Wood: With the leave of the House, I would like to thank right hon. and hon. Members from both sides of the House for the positive and constructive points they have made in the debate. I will certainly reflect on those points, and I look forward to discussing them in more detail should the Bill proceed.

Given that the debate has already run for rather longer than I expected, I will not repeat the important points that have been made in the debate and in my right hon. Friend the Minister’s response to it, except to say that we all pray that the measures in the Bill will not be needed, but we must never allow hoping for the best to prevent us from preparing for the worst. I hope that Members will support the Bill, and I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).

12.26 pm

Simon Hoare (North Dorset) (Con): I beg to move, That the Bill be now read a Second time.

Like many right hon. and hon. Members, I availed myself of an invitation from the Royal National Institute of Blind People a couple of months ago. I met the RNIB in a town in my constituency and was blindfolded and given a white stick. Then a disembodied voice said, “Don’t worry, we’ll stay with you.” I thought I was making huge and great progress, but when I took the blindfold off after about 40 minutes, I realised that I had travelled about 200 yards. My agent had kindly videoed me making the trip, and she was going to use the video—I am not entirely sure whether it was for promotional purposes or blackmail. However, it was unusable because of the level and frequency of expletives—from me, I hasten to add—as I kept bumping into things and getting disorientated.

I was lucky, because after that 40-minute torture I was able to take my blindfold off, see where I was, get my bearings and move around the town of Blandford Forum. However, 2 million people in this country are registered as either blind or visually impaired, and there are only 5,000 guide dogs. It does not take Einstein to do the maths and realise that a huge number of people who are either blind or visually impaired are without guide dogs. While they go about their legitimate business day in, day out—going to the shops, going to a community event, going to work, taking a child to school—they often find themselves encumbered by a car that is parked on a pavement when there is no need for it to be there. That is the kernel of the Bill.

What attracted me to the Bill is that it will have direct and signal benefits not just for those who are blind and visually impaired but for many hundreds of people in each and every constituency.

Antoinette Sandbach (Eddisbury) (Con): I do not know whether my hon. Friend has ever tried to push a double buggy with two children in it, but there are many, many mothers up and down the country, as well as in my constituency, who will be extremely grateful that the Bill is being brought forward.

Simon Hoare: I have never been blessed with twins, but with three young daughters who are now seven, five and three, I have certainly had one in a pushchair, one at heel—well, vaguely at heel—and one on my shoulder. I empathise entirely with my hon. Friend. She is right that that group of people would benefit from the Bill, too.

We are very keen—this is what sits behind much of our proposed welfare reforms—to bring people who are able to work but have a disability back into the workplace, for all the reasons and benefits we recognise and understand. It can be very difficult, however, particularly for those in what can often be rather large and cumbersome motorised scooters, to suddenly find their progress blocked. What opportunity do they then have to progress? They can either turn around and go home, or go out on to the carriageway and take their lives—and not just their lives—in their hands.
Nick Thomas-Symonds (Torfaen) (Lab): Like the hon. Gentleman, I undertook a blindfolded walk around the town centre of Pontypool in my constituency. It brought home to me first-hand how the nature of obstacles makes a tremendous difference to making progress. Does he agree that one of the important parts of the Bill is not just about removing obstacles, but assisting with the level of anxiety that people with sight impairment suffer?

Simon Hoare: The hon. Gentleman is absolutely right. Recent research shows that 70% of those who are blind have, in the past three months, collided with a car parked on a pavement, and that 32% feel less confident about going out. If we are in public policy and public affairs to increase social mobility and inclusion, and to build communities up, there would seem to be merit in trying to encourage people of limited ability to get involved and to do things. That is why I am bringing forward the Bill.

Following on from the point made by my hon. Friend for Eddisbury (Antoinette Sandbach), as well as helping the blind, the visually impaired, the disabled and parents with young children, I think of children taking their first independent steps when they hit the age of 10, 11 or 12, and are walking to school with an older brother or sister. It is highly dangerous for them, on some occasions, to have to walk into the carriageway. That is a danger not just to those pedestrians, Mr Deputy Speaker—I am not sure when you appeared, Mr Deputy Speaker; I think I might have referred to you as Madam Deputy Speaker a moment or so ago, in which case I apologise—but to motorists who might suddenly find they have to swerve.

The key point I want to make in my opening remarks is that the Bill is not anti-car or anti-motorist. My wife and I own a car each. I represent a rural constituency of 400 square miles. Without a motorcar, there is no way we could take our children to school five or six miles away from where we live. This proposal is not the dead hand of the state. This is not a licence for local authorities to try to get in a bit of extra revenue. It is not the dead hand of the state. This is not a blanket ban for pavement parking. In medieval or older town and city centres with Victorian terraces and the like, popular ownership of the motorcar was never envisaged. To make the carriageways wide enough for emergency vehicles, bin lorries and other large vehicles, it is important to ensure a balance is struck between allowing the free movement of vehicles and securing the free movement of pedestrians.

The major difference in the Bill is that clause 3 sets aside specific provision for the Secretary of State for Transport to provide regulations and guidance to local authorities about who to consult—who are statutory consultees—and how to consult before it is introduced. It is not a blanket ban and nor is it an automatic obligation for local authorities to make use of the purposes set out. It will be up to the local authority, working in concert with local councillors, communities, freight transport associations, road haulage associations and the emergency services, to decide precisely where it is either appropriate or inappropriate to permit or to prohibit the parking of motorcars on pavements. This is not the dead hand of the state. This is not a licence for petitifogging officialdom, and nor is it a cash cow for local authorities to try to get in a bit of extra revenue. It will be proportionate and it will be sensible.

One thing I did not know—I am pretty certain that hon. Members know this, but it was a gap in my knowledge—is that organisations such as the RNIB and Guide Dogs will offer a service to people in all our communities to devise a safe and secure route to the shops, to work, to church, to school or to wherever. If, post consultation, and on the presumption that a local authority has decided to avail itself of the powers in the Bill, the trigger is that it would mark out in some way—the free movement of vehicles and securing the free movement of pedestrians.

Sir Edward Leigh (Gainsborough) (Con): I have a great deal of sympathy for what my hon. Friend is trying to achieve, but can he explain how it will work in practice? Clause 1 states that a person who parks on a pavement or a footway in an urban environment is guilty of a civil offence, but what can they do if they live on a very narrow road with no off-street parking? If they do not park partly on the pavement or footway, they are obstructing the road. I am sure my hon. Friend can deal with this point, but it is a serious one that needs addressing.

Simon Hoare: My hon. Friend is absolutely right. The Bill was introduced by a former hon. Member for Cheltenham in an earlier Parliament, but it was not debated. We have taken it on and amended it. This will not be a blanket ban for pavement parking. In medieval or older town and city centres with Victorian terraces and the like, popular ownership of the motorcar was never envisaged. To make the carriageways wide enough for emergency vehicles, bin lorries and other large vehicles, it is important to ensure a balance is struck between allowing the free movement of vehicles and securing the free movement of pedestrians.

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Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Is it not important to empower our councils to make decisions in accordance with their own landscapes? I, for example, have a medieval walled city in Berwick and counsel such as my hon. Friend the Member for Gainsborough (Sir Edward Leigh), always to prove, without a shadow of a doubt, that parking has been wilful or negligent.

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a cobbled town in Alnwick. Interesting work has been done in many French towns. In some, parking is permitted on one side of the street for two weeks in the month, and then for two weeks on the other side, which means that emergency vehicles can always get through. The communities have adapted, there is a rigour to it and people do not break the rules because they understand that they support the flow of everyone who needs to use the pavements and roads.

Simon Hoare: I am incredibly grateful to my hon. Friend, who has given me an awful lot of support on the Bill and is a huge supporter of Guide Dogs. She makes her point well. Through local consultation and accommodation, these things can be resolved so that nobody is disadvantaged and social inclusion and mobility can be put at the heart of everything we do.

It might be helpful if I mention some of the organisations supporting the Bill: Guide Dogs; the Local Government Association, which is fed up with all the conflicting guidance from different Departments and geographically narrow traffic regulation orders, which cost between £3,000 and £3,500 but which are not really doing the job; the British Parking Association—it might just be a drive to get more customers into its car parks; the Campaign for Better Transport; Age UK; Living Streets; the RNIB; Sense; Civic Voice; Cabe Design Council; Keep Britain Tidy; Transport for All; the Macular Society; the National Pensioners Convention; the National Federation of Occupational Pensioners; Deafblind UK; and SeeAbility. That level of support, from organisations that have thought about the Bill and decided to support it, indicates the wide range of potential beneficiaries.

Bob Stewart (Beckenham) (Con): rose—

Simon Hoare: I will give way to my hon. Friend, who kindly sponsored the Bill with me some months ago.

Bob Stewart: I rise as a sinner. I am guilty. I have been brought before the beak and charged £60 for parking outside my house in Kingston. I was guilty. I hope that the Bill, which I sponsored, will pass, so that I will know in future, from road signs, that I should not park outside my house.

Simon Hoare: Heaven rejoices when a sinner repenteth. I am certain that my hon. Friend’s confession, in perhaps the most public place to make a confession, will have the angels tuning their harps even as we speak.

Kevin Foster (Torbay) (Con): Will my hon. Friend give way?

Simon Hoare: It is not another confession, is it?

Kevin Foster: No, thankfully not. Does my hon. Friend agree that the intervention from our hon. and gallant Friend the Member for Beckenham (Bob Stewart) raises an important point about the confusion in the current legislation? In my constituency and that of my hon. Friend, there is one set of parking legislation, which is hard to enforce, even where communities have chosen to ban it, while in the constituency of my hon. Friend the Member for Kingston and Surbiton (James Berry), there applies the sort of legislation we are trying to introduce here. Would it not be fairer to motorists and communities to have consistency across England?

Simon Hoare: My hon. Friend is absolutely right. He will know that almost identical provisions have existed in London since 1974. I am advised that the London boroughs association would go to hell kicking and screaming if anyone proposed any relaxation or change to the parking guidance that has served London and her boroughs so well all these years.

Mr Christopher Chope (Christchurch) (Con): Does my hon. Friend agree that the Bill might raise expectations that cannot be realised? For example, Dorset county council says it cannot afford to fund a 20 mph speed limit outside Twynham school on Sopers lane, where a student was knocked down and injured on a pedestrian crossing earlier this year. If it cannot even afford that, how will it afford to implement the complicated measures in the Bill?

Simon Hoare: I disagree with my hon. Friend. That these are complicated proposals; I think they are anything but complicated. As we all know, local authorities choose to prioritise different areas, and we are both lucky enough to reside in and represent constituencies in the area of a finely run and Conservative-controlled county council.

I return, however, to the point made by our hon. Friend the Member for Gainsborough (Sir Edward Leigh). It would be up to local authorities whether to use the legislation. If they decided not to, for cash, political or ideological reasons, there would be no obligation on them to do so, and they would continue to rely on the police—or police community support officers, if they so wished—to treat the matter as a criminal offence and to issue tickets and fines through that process. That is the important point. This is not a coercive Bill; it seeks to address, in a pragmatic and sensible way, an issue that is recognised by many people in this House and the organisations I listed earlier.

James Berry (Kingston and Surbiton) (Con): I thank my hon. Friend for introducing the Bill and all those, including my constituents in Kingston and Surbiton who have long campaigned for this measure.

Bob Stewart: It was Kingston that fined me.

James Berry: I know. I am glad to see my hon. Friend’s parking fines going towards reducing our council tax bills. Will my hon. Friend the Member for North Dorset (Simon Hoare) confirm that the Bill reaches a sensible accommodation between motorists and the long list of organisations he mentioned, and, more importantly, a localised accommodation that could, if done properly, be right for all areas of the country?

Simon Hoare: My hon. Friend is absolutely right. A local authority could decide to deal with the matter on a ward-by-ward basis. It could run pilots. It is an iterative, organic process, not a fixed one. I will leave him and my hon. and gallant Friend the Member for Beckenham (Bob Stewart) to sort out the repayment of the fine.

I know that there are lies, damned lies and statistics, but I think these are powerful: 97% of blind or partially sighted people have encountered problems with general street obstructions, and 90% of them have experienced direct trouble from a parked car. I have been sent a vast
number of photographs—it goes to show, particularly after this week, that social media can actually be social—of vulnerable and elderly people, mothers and disabled people walking into busy carriageways to get around parked cars. I had an email from a lady who was in a mobility scooter who literally got stuck: there was one van parked in front of her and, before she realised it, another behind her. There was no dropped kerb, and she sat there for an hour and a half, because although she could just about bounce her vehicle down the kerb, there was no guarantee she would be able to bounce it back up on the other side. I say in all common decency, and as a motorist myself, that if only a little extra thought was given to these matters, legislation probably would not be required, but we are all too much like St Augustine, and therefore we often err where we should not.

Mike Wood (Dudley South) (Con): Does my hon. Friend agree that this problem is particularly acute on pavements around schools, especially primary schools, where obstructed pavements not only force buggies into the road but obstruct pedestrians’ view and prevent them from crossing safely?

Simon Hoare: My hon. Friend is absolutely right, and as this debate continues the clear and tangible benefits are seen to be ever wider and ever clearer.

I turn now to the discussions I have had with the Department for Transport since we published the Bill. I do not think this is always the case with Departments and private Members’ legislation, but I want to put it on record that the Under-Secretary of State for Transport, and private Members’ legislation, but I want to put it on record that the Under-Secretary of State for Transport, and the vulnerable with regard to transport and mobility.

It is unfortunate that a meeting of minds has not been achievable during those discussions. However, my hon. Friend the Member for Harrogate and Knaresborough has convinced me of both his sincerity in dealing with the issue and, in general terms, his firm and clear commitment to improving the rights of the disabled and the vulnerable with regard to transport and mobility. It was on that basis, following a conversation with my hon. Friend the Minister, that I wrote to him on 26 November setting out what I thought was a good proposal to move forward if, even in the dying days of our discussions, a meeting of minds was not achievable.

I have set out to the Minister that a round table discussion would be convened by the Department early in 2016, to be attended by organisations such as Guide Dogs, the Local Government Association, Living Streets, the Royal National Institute of Blind People and myself, to discuss the concerns that triggered the Bill and the current situation. The Department has agreed to sponsor evidence-gathering to provide a sound basis on which to determine how best to proceed in addressing the issue, either by legislation or regulation. That would be undertaken at the expense of the Department for Transport. Following the commissioning of that evidence-based research and greater clarity on what I believe to be clear already—that the situation is a little hazy and the rules a little confusing and conflicting, although, as I have said, we have been unable to achieve a meeting of minds—that initial round table would convene to chew over the findings of the research and plot a way forward.

On 1 December, my hon. Friend the Minister replied to me to say:

“Therefore, improving access for disabled people is a key priority for me and I would like to thank you and Guide Dogs for raising this issue. Although Government cannot support your Bill, I am prepared to convene a round table next year to discuss this issue and envisage that it might include”—

I have mentioned some of those involved—

“to inform the questions we will consider in the research. After which, and in the next financial year, I am also content for my Department to undertake some work to examine more closely the legal and financial implications of an alternative regime and the likely impacts on local authorities. I would also be content to report back to the round table on the outcome of that work.”

There are two ways, as I understand it, to try to achieve progress on what I think is seen collectively across the House as an important issue. One way is to ram our heads against the wall, to find ourselves faced with the overpowering might of the Executive and the Treasury Bench, and to come away with a headache and a badge that says, “A1 for endeavour, gamma minus for success”. The other way—this was the advice of my hon. Friend the Member for Shipley, for which I am again grateful—is to sit down with the Department. Predicated on the seriousness with which my hon. Friend the Member for Harrogate and Knaresborough has been dealing with this and the assurances he has given, that has certainly given me food for thought.

In the time remaining, I would be very interested to hear—obviously at your discretion, Mr Deputy Speaker—the views and considerations of colleagues on both sides of the House.

12.55 pm

Susan Elan Jones (Clwyd South) (Lab): Mine will be but a short contribution to the debate. I would like to put on record the thanks of very many Members to the hon. Member for North Dorset (Simon Hoare) for bringing forward this Bill and raising an incredibly important issue that affects the day-to-day lives of so many people, especially those who are blind or have visual disabilities.

I have received representations from a number of constituents on this issue, as have many of us, but I was struck in particular by what one of them said, a gentleman by the name of Ian Stewart Jones who began lobbying for the Motor Neurone Disease Association about 20 years ago. They found that they were unable to park in the vicinity of their home due to roadworks, and they were told that they would need to park in the back of a block. Ian Stewart Jones said:

“I suggest... people contact their... MPs... so we can put an end to this very selfish practice.”

That is quite interesting, because many people who park on pavements do not see it as selfish. It is sometimes the easy thing to do. For those of us who are not very good at parking—or, rather, who are atrocious at it—it sometimes seems the best option, as we choreograph...
our little vehicles into what we think is the best and easiest place to park, so it is interesting to see that word “selfish”.

We can imagine the difficulties that many people face because of this practice, and I was interested to hear the hon. Gentleman quote the sheer number of organisations that support his Bill. I did not take them all down, but they include the RNIB, Guide Dogs, the National Pensioners Federation, Living Streets, the Local Government Association and so many more, so it is fair to say that there is already a wide consensus in civic society and in the representative groups he listed that support the Bill.

I appreciate that there will now be further consultation, discussion and the like, but I would like to put on record a plea that this measure not be forgotten, because I was very struck by that description of parking on pavements as a selfish practice. I can imagine it is also a very demeaning practice for people who want to get on with their day-to-day lives, but who face being knocked over and having to bump against vehicles—who face the general degradation that, quite frankly, most of us would not put up with for even 20 minutes. I therefore urge Ministers and all Members to recognise this as an important and serious Bill. We often talk in this place about equality, diversity, equal chances and all the rest of it, and this Bill is at the heart of what we mean by that. It is a practical manifestation of it. Whatever happens at the next stage, I urge that it not be forgotten. In one form or another, the Bill needs to proceed.

12.58 pm

David Mackintosh (Northampton South) (Con): I am very pleased to be speaking on this topic because, like my hon. Friend the Member for North Dorset (Simon Hoare), whom I thank for bringing it to the House, a couple of months ago I was invited to take part in a walk where I was blindfolded, given a white stick and led by a guide dog around Northampton market square. It was a route I have taken throughout my life, but it was a real education to do it without the sight that I have become so used to throughout my life and which we all take for granted.

I depended very much on the dog that was guiding me around the market square, but I had not appreciated how different everything around me would be—the cobbles on the pavement beneath me and the cars that were parked, frankly, where they should not have been, which would not have mattered had I been able to see. I was grateful to the Guide Dogs for the Blind Association in Northampton and the Northamptonshire Association for the Blind for giving me that opportunity.

As someone with a background in local government, I know that issues to do with parking, pavements and cars are often brought to us. It is difficult to see how we can make certain changes, because lots of residents want to have access to cars, parking and their homes, as we have heard. However, this does need to be looked at. I am glad to hear that it is being taken seriously by the Department for Transport; I am grateful for the update provided on the round table next year; and I look forward to seeing further developments.

1 pm

David Morris (Morecambe and Lunesdale) (Con): I congratulate my hon. Friend the Member for North Dorset (Simon Hoare) on bringing forward this Bill to deal with an issue that should have been addressed sooner. It is right to harmonise across the country the arrangements and enforcement policies that have been in place in Greater London for a very long time.

Every council and every individual sees the abuses of pavement parking on a daily basis. It can be very costly: pavements can crack when cars go on to pavements; the dropped stone kerbs and footings on the pavements can be damaged; and even landscaped areas can be damaged, which has not been mentioned so far.

How can we police this in the future? A reasonable form of future policing would involve something along the same lines as a parking ticket. Provision would need to be built into the new laws that enforcement is not fielded out to these ANPR—automatic number plate recognition—processing companies, because those cowboys will move on straightaway to find another little loophole that they can exploit to the hilt.

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): Let me provide some clarification. It has been stated that parking on the pavement is a criminal offence. If a council uses its powers to ban pavement parking on particular streets, it can be enforced by those councils if they have civil enforcement powers. About 95% of local authorities do have those civil enforcement powers.

David Morris: I thank the Minister for that interjection. He is correct in everything he says, but these powers are very costly. Their enforcement can range from £1,000 to £3,000, so we need to look at finding a means of enforcement on a cheaper scale, as well as on a fairer scale. I believe that any legislation to address this problem should exempt councils from bringing in these “spy-in-the-sky” companies, which would cause not only more problems for individuals, but an absolute headache for any legislative process that we introduce.

I have nothing more to say other than to wish my hon. Friend the Member for North Dorset well and to thank the Minister for listening to parking issues not only on this occasion, but many times in the past.

1.2 pm

Daniel Zeichner (Cambridge) (Lab): I first congratulate the hon. Member for North Dorset (Simon Hoare) on bringing forward the Bill and on introducing me to the concept of a child at heel—not something of which I have had much experience.

Where drivers may or may not park is an issue that confuses drivers who find the current law applied inconsistently; frustrates local residents who suffer inappropriate parking; causes misery to people with disabilities and visual impairments who find pavements blocked; and is a subject on which I know many campaigning groups have worked very hard, and I pay tribute to them. Some of them were listed earlier and it is an impressive array of campaigning organisations, as well as the Local Government Association, the British Parking Association and, according to research, more than three quarters of councillors across the country.

That has helped to inform the view on the Opposition side of the House, and we broadly support the proposed measures, although we, too, believe that there is more work to be done. We want clarity for motorists and
accessible pavements for all, but we also want to be sure that the Bill will not simply substitute one bureaucratic burden on local councils with another.

Everyone is affected by parking on pavements, which were clearly not designed to bear the weight of cars. Pavement parking can cause obstruction and damage, such as cracked paving and tarmac, and needs to be properly managed. The cost of maintaining damaged pavements can be significant, adding an extra financial burden to councils already faced with deep funding cuts and stretched to breaking point.

As we have heard, vehicles parked on pavements are an issue particularly for vulnerable pedestrians—especially for older people, families with pushchairs, wheelchair users and people with visual or mobility impairments. Banks of parked cars can also force cyclists to swerve into dangerous traffic flows, which can be especially dangerous on narrow roads. With the levels of congestion we have in our country, it seems unlikely that these problems are going to disappear, and we need better legislative intervention.

Let me first address the state of the current pavement parking laws outside of London, which to any independent observer may well seem both illogical and impractical. As has been pointed out, the current law is inconsistent across the country and it is inconsistently applied. Although pavement parking is legal, it is actually illegal to drive on to the pavement, whether with the intention to park or not. The ambiguity in the law means that most local authorities, as we have heard, struggle to enforce restrictions.

As the law stands, my understanding is that local authorities are able to prohibit parking in specific areas by issuing a traffic regulation order. Since 2011 local authorities are no longer compelled to obtain permission from the Department for Transport to issue traffic regulation orders, but the process is still time-consuming, taking up to two years, and it must go through a period of extensive consultation. Furthermore, it is estimated that the average cost for each traffic regulation order is between £1,000 and £3,000, a not inconsiderable sum.

Some tell us that local authorities outside London already have wide-ranging powers to prohibit pavement parking, but when one looks at the attempts of some local authorities to discourage pavement parking, they can be described only as inventive in some cases. They include installing guardrails, planting trees and strategically placing bollards on pavements, and I understand that there is even Government guidance on non-legislative methods to prevent pavement parking. These methods are sometimes farcical, and they are not always effective. As the LGA points out, such physical barrier schemes may simply transfer the location of a parking problem to another nearby area.

This is not a new problem. As long ago as 2006, the Transport Select Committee said:

“The Government must grip the problem of pavement parking once and for all and ensure that it is outlawed throughout the country rather than relying on the use of individual Traffic Regulation Orders on specific streets and local Acts to impose a ban.”

The Committee also called for reform to end “the confusing patchwork approach across the country”. We are close to celebrating a decade since the Transport Committee said that. What we want is a Bill that will create a new system, such as the one suggested in this Bill, under which local authorities would be able to apply for exemptions from pavement parking bans on a street-by-street basis rather than applying to prohibit parking in specific areas.

This is already the experience in London for the 32 London boroughs and the City of London, which has had a general prohibition on pavement parking since 1974. I understand that pavement parking is also banned in Exeter through a byelaw, but the use of byelaws to address pavement parking is, I am advised, no longer approved. The fact that pavement parking bans have worked in these areas is an encouraging sign that a ban could work on a national scale, ending the regional disparity and the “patchwork approach” mentioned by the Transport Select Committee.

We recognise that the implications of the Bill need to be gone through with a fine-toothed comb, and we need to acknowledge that with different issues in different part of the country, a one-size-fits-all approach would probably not be appropriate. That is why we would need assurances that the process to exempt locations will be far less complex than the current process of issuing a traffic regulation order, and that all options for change, including reforms to an opt-in system, will be properly considered.

We must ensure that local authorities will not be saddled with unnecessary financial and administrative burdens. Historic cities struggle with modern volumes of traffic, as we have heard. In my city of Cambridge and others such as Oxford and Durham, large numbers of narrow streets could necessitate numerous exemptions from a ban on pavement parking. We would need to know that the process would not create a bureaucratic nightmare. Perhaps in such places councils could apply for larger areas to be exempt from a pavement parking ban, circumventing the tedium and cost of a street-by-street approach.

Clause 3 makes reference to “a fair increase” in the level of fines that local authorities could levy, subject to a consultation led by the Secretary of State. This is certainly a concern for the Opposition. We do not want to see drivers unfairly penalised. If the Bill is to be considered further, this point must be addressed.

In conclusion, we all recognise a need for far greater clarity and that the issues surrounding pavement parking should not continue to be shunted aside. I am very pleased that the hon. Member for North Dorset has brought forward the Bill, and we want to ensure that progress is made on the issue. Although we are slightly disappointed that the Government have chosen not to support the Bill proceeding further, we welcome the fact that there will be further discussions. We hope that we ultimately end up with legislation that will help local authorities to make decisions about parking more simply, with reduced costs, and that we will be able to protect vulnerable pedestrians and all those who use our roads and pavements in our country.

1.19 pm

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I commend my hon. Friend the Member for North Dorset (Simon Hoare) for the way...
in which he introduced his Bill, and for his clear concern for the safety and free movement of pedestrians. Having tried and failed to encourage a Patterdale terrier to walk to heel, I was very pleased to hear that he had had more success with his own children.

Disabled people, older people, and people with young children in pushchairs are particularly concerned about this issue, but the House should be in no doubt that I share his concern for the well-being of all pedestrians. I have been out and about in Scarborough wearing blacked-out glasses and observed some of the problems caused by, in particular, restaurants putting tables on the pavement. That is a perennial problem.

It is clear from what was said by the hon. Member for Cambridge (Daniel Zeichner) that a number of complications would need to be ironed out before the Government could act, and given that many local authorities are under the control of his party, and other parties, I think it important for us to encourage authorities to engage fully.

Vehicles parked on a footway or verge where such parking is not permitted can cause serious problems for many groups, including people in wheelchairs and those with visual impairments. Indiscriminate pavement parking does more than cause problems for the movement of pedestrians, as it may also damage the verge or footway, and the burden of repair costs normally falls on the local highway authority. High-quality pavements are important in enabling people to get about as part of their everyday lives and participate in their community.

My hon. Friend’s Bill has inspired some valuable and interesting debate; let me now offer the Government’s views.

There is currently an historic ban on footway parking by all motorised vehicles throughout London, except where it is expressly permitted by local authorities, and the Bill seeks to extend a similar prohibition on footway parking outside London. It is worth noting, however, that in many cases London councils permit limited footway parking, which is indicated by relevant signs, including a broken line on the footway prescribing the limits of footway incursion by vehicles. That is because local authorities need to take account of all road users when making decisions on footway parking restrictions or allowances.

In some streets, footway parking is in practice inevitable to maintain the free passage of traffic to meet the needs of local residents and businesses. It would not be possible to drive a refuse wagon, let alone an emergency vehicle, down some narrow streets if that were not the case.

Local authorities must address such issues to ensure that a fair and balanced approach is taken to all residents and road users, and it is therefore right for them to decide where footway parking should be permitted. I should make clear that all authorities outside London already have full powers to introduce bans on footway parking wherever they see fit. That can be done by means of a traffic regulation order, under powers contained in the relevant sections of the Road Traffic Regulation Act 1984. The restrictions must be indicated by traffic signs that have been authorised by my Department.

David Morris: Obviously legislation and regulations already exist to prevent pavement parking, but the process is very costly. Is there any way in which we could amend the offence to make it cheaper for councils to act accordingly?

Mr Goodwill: We heard from the hon. Member for Cambridge that some local authorities could prescribe zones, but if there were a ban on all footway parking, the cost associated with relief from that ban on certain streets would fall on local authorities. It is the flip side of the same coin.

I understand that the traffic regulation system is considered by some people to be a barrier to the wider provision of an effective footway parking system, but do not entirely accept that. Despite the cost, local authorities make many traffic regulation orders each year for a variety of traffic management purposes. An average authority makes perhaps 50 permanent orders a year. In practice, local authorities are responsible for both parking policy—deciding where parking may or may not be permitted—and parking enforcement.

In addition to direct footway parking bans delivered through traffic regulation orders, there are the yellow line road markings. Vehicles should not park at all where there are double yellow lines. Upright traffic signs indicate when parking restrictions are in operation when they are placed in conjunction with single yellow lines. Those restrictions apply from the centre of the road all the way to the back line of the highway, including the footway—which could mean the fence line of a field, or a length of residential garden walls.

There are also several ways of preventing footway parking that do not involve regulation, including the use of physical measures such as the erection of guard railings, bollards, high kerbs, cycle racks, seating and planters. Decisions on whether to use such measures must be made by local authorities, on the basis of local circumstances and site layouts. Their use does not require traffic orders or signing, and can therefore be a relatively quick means of restricting vehicle access, as there is no need for a formal order-making process. Of course, we would still encourage local authorities to consult those likely to be affected as a matter of good practice. Such measures also have the advantage of being self-enforcing, thereby cutting down on the resources that are needed to ensure they are complied with.

I recognise, however, that the needs of disabled people must be taken into account, and that careful planning of physical measures is required to ensure that they can get about safely and independently. We must not forget that some people with mobility problems need to park close to their homes, and that that may sometimes require pavement parking. We would not want people with serious mobility problems who had been accustomed to parking outside their homes to be forced to park two or three streets away. Local authorities have the power to ban vehicles from parking on the footway, and the Department for Transport’s guidance to local authorities makes clear that during the appraisal of its parking policies, an authority should consider whether footway parking is problematic in any part of its area. If it is, and if that is not covered by an existing traffic regulation order, the authority should consider amending the existing order or making a new one.

Introducing a national ban on footway parking outside London would change the way in which local authorities decide where and when footway parking would be allowed or prohibited. It would be a change to the current system, but would not introduce a new power, as local authorities already have that power; and it would not be without new cost burdens for local authorities. They would have
to remove any existing local prohibitions, taking down signage, and then review every road in their areas to establish where limited footway parking should still be allowed, to avoid congestion, before going through the process of passing resolutions, putting down road markings, and erecting appropriate signage.

If the Government were to propose any such legislation, I would not wish us to do so without undertaking a full and impartial impact analysis, evidence-gathering exercise and consultation, in order fully to understand the legal implications and the costs that might be imposed on local government of changing the existing system when powers to ban footway parking already exist.

As I explained at the outset, we share my hon. Friend's concern for the safety and free movement of pedestrians. Improving access for disabled people is a key priority for my Department. Although the Government cannot support the Bill, I know that the Under-Secretary of State for Transport, my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones), has agreed to convene a round table next year to discuss footway parking issues, and has also agreed that the Department should undertake some work to examine more closely the legal and financial implications of an alternative regime, and the likely impacts on local authorities. I cannot commit myself to any further action without a firm evidence base and the collective agreement of my ministerial colleagues, including those in the Department for Communities and Local Government. Nevertheless, I hope that, on the basis of what I have said, my hon. Friend will feel able to withdraw his Bill.

1.18 pm

Simon Hoare: I am grateful to the Members on both sides of the House who have participated in the debate. I am particularly grateful for the support from my hon. Friend the Member for Northampton South (David Mackintosh), given that, before entering the House, he was the leader of Northampton Borough Council.

Let me say to the hon. Member for Clwyd South (Susan Elan Jones) that I am, at this stage, content to accept the assurances of the Department and the Minister. However, she should rest assured, as should the organisations who have signalled support for the Bill, that I—along with, I believe, colleagues in the House—will be holding the Department’s toes to the fire next year in order to make progress.

I am afraid that I neglected earlier to include my thanks to Fergus Reid, Clerk of Private Members’ Bills, who has been incredibly helpful to me.

People often wonder why a Member has introduced a Bill. I shall let the House into a little secret, with apologies to the hon. Member for Torfaen (Nick Thomas-Symonds), who has heard this one before. In the last month, the Under-Secretary of State for Transport, my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones) has received the birth certificate of a guide-dog puppy, which has been named after him. I thought that calling a dog Andrew was rather sweet. In actual fact, they have called it “Jones”. I was rather hoping that if we make some progress on this, the Guide Dogs might name a dog after me, because I rather look forward to its owner shouting across a crowded playing-field, “Hoare.”

I should also report the thanks of my three daughters, Imogen, Jessica and Laura, who I do not think ever thought they would get so many mentions in the House on a Friday morning.

Based on the assurances and undertakings I have had both in writing and in person from my hon. Friend at the Dispatch Box and his colleague, all of which underline the point of the complexity local authorities face in this area, I propose to withdraw the Bill and therefore beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

Bill withdrawn.
Following my selection in the ballot, while discussing with colleagues potential topics for my Bill, I decided I wanted to be involved in securing a piece of legislation that would do some good, make a real difference in people’s lives, and improve the justice system.

Edward Argar (Charnwood) (Con): I commend my hon. Friend on his choice of Bill. Is he aware of the words of Richard Foster, chairman of the CCRC, to the Justice Committee, who said: “you can be confident that there are miscarriages of justice that have gone unremedied because of the lack of that power”? Does my hon. Friend agree?

William Wragg: I entirely agree. This is a vital amendment to the law, allowing the gaining of private evidence to assist in those cases of miscarriage of justice. My hon. Friend is right to raise that.

The CCRC was set up in 1997, following the Criminal Appeal Act 1995, to investigate possible miscarriages of justice. It was the world’s first publicly funded body to review alleged miscarriages of justice, set up in the wake of notorious mishandled cases such as the Guildford Four and the Birmingham Six—two high-profile cases of two groups of men, both convicted and imprisoned for connections to bombings carried out by the IRA in the 1970s.

Both sets of convictions were found, after repeated appeals, to have had serious breaches in the due process, irregularities in police evidence and, in the case of the Six, serious accusations of police brutality. All the men spent between 10 and 20 years behind bars before their convictions were eventually quashed after being ruled “unsafe”.

The royal commission reported in 1993, which led to the Criminal Appeal Act 1995, which established the Criminal Cases Review Commission in 1997. Although none of those may be a household name, as anyone who has ever been subject to a miscarriage of justice will attest, it is a deeply damaging experience and the CCRC is often victims’ only opportunity of salvation.

Before turning to the new powers, I must first explain how the CCRC operates under its current powers. The CCRC currently has the power to investigate alleged miscarriages of justice in England, Wales and Northern Ireland and to refer convictions and sentences to the relevant appeal court for a new appeal. Its jurisdiction was extended to the armed forces by the Armed Forces Act 2006 to cover courts martial and the service civilian court.

Parliament established the CCRC specifically to be a body independent of Government, and although sponsored by, and funded through, the Ministry of Justice, it carries out its operations completely independently. The commission investigates convictions on application by the offender or, in a case where the offender has died, at the request of relatives. It has special powers to investigate cases, and to obtain information which it believes is necessary to review a case. If the CCRC concludes that there is a “realistic prospect” that the Court of Appeal will overturn the conviction, it can make what is termed a “referral” and send cases back to court so that an appeal can be heard.

Applications are free to make to the CCRC and defendants cannot have their sentences increased on account of having made an application for review.
In principle, cases should only be examined by the CCRC where all other routes of appeal have failed. Only in “exceptional circumstances” may the commission consider cases which have not previously been appealed. However, as the commission usually deals with cases which have already been appealed once, if the commissioners are to be able to send cases for review it is usually on account of some new evidence or legal argument that has come to light.

Julian Knight (Solihull) (Con): I congratulate my hon. Friend on introducing this important Bill. As I understand it, the Bill would bring the private evidence position of the Criminal Cases Review Commission in England and Wales into line with the position in Scotland. Would he like to reflect on that?

William Wragg: My hon. Friend is correct. The equivalent body in Scotland has the full powers to subpoena private evidence, whereas the CCRC does not have those powers in England, Wales and Northern Ireland. That might have been an oversight in the 1995 Act, but he is right to make that point at this juncture.

The subject of the Bill hinges on what are commonly referred to as section 17 powers. Currently, section 17 of the 1995 Act gives the CCRC the power to require public bodies and those serving in them to give the commission documents or other material that may assist it in discharging its functions. That includes police, local councils, the NHS, the Prison Service and so on. It should be clear how all such bodies could and do serve as vital sources of evidence in such appeal cases. As I said to my hon. Friend, the CCRC currently does not have equivalent powers to get those materials from private organisations and individuals. The Bill contains provisions that would allow the CCRC to do so.

The House should be aware that the current working arrangements and effectiveness of the CCRC were the subject of a dedicated inquiry by the Justice Committee in the previous Session, as my hon. Friend mentioned. The impetus behind the legislation comes directly from recommendations of the Committee’s report from the inquiry, which was published in March 2015. I am grateful to have the support of several current and previous members of the Justice Committee. The Committee’s thorough inquiry ran for two months and collected evidence from legal academics and others.

Julian Knight: My hon. Friend mentions the Justice Committee. Is he aware of comments of the former Chairman of the Committee, Sir Alan Beith, who said:

“There has been a failure by successive Governments to grant the CCRC an obvious and much-needed power to require private bodies to disclose documents to it. We could see no good reason as to why it has not been introduced, considering it has universal support”?

William Wragg: My hon. Friend anticipates a remark I was about to make and is absolutely right to quote the then Chairman of the Select Committee. To answer what Sir Alan said, I stand here today with such a new criminal justice Bill. I hope to put right the failure of successive Governments to which he rightly referred.

I am delighted that the Bill has such widespread support from both sides of the House, including from experts in the fields of law, justice and home affairs. The co-signatories and supporters of the Bill may in themselves have grabbed the attention of fellow Members, given that they are drawn from diverse corners of the House spanning a chasm of political and ideological opinion. They include solid figures of the traditional right such as my hon. Friend the Member for Altrincham and Sale West (Mr Brady) and my right hon. Friend the Member for North Somerset (Dr Fox), as well as the Leader of Her Majesty’s Opposition and the shadow Chancellor. Supporters of the Bill are hardly the most natural political allies.

As well as having supporters of diverse political colours, the Bill has the support of those who have a wide range of experience, such as my hon. Friend the Member for Kingston and Surbiton (James Berry), who is a criminal law barrister, and the long-standing Chair of the Home Affairs Committee, the right hon. Member for Leicester East (Keith Vaz). The Bill enjoys the support of both current and past members of the Justice Committee, such as my hon. Friend the Member for Henley (John Howell) and the aforementioned hon. Member for Hayes and Harlington (John McDonnell), whose names are listed as contributors to the Justice Committee’s excellent report. As hon. Members will observe, the report is slightly larger than the shadow Chancellor’s more recent preferred reading material, but I will not be tempted to throw it towards the Minister.

The reason for the wide basis of support is not that, in my first six months in this place, I have become an adept and charming schmoozer of parliamentary colleagues and someone who is able to win over a diverse range of unlikely comrades to my cause—far from it. I hope the reason for the wide basis of support is that its merits are clear. What the Bill seeks to achieve is good and necessary. The motivations for legislative change were endorsed unanimously by the all-party Justice Committee from the previous Parliament.

It will be of benefit to the House if I outline what the Bill does and how its implementation would work in practice. The Bill would insert new section 18A into the 1995 Act so that the CCRC can obtain a court order requiring a private organisation or individual to disclose a document or other material in their possession or control. The court will be able to make an order only if it thinks that the document or other material might assist the CCRC in the exercise of its functions and investigations into miscarriages of justice when there is “a realistic chance of a conviction being overturned by the Court of Appeal”.

As with the current power to require material held by public bodies, the new disclosure requirements will apply notwithstanding any obligations of secrecy or other limitation disclosure. That will mean that companies will not be able to use excuses such as the Data Protection Act to deny the CCRC information, as the CCRC has previously experienced. It will also mean that when information carries security classification, including restricted and secret information, that will also not be able to cited as a reason for non-disclosure. That could be particularly important in cases of court martial, with which the CCRC has been involved since the Armed Forces Act 2006.
Even after the Bill is enacted, the CCRC should always attempt first to obtain information voluntarily before reverting to court order.

**Mike Wood (Dudley South) (Con):** Will my hon. Friend clarify what safeguards will be in place to prevent abuse of these new powers?

**William Wragg:** The key safeguard is the fact that there must be a court order, with that judicial oversight. That should give assurance to all Members of this House that the appropriate safeguards are in place in the Bill.

**Dr James Davies (Vale of Clwyd) (Con):** I congratulate my hon. Friend on his Bill. In seeking to ensure that the provisions of the Bill apply to England and Wales and, potentially, Northern Ireland, does he agree that the very similar provisions that have been in place in Scotland for 18 years have not resulted in any record of abused power or privacy invasion?

**William Wragg:** I thank my hon. Friend for that intervention, which is very helpful. We can use Scotland as a case study. Similar powers have been in force, as he says, for nearly two decades and there has been no recorded abuse of them.

I should state for clarity that the provisions of the Bill will extend to England and Wales and Northern Ireland, as, as we have discussed, Scotland has its own measures in place. The Bill does not contain any provision that gives rise to the need for a legislative consent motion in the Scottish Parliament or the National Assembly for Wales.

I want to elaborate now on why this change in the law is necessary. When I visited the CCRC’s headquarters in Birmingham, I saw how the section 17 powers were used. They are an essential tool in the commission’s work. Provided that the power is exercised reasonably, the CCRC’s ability to obtain public sector information is not restricted by any obligation of secrecy or limitation on disclosure. The power extends, for example, to information relevant to national security and to personal information held by the police, by the Crown Prosecution Service, in previous court material, by the NHS, by Government Departments and so on.

The commissioners have also explained to me that the absence of a power to obtain material from the private sector has often hampered their efforts. When material relevant to the CCRC’s work is held outside the public sector, the commission relies on requesting voluntary disclosure by the individuals or organisations with control of the material. Although voluntary disclosure is not uncommon, increasingly organisations regard themselves as unable to assist the CCRC as a result of statutory restrictions on the disclosure of information. Even where voluntary disclosure is made, that will often be after protracted negotiations have caused lengthy and expensive delays in the case review process.

One such example is with solicitors firms, which one would have thought would be among the most co-operative of sources. However, that is not always so. In the past the commission has seen a good level of co-operation in respect of its requests for case files from solicitors who represented applicants at trial and/or on appeal. In part, that co-operation has been thanks to the relevant professional codes of conduct. In more recent times, however, and perhaps owing to increasing pressures on legally aided defence firms, the commission has faced greater difficulties. It is often readily apparent that requests from the commission are placed at the bottom of a solicitor’s list of priorities. On occasion the commission has also been forced to enter protracted negotiations about who bears the cost of transferring the materials in question. The commission tends to encounter four typical situations that, as a result of its lack of power in relation to the private sector, operate to the applicant’s disadvantage. These are, first, the inability to obtain information from a private individual; secondly, the inability to obtain information from a private sector organisation; thirdly, partial information is provided, or a summary of information, which the commission is not in a position to scrutinise or verify; and fourthly, the information sought is obtained, but protracted negotiations with the private sector create lengthy delays in the case review process.

In the brief time remaining to me this afternoon, I shall deal with concerns expressed to me by Members and offer them reassurance. On privacy, I want to address up front one of the principal concerns that Members may have about the extension of the powers—the concern that the proposed power will be an intrusion into the lives of private individuals. Although consent and privacy are to be valued, where information, even of a personal or distressing nature, could make the difference between a person’s incarceration or freedom, it is right that the information should be requested, subject to due process and provision of strict safeguards.

Members should know that there are significant safeguards in place, as I said to my hon. Friend the Member for Dudley South when he intervened. The Bill provides for judicial oversight of the process. The CCRC could compel a private individual or organisation to provide material only by order of the court. All the same safeguards that currently operate in relation to section 17 disclosures would also apply, and the commission agrees that such a process would be appropriate. The main safeguard against improper intrusion is judicial oversight. As specified in clause 1(1), a person will only be obliged to provide the CCRC with that information subject to the order of a Crown Court judge.

A second area of foreseeable objection is cost. Although the Bill has no financial implications, and will not impose any financial costs or charges directly on the CCRC or private bodies, Members may be asking themselves whether the new power could place an unjustified financial burden on private companies—for example, will the power be damaging for small businesses? The best answer to this question is to look at the equivalent power as it operates in Scotland. The Scottish commission advises that there has been only one case in 15 years where a request to inspect material had led to contested proceedings in court.

Let me recap the main reasons why I believe the Bill deserves the support of the House today. First, this important power to request privately held information is currently lacking and hampering the important work of the Criminal Cases Review Commission. The limits placed on the CCRC by its governing statute can hinder its working practices and limit its ability to help victims who may be factually innocent. The chairman of the CCRC, Richard Foster, has said on the record that he is...
confident that there have been miscarriages of justice that have gone unremedied because of the lack of this power. It is impossible to tell in retrospect whether the outcomes of any cases would have been different had additional information been made available, but I hope I have made it clear how that gap is a problem that should be fixed going forward.

In addition, this power has been lacking and wanted for a long time. The CCRC has long complained of this weakness and, as I said earlier, the Justice Committee, after a thorough inquiry, said that there has been a failure by successive Governments to right the situation. The time to right it has come. The Bill is the direct implementation of an unambiguous recommendation of the Justice Committee in the previous Parliament. The proposed new powers are supported across the board, as evidenced by the list of sponsors of the Bill.

Finally, we must consider the human aspect in this debate. Although the British system works well for the vast majority of cases, mistakes do occasionally happen. Prisons are not nice places. They are not supposed to be, which is why we use them as a criminal deterrent. However, imagine the compounding of that experience when someone has been convicted of a crime and sent to prison, when they know that they are innocent of that crime. They are victims themselves, and there are countless cases of people wrongly convicted who, due to the psychological pressures of their miscarriages of justice, end up taking their own lives, after protesting their innocence, and sometimes while still locked up in prison.

Members who have heard me speak in the Chamber before will know that, as I am a former teacher with a history degree, they are unlikely to escape without at least one reference to history. It was the great British legal thinker Sir William Blackstone—considered the pre-eminent English scholar of and most authoritative speaker on common law in his day—who said on the matter of miscarriages of justice:

"It is better that ten guilty persons escape, than that one innocent suffer."

I do not quite agree with that sentiment, because I believe that it would be better if both numbers were closer to zero, and the role of our justice system, and the place of the CCRC within it, is to shrink those numbers. However, I think that it is apt to quote US President Jimmy Carter:

"The measure of a society is found in how they treat their weakest and most helpless citizens."

Who is more helpless than those who have been wrongly convicted and failed by our justice system?

1.45 pm

Wayne David (Caerphilly) (Lab): My comments will be brief, because the hon. Member for Hazel Grove (William Wragg) has set out the case for the Bill and its contents very clearly. The Opposition will support this modest but important Bill. I very much hope that the Government will respond positively to what we have heard today and indicate that they will support it.

As the explanatory notes make abundantly clear, the Bill will extend the Criminal Cases Review Commission’s power to obtain documents and other material so that it can acquire them from a person who is not employed by or serving in a public body. In other words, it will extend the commission’s powers to include private organisations and individuals. As has already been said—it is worth emphasising—this situation already exists in Scotland.

As a shadow Scotland Office Minister, I think it is excellent that the House is learning from the good example that has been set in Scotland—almost a case of devolution in reverse, hopefully.

The proposal is particularly important as far as the Forensic Science Service is concerned. The Opposition’s view is that the Forensic Science Service was unnecessarily privatised. There was no difficulty when it was a public body, but it is now in the private sector. It is important that the current unnecessary delays and wasted resources are eliminated so that there is a smooth process when it is necessary to access critical information in certain legal cases. That is precisely what the Bill will do.

We have the important report from the Justice Committee, which stated in clear and unambiguous terms that “it should be a matter of great urgency and priority for the next Government”—meaning the current Government—“to bring forward legislation to implement the extension of the CCRC’s powers”.

I listened carefully to what the hon. Member for Hazel Grove said about his discussions with the CCRC. Again, I very much hope that the Government will take on board its informed professional comments, as well as the hon. Gentleman’s. I hope that the Bill will receive Government support and become law in due course. The Opposition will support it.

1.48 pm

James Berry (Kingston and Surbiton) (Con): The rule of law is the bedrock of our society. Relied on at home and aspired to abroad, it is one of the things that defines what it is to live in this great country: to be free under the law. But even in the UK the rule of law can be undermined, and the principal way in which that can happen is through miscarriages of justice. The most famous among them trip off the tongue of any student of criminal law: the Guildford Four, the Birmingham Six, the Maguire Seven and Judith Ward. It is inevitable in a justice system that relies on humans—police officers, prosecutors, judges and juries—that human error and improper motive will creep in. Thankfully, that is rare, but the risk cannot be eliminated in every case.

We maintain the integrity of the justice system as a whole by having a robust system for dealing with miscarriages of justice. There can be no doubt that our Criminal Cases Review Commission does vital work, but it needs tools to do its job, key among which is the power to obtain disclosure. Under section 17 of the Criminal Appeal Act 1995, the commission has the power of disclosure against public bodies. The Bill seeks a modest extension of that power to private bodies and individuals. Quite why private bodies and individuals were not included in section 17 is a mystery. Even to the extent that there were ever a justification for that limitation, it has long ceased to hold good. The exclusion of private bodies is an anomaly that is neither justified nor justifiable today. The Bill promoted by my hon. Friend the Member for Hazel Grove (William Wragg) provides a modest extension to end that anomaly and make sure that the CCRC can, with the consent of a Crown court judge, obtain all the disclosure it needs.
The absence of that power is no imagined difficulty. The briefing note provided by the commission for this debate gives a number of examples of situations where it has not been able to obtain disclosure, and a number of examples of private organisations that it would wish at times to obtain disclosures from. Banks, shops, news agencies, private health clinics, charities, campaign groups and law firms are all private bodies.

Julian Knight: Does my hon. Friend agree that, should this Bill be enacted, its very existence will make it more likely that private companies and individuals will co-operate fully and without delay when they receive a request for information from the CCRC?

James Berry: My hon. Friend is right. The knowledge that the CCRC will obtain a court order if a request for voluntary disclosure is refused will certainly provide encouragement where needed. All the private bodies I have listed may have that one piece of information that encouragement where needed. All the private bodies I have listed may have that one piece of information that has been wrongly convicted. The chairman of the CCRC himself has said that “you can be confident that there are miscarriages of justice that have gone unremedied because of the lack of that power” to obtain disclosure from private bodies. My hon. Friend the Member for Hazel Grove has promoted this Bill to end that unacceptable situation and I thank him for doing so. The Bill deserves the unanimous support of this House.

1.52 pm

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): Let me start by congratulating my hon. Friend the Member for Hazel Grove (William Wragg) on bringing this important Bill before the House and on his excellent speech. I also thank those other Members who have spoken in support of the Bill, including the hon. Member for Caerphilly (Wayne David), who spoke on behalf of the official Opposition.

The Criminal Cases Review Commission performs a vital function in our justice system. When thinking about criminal justice, we tend to focus on the front end and concerns that the processes involved in bringing criminals to justice and ensuring that victims are properly cared for at times to obtain disclosures from. Banks, shops, news agencies, private health clinics, charities, campaign groups and law firms are all private bodies.

The third example demonstrates the problem as it relates to companies that have no direct involvement or interest in a case. In a drug importation case, the commission sought timetabling and cargo information from a ferry company. In the event, the company volunteered the information, but the commission could not have obtained it without the power of a court order. It could be argued that the defence was unfairly deprived of an opportunity to cross-examine her regarding her motives for making the allegations. In a case where the conviction rested solely on her testimony and credibility, this was particularly important. Despite repeated communications with the relevant journalist and the legal department of the newspaper, no response was received and the issue could not be resolved.

The second example involved an organisation in the banking sector. In respect of a serious fraud investigation, considerations of customer confidentiality were cited in response to the commission’s requests for information, despite the commission providing assurances about how the information would be handled and disclosed. The assertions made by the applicant could not be proved or disproved.

The third example demonstrates the problem in the banking sector. In respect of a serious fraud investigation, considerations of customer confidentiality were cited in response to the commission’s requests for information, despite the commission providing assurances about how the information would be handled and disclosed. The assertions made by the applicant could not be proved or disproved.

Companies sometimes refuse to provide details of employees. For example, in a murder conviction, the commission contacted a bank to seek the employment details of a former employee, a witness at trial, as the information was directly relevant to the credibility of the employee’s testimony at trial. After long correspondence, the police liaison officer for the bank agreed to provide the information requested, although there was no obligation to do so. However, the decision to co-operate with the
The commission was expressed as being only because the employee had left their employment in the bank.

In the past, the commission has seen a good level of co-operation in respect of its requests for case files from solicitors who represented applicants at trial and/or on appeal. Such requests are supported, as necessary, by waivers of legal professional privilege. In part, this level of co-operation has been thanks to the relevant professional codes of conduct that apply to solicitors. However, in more recent times—perhaps owing to pressures on legally aided defence firms—the commission has faced greater difficulties. It is often readily apparent that requests from the commission are placed at the bottom of a solicitor’s list of priorities. My hon. Friend the Member for Hazel Grove made that point.

Files held by social services, schools and the NHS have been obtained and examined by the commission under the provisions of section 17 in other cases. However, the complainant in one case under review had been referred to a private sector counselling clinic, and despite lengthy correspondence, access to the private counselling records was denied. The significance of this information in relation to the complainant’s credibility and the safety of the applicant’s conviction remains unknown.

Charitable bodies such as the Samaritans, ChildLine and the National Society for the Prevention of Cruelty to Children often hold vital information relevant to commission reviews, particularly in cases of intra-family sexual abuse. Such organisations may agree to assist when the consent of the individual concerned is obtained. If consent is not forthcoming, such organisations will generally decline to provide the commission with the information on the basis of confidentiality.

Campaign groups sometimes hold information vital to the progress of a review. In one case, a miscarriages of justice campaign group had gathered witness statements that were of apparent relevance to allegations of police misconduct. The organisation failed to respond to repeated commission requests and the statements were not obtained. The case was referred to the Court of Appeal in any event, but the statements may have provided useful additional support.

It is only right to acknowledge that the overwhelming number of private individuals approached by the commission agree to be interviewed, but some simply refuse to assist. The reasons for refusal are manifold. Some individuals do not wish to be bothered and are indifferent concerning the outcome of the commission’s investigations. Some may be hostile to the commission. Some come from gangs and may be reluctant to talk to the commission for fear of reprisals.

A key aspect of the commission’s work is the re-examination and retesting of material from crime scenes. With the abolition of the Forensic Science Service, such material will be held by private companies and may not be available to the commission. We therefore need the Bill.

The final example relates to the experts who appear as witnesses at trial. Many of them keep personal notes in addition to their professional notes and reports. Forensic medical examiners may receive information or notes from victims of crime during the course of their examinations. Short reports and second-hand accounts within NHS files are generally provided to the commission as a result of section 17. The original contemporaneous notes of interviews recorded by clinicians are not. That type of information is private rather than public, and the commission therefore cannot require its disclosure. The Bill will change that.

The commission will not simply be able to demand information or documents from private organisations or individuals. The Bill will require it to apply to the Crown court for an order, which will ensure that it can use the power only when a judge agrees it is necessary for the carrying out of its functions. We intend, once the Bill has received Royal Assent, to ask the criminal procedure rule committee to make rules of court that will ensure that, where appropriate, the court holds an inter partes hearing, giving the private organisation or individual the opportunity to make their case as to why disclosure should not be required.

The Government support the Bill because we believe that the provisions are necessary and that the terms of the Bill will ensure that the powers are used appropriately and proportionately. I therefore commend it to the House.

2.2 pm

William Wragg: I thank hon. Members on both sides of the House, my hon. Friend the Minister and the Opposition Front Benchers for their support this afternoon. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).
Assessment of Government Policies (Impact on Families) Bill

Second Reading

2.2 pm

Caroline Ansell (Eastbourne) (Con): I beg to move, That the Bill be now read a Second time.

“Whether it’s tackling crime and anti-social behaviour or debt and drug addiction; whether it’s dealing with welfare dependency or improving education outcomes—whatever the social issue we want to grasp—the answer should always begin with family.”

So said the Prime Minister, and so it is.

As I am following my hon. Friend the Member for Hazel Grove (William Wragg), a former history teacher, I feel that it is incumbent on me, as a former French teacher, to look to Paris, where climate change is being debated. The world needs to recognise that some very necessary changes must be made to safeguard our greatest natural asset for generations to come. I put it to the House that the family is the social fabric of our world and that we, likewise, need to safeguard that social fabric for the next generation and the next.

Why is the family so seminal? It is in the family that we find identity, wellbeing and esteem. It is in the family that we learn right and wrong.

Mr Richard Bacon (South Norfolk) (Con): Hear, hear!

Caroline Ansell: Thank you kindly. It is in the family where we thrive. The family are the best carers, the best nurturers and the best teachers.

I am so proud of my country. We lead the world in so many ways, but one of the ways in which we lead it is a cause of deep disappointment and huge concern to me: internationally, we are fourth in terms of family breakdown. Let us look at the cost of that breakdown to the person and the child who has experienced it. According to the Centre for Social Justice, they are more likely to grow up in poorer housing, leave home at an earlier age, have more behavioural issues, report more depressive symptoms, become sexually active earlier, become pregnant and a parent earlier, leave school with fewer qualifications, and leave school earlier. A conservative estimate of the financial cost—£46 billion, which equates to the entire spend of the Scottish Government—shows us that family breakdown costs. That is why it is so right that family policy has its place.

Under the Prime Minister’s leadership, we have seen excellent innovation, with new support for relationships, re-recognition of marriage in the income tax system, shared parental leave, the troubled families initiative, and now a new, ambitious programme around house fabric for the next generation and the next.

The Prime Minister’s speech was followed in October that year by the inauguration of the family test guidance produced by the Department for Work and Pensions under the sterling leadership of my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith). The family test guidance has now been in place for over a year. It is a milestone, an anniversary—perhaps not a coming of age, but a good point at which we could look at this prism of the family test and its impact on policy.

In that light, a whole host of questions have been put to Departments. They ask the Minister how many of his or her Department’s policies have been assessed against the family test and what steps have been taken to publish the outcome of such an assessment. I regret to say that the answers to those questions have been rather limited. In many instances, the response was that the guidance urges only a consideration of publication, and therefore no publication had followed. There have been good examples of the assessment in relation to the Childcare Bill and the Education and Adoption Bill. However, the potential within the family test is as yet unrealised.

Therefore, my Bill looks to give the family test more authority, more influence, and more reach. Clause 1 defines the family test. Clause 2 introduces the central component of the Bill by making it a statutory obligation. Clause 3 applies the test to all Departments. Of particular importance given the perhaps as yet limited understanding of how the test has had an impact, clause 2 requires that the assessment be published.

Clause 4 requires that an assessment be made as to whether the family test should be applied to local government, given that so many of those policy decisions touch on family life. It also makes provision for the Secretary of State, through regulation, to subject any other public body to the family test, either by regulation or by way of guidelines. Clause 5 provides greater clarity on the policy objectives that inform the family test, requiring the establishment of indicators for the Government’s work in promoting strong and stable families.

Sir Edward Leigh (Gainsborough) (Con): Nobody supports the family more than me, and my hon. Friend is arguing her case well. How does she avoid this becoming an apple-pie and motherhood Bill? How does she avoid this becoming an apple-pie and motherhood Bill? How does she avoid this becoming an apple-pie and motherhood Bill? How does she avoid this becoming an apple-pie and motherhood Bill? How does she avoid this becoming an apple-pie and motherhood Bill? How does she avoid this becoming an apple-pie and motherhood Bill?

Caroline Ansell: I thank my hon. Friend for that fair comment. We do not want to increase regulatory compliance or render this Bill another checklist for Governments and policy makers to establish. The environmental impact assessment might have started out life in the same guise, but it is now inherent to our thinking and therefore second nature to policy makers.
[Caroline Ansell]

I believe it is important to bring this issue to the fore, so that it informs policy makers and is deliberately made explicit in that process. History shows that Bills can have unintended consequences that impact on family stability, so this provision is important.

This is not a pass and fail test; it is more the opportunity to understand what the impact of a policy on families could be. It is a prompt to mitigate potentially negative effects and maximise positive effects, and we want it to be used in a genuine, meaningful and practical way to benefit families. It is not a blunt instrument to criticise policy.

I hope that the Government will welcome this Bill and look on it as a recognition of the work that they have instituted, and as a means to progress that and raise it to a new level. I thank all community groups and organisations that backed the Bill. The list is too stellar and too long for me to do justice to it in the time available, but I thank them for their contributions, and more broadly for everything that they do across their communities and in our country to promote family stability, with everything that means for people's life chances. That is central to everything that family stability means.

I know that we cannot legislate strong families into being, but we can ensure that legislation in no way undermines those families, and only strengthens them. I believe that the future of our society rests on that.

2.13 pm

Pat Glass (North West Durham) (Lab): I congratulate the hon. Member for Eastbourne (Caroline Ansell) on bringing forward this Bill and on calling on the Government to make the family test a statutory requirement when taking account of the impact on families of new laws and policy. If the Bill is passed it will require Ministers to carry out an assessment of the impact of Government policies on families by giving statutory effect to the family test; to place a duty on the Secretary of State to establish, and make an annual report on, indicators of family stability; and for connected purposes.

The family test introduces a family perspective to the policy-making process in England and across Departments. It will ensure that Ministers and Departments identify in advance, and make explicit, the potential impacts of policies on family relationships. We support the family test, but as the hon. Lady said, it is important that there is a transparent and routine process through which the Government's record on supporting family relationships can be assessed. They say that it should be more than just the sum of multiple family test assessments, and should include reliable and holistic data.

Those organisations, which support the Bill and call for an annual report on the Government's progress in meeting the objectives of the family test, want reliable and holistic measures to be put in place to make assessment possible. They believe that should be possible, and that it should be done on a statutory basis, and we share that aim.

I congratulate the hon. Member for Eastbourne on introducing the Bill, which is a useful step forward. Along with organisations such as Relate, the Family and Childcare Trust and the Relationships Foundation; the Association for Family Therapy; Grandparents Plus, the Professional Association for Childcare and Early Years; Unison; 4Children and many others, the Opposition support the Bill and wish it a fair wind.

2.17 pm

The Minister for Employment (Priti Patel): I thank my hon. Friend the Member for Eastbourne (Caroline Ansell) for her interest in the family test and welcome the focus that the Bill puts on that test and on family stability, both of which are key priorities for the Department and the Government both now and in the future. Although I welcome the spirit in which the Bill has been introduced and some of the comments that have been made, I recommend that the House opposes it for the reasons that I will set out.

Family stability is at the heart of the Government's approach, and families are the foundations of society—not only because, as my hon. Friend highlighted, the estimated cost to Government of family breakdown is as much as £46 billion a year, but because strong and stable families can hugely improve our children's life chances. We know that to build a stronger society we need to support families, and by focusing on the family we can create better outcomes for our children and wider society. We cannot afford to overlook the importance of the family as a basic building block in a successful and stable society.

We know that children who grow up in workless families have much lower life chances than those brought up in working families. As my hon. Friend highlighted, the Prime Minister announced the family test in August 2014, rightly citing its commitment to family stability and recognising its significance in policy development. The Department for Work and Pensions has been working across government to aid the implementation of the test. Although that cross-Whitehall approach will inevitably
take time to embed, the new policy’s impact on family functioning and stability is being measured. We are starting to see its impact on early policy development, which we believe will have positive ramifications and outcomes for families in future.

Mr Christopher Chope (Christchurch) (Con): How does the test apply to the policy on stamp duty penalties that the Chancellor announced in the autumn statement? That policy means that a married couple will be penalised if they buy a second home, but a cohabiting couple will be able to buy two homes without any penalty.

Priti Patel: My hon. Friend raises important points. In the autumn statement, the Chancellor highlighted what more he is doing to enable families to get on to the housing ladder. Housing contributes to a stable foundation in family life, particularly for young families who are starting out.

Sir Edward Leigh: The Minister mentions young families. Young families must be able to have a choice. If a young mother wants to stay at home to look after her young children, which is entirely natural, the family often suffers under the tax and benefit system. That is why we brought in the marriage tax allowance. Will she confirm that, although the allowance is quite low at the moment, the Treasury is open-minded about increasing it gradually over the years and making it more effective? That will not just save marriages, but help people who are married and bringing up young children.

Priti Patel: My hon. Friend raises a very important point. The marriage tax allowance is a good example of the Government’s commitment to families. As he says, the Treasury supported the introduction of the policy. It is a good, positive contribution and a step forward in support for families.

Placing the family test on a legislative footing, however, runs the risk of turning the test into a tick-box exercise across Government Departments, when our ambition is to work across government with Departments to embed the benefits of thinking about policy from a family perspective at all stages of policy development, not just complying with legislative requirements.

There are many areas, some of which have been highlighted by my hon. Friend, where the Government are focusing on supporting families, beyond introducing the family test. We mentioned the marriage tax allowance, which will benefit over 4 million couples. We have the ever-expanding troubled families programme, which helps families where no adult in the family is working, children are not attending school, and some family members are involved in crime or antisocial behaviour. The troubled families programme has gone a long way to helping local authorities, stakeholder and third-party community groups, organisations and their partners to develop new ways of working with families to achieve lasting change.

The hon. Member for North West Durham (Pat Glass) mentioned childcare. We are doubting the amount of hours for free childcare to 30 hours for three and four-year-olds. We have committed to childcare support for disadvantaged two-year-olds. The tax-free childcare policy will benefit families with children, and give parents more choice and flexibility with their childcare arrangements.

The proposal to introduce indicators for family stability is being addressed, as my hon. Friend highlighted, through the Government’s life chances strategy. The new life chances measures will focus on the number of children in workless households and on the levels of educational attainment. We are so focused on the life chances measures and family stability indicators, because we are no longer committed to chasing what we consider to be arbitrary targets. They were the focus of previous Governments’ policies and approach. Our focus is on the root causes of family breakdown—worklessness and poverty—and not just the symptoms.

The Government are committed to introducing a new and strengthened approach to tracking the life chances of Britain’s most disadvantaged children. Evidence suggests that frequent and intense child-related poorly resolved inter-parental conflict has terrible and negative outcomes for children. Couples with children experience greater levels of stress during separation. It is that negativity that affects the outcomes of children. For families that separate, evidence suggests that good relationships between parents and positive involvement from both parents in a child’s upbringing have long-term beneficial outcomes. These are the areas on which we are focusing.

As I have said, we are clear that strong families give children the best start in life and that good measures can help Government to formulate policy across Departments and drive action where it is most needed. It is worth highlighting where we can work with other Departments. I have already mentioned educational outcomes, and naturally we are working with my right hon. Friend the Education Secretary to raise educational attainment and improve life chances. In this way, we can also tackle areas of social justice and provide support for families or individuals who have experienced debt issues, addiction or alcohol or drug misuse. A combination of those factors can have a negative impact on families and result in family breakdown.

We have also committed to introducing a wider set of non-statutory indicators, including a measure of family stability, and we are engaging with experts in the field, third-party stakeholders, partners and specialist organisations to ensure we strike the right balance and develop policy that is in line with the most up-to-date research and the most robust evidence. We already measure family stability as part of the social justice outcomes framework, which reports the proportion of children living with both birth parents at birth and then every year until they are 16.

We discussed many of these measures, particularly those on life chances, during our deliberations on the Welfare Reform and Work Bill, under which we are introducing two statutory measures—on children in workless households and children’s educational attainment—to drive action on improving children’s life chances. My right hon. Friend the Secretary of State for Work and Pensions has committed to introducing a life chances strategy setting out indicators on the root causes of child poverty, including family stability, as well as on problem debt and addiction.

I have touched on many areas in which the Government are supporting families. My hon. Friend the Member for Eastbourne spoke about relationship support and the impact of family breakdown. In the last five years, the Government have invested about £38 million in relationship support services, but this is increasing, and
we are investing about £8 million in relationship support provision in the 2015-16 fiscal year to provide support for couples and parents and to encourage the take-up of face-to-face, telephone and online relationship support services.

The marriage tax allowance, which my hon. Friend the Member for Gainsborough (Sir Edward Leigh) mentioned, demonstrates the dynamic nature of Government policy and the way we are working across Departments on family stability to provide the right support, whether for children or parents, including relationship support. We are using existing indicators as well. The NHS—so again working across government—is providing early intervention and education, and we are piloting relationship education in perinatal classes to prepare expectant couples for the changes that having a baby will bring to their relationship.

We are providing guidance and training for health visitors on spotting signs of relationships in distress and how to respond. We have had many debates in the House about the role of health visitors and how we can elaborate on that through the provision of guidance and support for new parents. All new parents recognise the challenges of being a first-time parent. We are testing ways of maximising the role of local authorities in providing family-centred services with a focus on supporting and strengthening couples and co-parenting relationships as well.

My Department has a strong track record and is working actively with local authorities to strengthen the services they provide to couples and co-parents in families by providing extra funding and, importantly, expertise for the 13 local authorities in our local family offer trial. We are exploring ways to expand that approach and encourage local authorities to take that leadership role at a local level in supporting people in the community and promoting greater family—

2.30 pm

The debate stood adjourned (Standing Order No. 11(2)).

Ordered, That the debate be resumed on Monday 7 December.

Business without Debate

FOOTBALL GOVERNANCE (SUPPORTERS’ PARTICIPATION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 4 March 2016

NEGLIGENCE AND DAMAGES BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 January 2016.

NO FAULT DIVORCE BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 January 2016.

CONSTITUTIONAL CONVENTION (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 11 March 2016.

MARRIAGE AND CIVIL PARTNERSHIP REGISTRATION (MOTHERS’ NAMES) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 January 2016.

HOUSE OF COMMONS (ADMINISTRATION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 22 January 2016.

OFF-PATENT DRUGS BILL

Resumption of adjourned debate on Question (6 November), That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 29 January 2016.

REPRESENTATION OF THE PEOPLE (YOUNG PERSONS’ ENFRANCHISEMENT AND EDUCATION) BILL

Resumption of adjourned debate on Question (11 September), That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 29 January 2016.
**East West Rail**

*Motion made, and Question proposed. That this House do now adjourn.—(Sarah Newton.)*

2.32 pm

Iain Stewart (Milton Keynes South) (Con): I am delighted to have secured this debate. My reasons for doing so are to re-emphasise the importance of the east-west rail project to regional and national infrastructure, and to urge my hon. Friend the Minister and his colleagues at the Department for Transport to do all they can to deliver the project as soon as possible in the light of the Hendy review.

Let me first explain the scope of east-west rail. This is not a new line, but a project to restore the old varsity line between Oxford and Cambridge, via Bicester, Milton Keynes and Bedford, with a spur to Aylesbury. Much of the line already exists. Part of it is used as a freight line, part of it already has local services running on it and large parts of the old infrastructure are still in place, if mothballed.

The line was not closed by Beeching, but declined in the 1970s, when it became faster to travel between Oxford and Cambridge by going through London, rather than taking a slow, diesel multiple unit winding its way through such wonderfully named places as Swansebourne, Verney Junction, Claydon, Launton and Wendlebury Halt. East-west rail is not, however, a mist-eyed rail enthusiast’s scheme to evocate a bygone age of rail travel, in the style of that wonderful Ealing comedy “The Titfield Thunderbolt”. Rather, it is about creating a fast, modern rail link between some of the fastest growing towns and cities in the country and adding a vital link in the nation’s strategic transport infrastructure.

The positive case for the east-west rail scheme is currently being refreshed by an independent analyst. I have seen the draft report by Rupert Dyer of Rail Expertise Ltd. His refresh of the evidence for the western section of the project concludes that the new business case continues to produce a strong financial case for the project, with the core scheme delivering a benefit-cost ratio of 4:1 and some of the incremental options delivering much higher results of up to 40:1. The benefits of the project to my constituency and neighbouring constituencies cannot be overestimated.

Dyer’s draft report states:

“East-West Rail will open up new travel and employment opportunities in the main conurbations of Oxford, Milton Keynes, Aylesbury and Bedford and communities along the line.”

The wider economic benefits have been reviewed and found to have increased significantly since the initial scoping of the project. The Dyer review suggests that the south-east’s regional gross domestic product will increase by £135 million per annum with the core scheme and £268 million per annum with the enhanced scheme.

The east-west rail project is vital to improving the transport infrastructure of the area. Many who have ever driven west from Milton Keynes along the A421 and the A34 will know that it can be a very miserable experience. The economic and environmental costs from that congestion should not be underestimated. Without east-west rail, the area will become increasingly congested and that will impair the aspiration to develop the Oxford-Cambridge arc for economic growth.

On the section between Oxford, Aylesbury, Milton Keynes and Bedford, some 120,000 new homes and a similar number of new jobs are planned over the next few years and will be underpinned by the line. In my own area of Milton Keynes, we have some 20,000 housing permissions over the next decade or so. That will underpin our business growth and it will be important for tourism and new housing.

Mr Speaker, in his capacity as the Member for Buckingham, which adjoins my constituency, has pointed out that the Aylesbury Vale district council is currently working on its local plan, which will ultimately require the delivery of over 30,000 new homes by 2033. East-west rail is imperative to support that. Similarly, my hon. Friend the Member for Banbury (Victoria Prentis) has reminded me that 18,500 new jobs and 30,000 new homes are being developed in Bicester in her constituency.

This is not just a transport project; it is essential to delivering other Government policy objectives. I contend that it will help to deliver some of the Government’s broader transport objectives. I am not expecting the Minister to comment on this, but if London Heathrow is chosen as the airport for expansion in the south-east, east-west rail will provide a direct rail link from many towns and cities. That will not only enhance the economic case for Heathrow, but help to mitigate concerns about environmental pollution from additional road traffic movements to an expanded Heathrow.

This is important for High Speed 2, too. With the link from Milton Keynes to Aylesbury and then into London, we would create an additional relief line between Milton Keynes and London. Should Euston, in its redevelopment for HS2, require some line closures, that additional relief line would help to link in services in the interim period.

On HS2, which I support, there is a wider political point. Many people in Buckinghamshire object to HS2 because they see no benefit from the project but suffer considerable disruption as a result of it. I have always been strong in arguing that the Government’s transport investment is not just about HS2; it is a substantial investment in the classic rail network. It is therefore important to demonstrate to people in Buckinghamshire that we are going to deliver this project as soon as possible, so that they, too, can see the benefits of investment in our infrastructure.

The line will also increase the nation’s capacity to transport goods by freight, which we all want to see, both on a north-south line and going east to west. My hon. Friend the Member for Bedford (Richard Fuller) has asked me to urge that, although we are talking about the western section today, hopefully, we will see progress on restoring the line between Bedford and Cambridge as soon as possible and that will follow in later control periods.

My final point on the wider transport infrastructure is that this project will be a key element of passenger connectivity across the whole network. Some 41 of the 46 principal towns and cities in this country will be directly connected by rail, either without a change or with just one change of train. That will be a long-term sustainable improvement in our rail infrastructure across the country.

There are enormous benefits from the scheme—both locally and nationally. I welcome the significant progress already made in delivering the project. Indeed, the first
section has already been opened: my right hon. Friend the Prime Minister opened the Oxford to Bicester section a few weeks ago. The new chord to the Chiltern main line allows an additional service from Oxford to London.

It was announced today that Network Rail had appointed its partners to deliver the next phase of the scheme. An alliance of four equal partners—Network Rail, Atkins, Laing O’Rourke and VolkerRail—will construct phase 2, linking Bicester and Aylesbury to Bletchley and Bedford. The alliance is currently working on the outline design and construction programme. Once that initial segment of the work is complete, the alliance will consult with the Department to agree on a final design and construction timetable and costs. It aims to submit an application for an order under the Transport and Works Act 1992 in the autumn of next year.

However, despite that welcome progress, a number of concerns have been expressed recently about some slippage in the timetable as a result of Sir Peter Hendy’s review of Network Rail’s control period 5 investment programme. I do not intend to rehearse the arguments about that review, but I support it as a way of ensuring that the Government’s record investment in our railways is delivered in a robust and achievable way. That said, I do not want a well-advanced, deliverable and vital project to suffer undue collateral delays as a result of overruns elsewhere in Network Rail’s programme.

It was feared that this project, which was initially due to be operational by early 2019, might be delayed by between three and seven years, but I understand from conversations that I have had with Ministers and the East West Rail consortium that that worst-case fear will not be realised. I welcome the assurances that I have received from the Chancellor of the Exchequer, the Secretary of State for Transport and the Rail Minister that east-west rail will happen. I also welcome the assurance in Sir Peter Hendy’s report that significant development of east-west rail will happen in control period 5. What I seek today is an assurance that the Department will do all that it can to ensure that construction of the project can start in CP5, and will be completed as early as possible in CP6.

My understanding is that there is a very healthy and positive working relationship between Network Rail and the East West Rail consortium. The Network Rail delivery team is among the best that it has. I suggest to the Minister that, if its members can be unleashed as much as possible and are able to respond as positively as possible to the offers from the consortium, the project can be accelerated as much as possible. If there are concerns about the capacity of Network Rail to deliver all its envisaged programme within the timescale that is envisaged, I would ask whether it would not seem odd if one of the best teams, working on one of the most beneficial projects, was unduly delayed because of slippage in projects elsewhere.

I hope that I have demonstrated the value of the project to my local area, to the wider region, to the Department’s strategic transport priorities, and to the Government’s wider objectives. I urge the Minister to do all that he can to encourage and facilitate all the players in the scheme to get on with the job as quickly as possible, so that we may all reap the benefits as quickly as possible.

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I congratulate my hon. Friend the Member for Milton Keynes South (Iain Stewart) on securing the debate. I share his enthusiasm for east-west rail, and very much want it to become a reality.

East-west rail is a transformational project to rebuild the railway between Oxford in the west and Bedford in the east. It will also connect Aylesbury with Milton Keynes. Part of the project will use disused railway routes, and part of it will upgrade or double-track lightly used or mothballed sections of railway. It is a missing part of the railway jigsaw connecting the great western, west coast and midland main lines.

The project is being built in two parts. Phase 1, between Bicester and Oxford, is being built as I speak; phase 2, between Bicester and Bedford, is being developed. Trains operated by Chiltern Railways started running on the first part of the railway on 25 October, with two train services an hour from London Marylebone to the brand-new station at Oxford Parkway. Two stations have been completely rebuilt, at Bicester Village and Islip.

That was the first new rail link between a major British city and London in over 100 years. Together with Chiltern Railways, we have invested over £320 million in east-west rail phase 1, and in September 2016, when the infrastructure works west of Oxford Parkway have been finished, services on this route will be extended into the centre of Oxford, where it will connect with the Great Western main line.

Phase 2 of east-west rail will connect Oxford and the Great Western main line with Bletchley, the west coast main line with Aylesbury and the Chiltern main line and Bedford for the Midland main line. It will allow faster journeys between these locations than is possible by car today. It will stimulate economic development and new housing across the region. The project includes a new station at Winslow and new platforms at Bletchley.

This project is complex and challenging. In particular a lot of work is needed to the structures, such as bridges, and earthworks along the route. As part of the project we expect Network Rail to do the following: build or renovate 18 bridges over the railway; modify or close over 75 level crossings; and build 22 new footbridges and subways across the railway.

The new railway will be capable of operating at 100 miles an hour. It will also be electrified, enabling faster, lighter and greener electric passenger trains to run. As well as providing a new route for passenger trains, east-west rail will provide a corridor for rail freight.

East-west rail is a challenging and ambitious project. Network Rail’s current cost estimate for phase 2 is high. We want to reduce this cost as plans mature and scope options are looked at in more detail, taking the risk out of the scheme. None the less, I would like to reaffirm the Government’s commitment to delivering east-west rail.

These are challenging times for the rail industry. In June, my right hon. Friend the Secretary of State for Transport announced that important aspects of Network Rail’s investment programme were costing more and taking longer. He announced the steps he was taking to put things right. On 25 November my right hon. Friend the Chancellor of the Exchequer reaffirmed the Government’s commitment to Britain’s vital transport network as part of our wider spending plans.
Sir Peter Hendy’s report on delivering the rail investment strategy was published at the same time. The Secretary of State has accepted Sir Peter’s report, subject to a short period of consultation with stakeholders, such as the East West Rail consortium. No infrastructure schemes have been cancelled. Electrification of the TransPennine and midland main line has already resumed following a brief pause. The Government have confirmed their commitment to delivering east-west rail. Work on this has continued without interruption while Sir Peter’s review has been carried out.

We included this project in our 2012 rail investment strategy following the convincing case put forward by the East West Rail consortium of local authorities. One of the strengths of this project has been the close working relationship we have had with the consortium and the help and support it has been able to provide. I am pleased that the consortium has been able to play its part in the development of the delivery plans and welcome its continued support in the future.

Following Sir Peter’s review, funding has been identified in control period 5 to continue development of east-west rail and secure the necessary planning powers to enable the project to be completed. Network Rail is continuing to work on its plans for east-west rail phase 2. It expects to have developed a single option for the scope of east west-rail in a considerable level of detail by late 2016.

When this work has been completed, we will be in possession of much better information than we have now. This will enable us to make an informed decision and set out clearly the timescales for delivering east-west rail.

As part of these next steps, I urge my hon. Friend and all the interested local partners such as the East West Rail consortium to continue to help to take the project forward. I thank my hon. Friend for raising this important topic, which I know is of considerable local interest. It is now time for Network Rail to get on with the job and to develop a detailed plan for east-west rail that we can all get behind. As I said at the start, the Government are committed to seeing east-west rail built.

This Government have prioritised infrastructure investment. A 50% uplift in investment compared with the last Parliament demonstrates that we really mean business. Projects such as this are becoming a reality and contributing to the long-term economic plan that got such a resounding endorsement at this year’s general election.

Question put and agreed to.

2.49 pm

House adjourned.
Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Workless Households

1. Dr Phillip Lee (Bracknell) (Con): What progress he has made on reducing the number of people in workless households.

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): With your permission, Mr Speaker, given the weekend’s events in my borough, may I take the opportunity, on behalf of myself and colleagues in all parts of the House, to wish a speedy recovery to those who were injured by the tragic events at the tube station in Leytonstone?

When we took office, almost one in five households had no one in work and around 1.4 million people had been on benefits for most of the previous decade. Since 2010 the number of workless households has fallen by over 680,000 to its lowest level since records began.

Dr Lee: My constituency covers the major part of Bracknell Forest. In 2014 it had the second highest percentage of working households in the country. Does my right hon. Friend agree that continuing to encourage households into work is one of the most effective ways of improving the life chances of everyone in that family?

Mr Duncan Smith: My hon. Friend is right that growing up in a working family is crucial for the life chances of children. When this Government took office, there were more than 2.5 million children growing up in workless households. That has fallen by nearly half a million since 2010. By targeting worklessness, the five new life chance measures that we have introduced will make an enormous difference to children’s lives. I understand that there are now almost no workless households in the south-east.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I ask the Secretary of State to be a little careful—one of us should get complacent about worklessness. Has he seen the research in the United States on theUberisation of work, when people cease to have good employers with pensions, rights and contracts, and are increasingly pushed into self-employment, where they have no rights?

Mr Duncan Smith: By the way, I welcome the hon. Gentleman back. It is good to see him back in his place; I understand he has had some difficulties with health treatments.

The hon. Gentleman would be right, if that were the trend and the direction in which we were going. It is interesting that there is a difference between us and the United States. The vast majority of the jobs that have been created here are white-collar and full-time. That is important. Although we think that people being self-employed is excellent for those who choose to do it, we are seeing a huge trend in supported jobs with full pay and full-time work.

Dr Eilidh Whiteford (Banff and Buchan) (SNP): The selling point of the Government’s universal credit scheme was that it was supposed to increase work incentives. However, the reduction in work allowances in universal credit due to take effect in April next year will leave around 35,000 working households with no transitional protection and thousands of pounds worse off. Does the Secretary of State accept that these changes will actively disincentivise people to go into work, particularly lone parents?

Mr Duncan Smith: I do not. Universal credit is acting as a huge incentive to go back to work. Even the statistics published over the weekend show that universal credit means that people are 8% more likely to go into work than was the case with jobseeker’s allowance. I remind the hon. Lady that jobseeker’s allowance has been seen by many in the western world as one of the most successful back-to-work benefits. Universal credit performs even better than jobseeker’s allowance by some considerable degree.

Dr Whiteford: With respect, the Secretary of State did not answer the question about the 35,000 households and about transitional relief coming into effect for April 2016, so I ask him again: what about those people who stand to be thousands of pounds worse off in April?

Mr Duncan Smith: As I said before, first, people are getting back to work. Secondly, those who are on universal credit at present will be fully supported through the flexible support fund, which will provide all the resources necessary to ensure that their situation remains exactly the same as it is today.

Emily Thornberry (Islington South and Finsbury) (Lab): I wonder whether the Minister has seen the figures that I have. May I take him from rhetoric back to reality? The figures show that although there has been a rise in employment in the past three months, the number of hours that we have worked as a country has fallen. It is a good thing that unemployment has gone down, but surely we need to address under-employment, particularly when there are 3 million people who say they are under-employed. I saw that over the weekend his Minister for Employment was flogging temporary part-time jobs for people to dress up as Santa Claus, but perhaps it would be better if his Department spent a bit more time trying to ensure full-time permanent well paid work for people.
Mr Duncan Smith: It is a bit rich for the hon. Lady to get up and start attacking the Government’s record of getting more people back to work, more people in full-time work and more people in managerial positions. When we took over from the Labour Government, there was a complete collapse of the economy, with people lucky to get a job and even lucky to get part-time work. Two thirds of the rise in employment since 2010 has been in managerial, professional jobs, and permanent jobs are up over 476,000. That is not rhetoric; those are realities.

Youth Unemployment

2. Mr Graham Allen (Nottingham North) (Lab): What steps his Department is taking to reduce the number of young people who are long-term unemployed; and if he will make a statement. [902560]

The Minister for Employment (Priti Patel): Long-term youth unemployment has fallen by over a third over the past year, and our goal is to make sure that all young people are either earning or learning. We continue to provide extra support for young people on benefits and will introduce the new youth obligation in 2017.

Mr Allen: With the Cities and Local Government Devolution Bill, which is before the House today, will the Minister do more to devolve greater control of the Work programme to councils and more to empower local managers? When universal credit comes in, will she ensure that the DWP works closely with councils on that support in order to transform the delivery of services to vulnerable people?

Priti Patel: I thank the hon. Gentleman for his comments and congratulate him on the work he has been doing locally in his community with the DWP and other partners, and the local authority too. He is absolutely right. Through the Work programme, and under devolution, we are working with communities, local authorities, jobcentres and other partners and stakeholders—the specialist organisations that can provide the right kind of support to support employment and to help to get more people back to work. He is absolutely right to hold up his area as a good local example.

Amanda Milling (Cannock Chase) (Con): Does the Minister agree that helping young people to embrace work experience opportunities and encouraging employers to create those is essential if we are to tackle youth unemployment and bridge the skills gap?

Priti Patel: My hon. Friend is absolutely right. Of course we can never stand still in relation to employment and young people. I mentioned the youth obligation that we will bring in in 2017, but we are also developing skills and work experience. Supporting young people through work experience and traineeships is absolutely vital, and I know that she has promoted that in her constituency.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): As the Minister will be aware, we are now coming to the festive period, meaning that many people will find temporary jobs. Last year, from October to December, the number of young people in work in my constituency increased by about 15%, and after Christmas it dropped by 10%. What measures is her Department taking to ensure that people are not trapped in a cycle of temporary work?

Priti Patel: The hon. Lady is right that this is obviously the time of year when there is more seasonal employment in the run-up to Christmas, but support is provided to continue employment after such seasons. Jobcentre Plus will be supporting those who may be in part-time jobs to secure longer-term jobs. I come back to the fundamental principle that it is better to be in work, and have the experience of being in work, so as to develop long-term career and employment opportunities afterwards.

Tom Pursglove (Corby) (Con): The opening of the new Primark warehouse at Islip will bring 1,000 new jobs to my area and help to reduce youth unemployment. Will the Minister join me in welcoming this jobs boost, and would she like to visit next year when it opens?

Priti Patel: I thank my hon. Friend for his very kind invitation. We are only getting these new jobs created because we have a secure and sound economy owing to our long-term economic plan. Importantly, employers such as Primark and many other retailers are creating great employment opportunities for our young people. I would be delighted to come to open the centre in his constituency with him next year.

Work and Health Programme

3. Kate Hollern (Blackburn) (Lab): Whether he plans for benefit sanctions to be applicable to people referred to the proposed work and health programme. [902561]

The Minister for Employment (Priti Patel): The Department is developing new provision to support people with health conditions and disabilities and those who are very long-term unemployed. We are currently developing the design of the programme, including the conditionality that will be a feature of it.

Kate Hollern: A survey by mental health charity Mind revealed that a shocking 83% of employment and support allowance claimants referred to the Work programme found that it made their mental health state worse. Will the Government’s new Work and Health programme end the utterly shameful sanctions regime which often leaves those with mental illnesses less likely to access work?

Priti Patel: I am sure the hon. Lady will also recognise that more than 60% of individuals who are on the employment and support allowance say that they want to work as well. That is why we will launch the new Work and Health programme, to look at how we can deliver vital employment support, which I am sure the hon. Lady and all other Members will welcome, to those individuals who are furthest away from the labour market but who want to work. We will do that in conjunction with our stakeholders and better target the accompanying support to get them back into work. Additional funding was made available in the summer Budget for support for those who are furthest away from the labour market, particularly those with health conditions.
Mr David Nuttall (Bury North) (Con): Does my right hon. Friend agree that it is incumbent on anyone who suggests scrapping the existing sanctions scheme to propose an effective alternative, because there has to be some means of ensuring compliance with the rules?

Priti Patel: Of course, my hon. Friend raises a valid point about what the Labour party is now clearly saying, despite the fact that sanctions have been in place for a considerable time, including under previous Labour Governments. The purpose of sanctions is to support claimants and to encourage them back to work. Let us also remember that the sanctions are there for claimants to comply with reasonable requirements, which are developed with the claimant as well as the work coach.

Stephen Timms (East Ham) (Lab): In the Work programme, extra help has been given to jobseekers who have been out of work for 12 months, but under the new programme it will not be until two years have passed. Will Jobcentre Plus get extra resources to support people who have been out of work for between one and two years, given that the Work programme’s successor will not be doing that?

Priti Patel: The new programme will be accompanied by a structural reform that will better target support for those individuals who are furthest away from the labour market. On top of that, as my right hon. Friend the Secretary of State has emphasised again today, universal credit in particular will provide support and engagement for those individuals who are furthest away from the labour market but who are looking for work. Alongside that, the new Work and Health programme will integrate services, particularly for those with mental health conditions or health barriers, to help them get closer to the labour market and back into work.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Shockingly, a number of people have died after being sanctioned and we are still waiting for the Government to publish the data on them. We do know, however, following the recent publication of an academic report, that between 2010 and 2013 the Government’s work capability assessment process was associated with an additional 590 suicides. Given that Maximus, the company the Government contracted to deliver work capability assessments, has reported “not being able to meet certain performance metrics”, when will the Secretary of State admit not only that his work capability assessment reforms are a danger to claimants’ health, but that they are not fit for purpose and need a complete overhaul?

Priti Patel: Let me remind the hon. Lady that it was her party in government that introduced the work capability assessment—[Interruption.] Let me also point out, as she makes remarks from a sedentary position, that we have brought in a number of reforms, of which she and all other Members will be aware. We are very clear that sanctions are constantly under review, hence the five reviews we have had. Finally, on the data the hon. Lady has just presented to the House, she cannot justifiably or credibly extrapolate those figures and apply them to sanctions and this Government’s policies, because they are completely incorrect.

Jobcentre Advisers: Food Banks

4. Diana Johnson (Kingston upon Hull North) (Lab): What assessment he has made of the effectiveness of the trial of locating jobcentre advisers at food banks. [902562]

10. Mr David Hanson (Delyn) (Lab): What assessment he has made of the effectiveness of the trial of locating jobcentre advisers at food banks. [902569]

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): Jobcentre work coaches undertake outreach work every day in local communities and have recently been helping people with back-to-work support and advice at the Lalley Welcome Centre in Manchester, where a food bank sits alongside other support services. The test is at an early stage and the Department will make the findings public in due course.

Diana Johnson: Despite the fall in unemployment, many working families across the country will be relying on food banks this Christmas. I pay tribute to Sarah Sidwell and her staff at the food bank in Hull. Is putting jobcentre staff in food banks not actually an acknowledgement of the shambolic nature of the benefits system, which is affecting people? Should the Minister not think very long and hard about sorting out the system rather than applying a plaster and putting jobcentre staff in food banks?

Mr Vara: May I gently remind the hon. Lady that we were invited, at the request of Sister Rita, to go to Lalley Welcome Centre, which also hosts other agencies? I might also say to the hon. Lady that that particular centre has a job club, which makes eminent sense. I presume she does not object to that. If she is happy to have a job club there, why on earth does she object to our going there to help people when we have been invited to go there?

Mr Hanson: Will the Minister confirm whether Lord Prior will join in the evaluation of services at that job centre and food bank? As the Minister will know, Lord Prior has indicated that obesity seems to be a problem, rather than poverty. Will the Minister confirm whether the evaluation will include an examination of the reasons why sanctions and benefit delays cause problems for those going to food banks?

Mr Vara: There are now fewer delays in getting benefits than there were under the Government in which the right hon. Gentleman served. The number of JSA applications is down compared with 2009-10, as is the number of ESA applications.

Heidi Allen (South Cambridgeshire) (Con): From my point of view, there is great potential in co-siting jobcentres and food banks if it is done in the right way. On a related subject, can the Minister envisage a future in which jobcentres and councils are co-located across the country?

Mr Vara: I am happy to confirm to my hon. Friend that is already happening.
Kevin Foster (Torbay) (Con): In relation to this trial, has the Minister noticed today’s report in the Western Morning News, which says that food bank usage has dropped by 25% in Devon and Cornwall? Does he agree with the Trussell Trust that that is “a sign that economic recovery is giving more people access to secure work”?

Mr Vara: It is always good to have external endorsement of what the Government are doing. That is just clear evidence that the Government’s long-term plan is working.

Frank Field (Birkenhead) (Lab): May I report to the Minister the progress in Birkenhead? A benefits adviser has been working in the food bank there, and the number of people having to come back for a second bag of food has dropped by 65%. Whenever the Secretary of State refers to this experiment, he talks about “benefit advisers”, while other senior people in the Department talk about “work coaches”. Might the Minister persuade the Secretary of State to say that his phrase is not an offensive one? If someone who is hungry thinks that the person at the food bank is a work coach, it might put them off going to the food bank in the first place?

Mr Vara: Both terms are applicable. May I just say that we should not get bogged down in the terminology? The important thing is to make sure that people actually have support to get them back to work. As we just heard in the quote from my hon. Friend the Member for Torbay (Kevin Foster), our long-term plan is working. We want to make sure that as many people as possible are in work so that they do not have to resort to food banks.

Emily Thornberry (Islington South and Finsbury) (Lab): Is the Minister surprised that the Secretary of State has never bothered to visit a food bank? Presumably, people in his Department have spoken to people in food banks. The message we get loud and clear from people in food banks is that the most important thing the Department can do is to fix its broken system of sanctions and stop benefit delays.

Mr Vara: It is always helpful if, when Front Benchers say things at the Dispatch Box, they are accurate. My right hon. Friend the Member for Torbay (Kevin Foster), our long-term plan is working. We want to make sure that as many people as possible are in work so that they do not have to resort to food banks.

Low Pay and Training

5. Neil Carmichael (Stroud) (Con): What steps he is taking to encourage people on low pay to progress through training.

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shaielh Vara): For the first time, universal credit will support claimants in work to earn more. Work coaches will provide tailored support to claimants on low wages to improve their pay. To help to develop our package of support for people in work, we are implementing a comprehensive test and learn strategy to understand better the impact that labour market policies can have on helping people on low incomes to get jobs in which they earn more.
are also involved in the process of getting rid of the deficit. I thought that the Labour party had said it was in favour of getting rid of the deficit, so the question is what it plans to do. I remind him that a huge amount of the savings are being made because more people are going back to work and fewer people are therefore claiming benefits.

Mr Peter Bone (Wellingborough) (Con): Following on from what the Secretary of State has just said, if the British people vote to come out of the EU, we will not be giving £350 million a week or more than £1 billion every three weeks to the EU. Would he welcome some of that money for his Department?

Mr Duncan Smith: My hon. Friend must not dare tempt me in that direction. What is really important is that we run our economy here in the UK for the benefit of citizens of the UK. We have made our position clear: we want to ensure that those who have not been here for a certain period of time and have not contributed are not able to draw upon our benefits system.

Mr Speaker: On the whole, because the hon. Member for Wellingborough (Mr Bone) is dextrous, he was just about within order, but I counsel colleagues that they should take great care, as a general principle, not to shoehorn their personal preoccupations into questions to which they do not obviously relate.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): That’s the only thing he does!

Mr Speaker: No, no; he is a very versatile fellow in all manner of means.

Andrew Gwynne (Denton and Reddish) (Lab): The Government’s forced U-turn on tax credits is a huge change and it will affect young people dramatically, in work longer and are likely to earn more money. That is not cash protect anybody at all. We are transitionally protecting those who are moving on to universal credit. Maybe the hon. Gentleman is against that. If so, would he like to say why?

Owen Smith (Pontypridd) (Lab): The Secretary of State said yesterday that “nobody will lose a penny” under his changes to universal credit, which was a surprise to me. On Friday, the Office for Budget Responsibility published a report showing that the Government intend to cut £100 million from the universal credit work allowance next year, £1.2 billion the year after that, and then £2.2 billion, £2.9 billion and £3.2 billion by 2020. By my count, that is a trillion pennies. Will the Secretary of State clarify his remarks and tell us precisely which workers are going to lose them?

Owen Smith: Again, the Secretary of State says this Budget made no changes. He is right, because the changes had already been passed in the summer Budget and in the statutory instrument. The truth is that the Chancellor bailed himself out of the hole he dug on tax credits by raiding the universal credit system, creating a deeply unfair two-tier system. A working mother on universal credit will next year be £3,000 worse off than her equivalent on tax credits. In all, 2.6 million families will be £1,600 on average worse off. It is the new IDS postcode lottery: it is arbitrary, it is unfair, and if you are a low-wage working mother, it could be you.

Mr Duncan Smith: The hon. Gentleman’s party, which opposed universal credit from the outset, can hardly say that it is the slightest bit interested in how it works. The reality is that all those calculations for lone parents do not take into consideration—[Interruption.] No, they don’t. The childcare package that comes with universal credit is dramatic. Unlike tax credit—[Interruption.] Perhaps he would like to just keep quiet and listen for once to somebody who knows what they are talking about. I say to him very simply that the childcare package for universal credit gives parents with children childcare support every single hour while they are in work. Under tax credit, they got next to nothing.

Universal Credit

8. Helen Whately (Faversham and Mid Kent) (Con): What progress he has made in rolling out universal credit; and if he will make a statement.
9. Mr Jim Cunningham (Coventry South) (Lab): What the cost to the public purse of implementation of universal credit has been to date; and how many people have been enrolled on universal credit.

18. Nigel Mills (Amber Valley) (Con): What progress he has made in rolling out universal credit; and if he will make a statement.

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): Universal credit is rolling out as planned: on track and on time. I can announce today that it will be in every jobcentre by April next year. Estimates of the total cost of implementation have fallen from £2.4 billion to £1.7 billion, with £0.6 billion having been spent to date. Over a quarter of a million people have now made claims to universal credit.

Mr Duncan Smith: It does not suit the Opposition to know it, but all those who transfer from tax credits, through the legacy system, into universal credit will be transitionally protected. That is critical. They do not want to know that, because, as I said, they are the party who failed to transitionally protect anybody when they abolished the 10p tax rate.

Neil Gray (Airdrie and Shotts) (SNP): We welcome the apparent tax credits U-turn, but it appears that the cuts to the work allowance, which will still go ahead under universal credit, will hit families just as hard. Will the Secretary of State assure us that the tax credits U-turn will also apply to the corresponding elements of universal credit, or will he confirm our suspicions that this so-called U-turn is merely a delaying tactic?

Mr Duncan Smith: The universal credit position is exactly as set out at the time of the summer Budget, which means, as we understand it and calculate it, and as figures released in the last 24 hours show categorically, there will be a huge improvement in the numbers of people going back to work, working full time and earning more money. I absolutely believe that, in the next few years, the hon. Gentleman will be one of the first to say, “Thank God we introduced universal credit.”

Universal Credit (Payment Arrangements)

11. Owen Thompson (Midlothian) (SNP): What assessment he has made of the potential effect of paying universal credit to households rather than individuals or women experiencing financial abuse.

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): For a minority of claimants, including women who may be victims of financial abuse, alternative payment arrangements can be made. We can split payments to members of the household, where necessary, under universal credit. Furthermore, jobcentre staff are trained to identify vulnerable claimants and can signpost individuals, at their request, to local domestic abuse support organisations for further help and support.

Owen Thompson: Research carried out earlier this year by the Trade Union Congress and Women’s Aid, “Unequal, Trapped and Controlled”, found that universal credit had far-reaching implications for women experiencing financial abuse and, in particular, that the single household payment could leave women and their children in financial hardship. Current arrangements could make it difficult for victims to declare the need for a single household payment for fear of their abuser finding out. Will the Secretary of State commit to asking all claimants automatically if they require an alternative payment arrangement, including the choice of paying their landlord directly, to ensure that women and children are protected from destitution and homelessness?

Mr Vara: The hon. Gentleman raises an important point. I think we all agree that there is no room for domestic violence or abuse in a civilised society in the 21st century. Advisers are well trained and look out for victims. They look at who has care and responsibility for children and, where appropriate, can split payments.
Earnings Limits

12. Kirsten Oswald (East Renfrewshire) (SNP): What steps he is taking to ensure that earnings limits applicable to benefits are well publicised. [902571]

The Minister for Employment (Priti Patel): The way earnings are treated is different across the benefits, but the majority of benefits do not have an earnings limit. Individuals can find general information on benefit eligibility at gov.uk, or they can speak to their local jobcentre staff and work coaches.

Kirsten Oswald: My constituent, a dedicated carer for a member of her family, was awarded carer’s allowance. She took on two small jobs to make up her earnings and to allow her to contribute to the community, while being careful to stay within the weekly and four-weekly earnings limits she had been advised of, so she was shocked to get a call telling her she had breached a monthly limit that she knew nothing about. Does the Minister think that laying that kind of tripwire for claimants is an appropriate way to deal with someone such as my constituent, who is trying her best to make a contribution to both her family and the community?

Priti Patel: I would make two points. I am happy to look at the case, but when it comes to the carer’s allowance, we increased the earnings threshold in April 2015 by 8%. Importantly, this is about providing the right structured approach to support carers who want to work and get the balance right regarding their caring responsibilities.

Benefit Overpayments

13. Kevin Brennan (Cardiff West) (Lab): What recent representations he has received on the discretion which may be exercised by his Department’s staff when recovering benefit overpayments. [902572]

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): The Secretary of State has a duty to protect public funds and to ensure, wherever possible, that a benefit overpayment is recovered. Discretion is exercised where it is not cost-effective to recover an overpayment, or where recovery would cause undue hardship, and is subject to guidelines from Her Majesty’s Treasury.

Kevin Brennan: Yes, I accept that completely, but since April it has been possible to recover benefit at a rate of 40% from jobseeker’s allowance. There is much evidence that that is becoming the normal figure. There is no appeal, and on review, people are being told that even if they do not have enough money to eat, that is not a sufficient reason to be able to appeal against the benefit recovery. Will the Minister ask his officials to look seriously at this issue and how it is affecting the poorest people?

Justin Tomlinson: I thank the hon. Gentleman for his question, and I know he has been tenacious in working in this area, particularly on behalf of a number of his residents. There is discretion in the system applied to repayment rates, but the claimant must prove that there is genuine hardship and talk to the debt management team. There is an appeals process, but I will look further into it further.

Youth Unemployment

14. Mr Alan Mak (Havant) (Con): What progress he has made in reducing the rate of youth unemployment. [902573]

The Minister for Employment (Priti Patel): Youth unemployment has fallen to its lowest level in over seven years. In addition, the proportion of young people who have left full-time education and are unemployed—5.9%—has never been lower.

Mr Mak: The Wheatsheaf Trust runs an employment access centre, helping young people off benefit and into work in my Havant constituency. Will the Minister join me in congratulating the trust on its work on the ground and confirm that the Government will continue to put young people at the heart of their aspiration for full employment and their long-term economic plan?

Priti Patel: Of course I congratulate the Wheatsheaf Trust on the work it does, and I know that my hon. Friend has made youth unemployment and getting young people back into work a priority in his own constituency. He is, of course, right that as a Government we are committed to helping more young people to secure employment opportunities, which is why we will continue to support work experience programmes and traineeships and will introduce a new youth obligation.

Bill Esterson (Sefton Central) (Lab): But too many of the apprenticeships have been going to older people who are already in jobs. Does the Minister agree that what is really needed is apprenticeships that provide intermediate and advanced high-level skills and qualifications that are valuable both for young people and the success of our economy?

Priti Patel: I view all apprenticeship skills as providing value-added to our economy. Let me provide the example of my visit to Pimlico Plumbers last Thursday. They are investing in young people and taking on young apprentices—[Interruption.] I hear Labour Members being disparaging about the employer organisation, but it is creating employment and career opportunities for young people, as does every other business and employer organisation that takes young people on at an apprenticeship level. Those organisations are the future; they are the ones investing in our young people, creating great career opportunities and passing on skills for our economy.

Unemployment

15. James Morris (Halesowen and Rowley Regis) (Con): What progress he has made in reducing the rate of unemployment. [902574]

The Minister for Employment (Priti Patel): The unemployment rate, at 5.3%, has fallen by a third since 2010—[Interruption.] I hear sighs from Labour Members, which shows that they have no interest in employment growth in this country.
Emily Thornberry (Islington South and Finsbury) (Lab): Grow up!

Priti Patel: The hon. Lady says, “Grow up”. Perhaps Labour Members should put aside the disparaging comments they make every time we speak about employment opportunities and growth in the economy. Unemployment is now at its lowest level for over seven years. In addition, the number of people in work has risen by over 2.1 million since 2010.

James Morris: Unemployment in my constituency has fallen by 50% since 2010, which has given a lot of security to a lot of people in my constituency. Does she agree that some individuals who might be suffering from long-term mental health conditions want to work, but encounter considerable barriers preventing them from getting back into employment? Does she therefore agree that we need to redouble our efforts to enable those people to get back into work because it is critical to their cure that they do so?

Priti Patel: My hon. Friend is absolutely right. He has drawn attention to two important facts: the fact that unemployment has fallen in his constituency and there are more people in work there, and the barriers—particularly mental health conditions—that prevent people from working. We will be launching a new Work and Health programme, and looking into how we can integrate services to provide the right kind of support to help such people to return to work.

Shabana Mahmood (Birmingham, Ladywood) (Lab): Between June 2011 and June 2015 there were 10,920 referrals to the Work programme in my constituency, 21% of which resulted in jobs. Those figures would improve, and employment would be further reduced, if the assessment of claimants that is carried out at the beginning of the process were more adequate and consistent, and ensured that crucial characteristics such as drug problems were not missed. When will the Government introduce changes to the assessment process?

Priti Patel: The Select Committee and many others have said that the Work programme has been one of the most successful employment programmes that the country has seen. Naturally, we constantly review our work in respect of assessments, but we are focusing on targeted support for individuals, because we all want the right outcomes for them. We all want to help them to return to work, and to give them the tailor-made support that they need. Rather than adopting the hon. Lady’s disparaging approach, we are saying that those people need help, and that we will give them help so that they can get back into work.

Work Capability Assessments: Veterans

17. Jo Churchill (Bury St Edmunds) (Con): What his policy is on requiring injured veterans to attend work capability assessments.

William Wragg: May I invite the Minister to a Disability Confident event in my constituency, which will take place next spring? He will meet some brilliant charities, such as Independent Options and ARC, which provide work for, and teach life skills to, people with a range of disabilities.

Justin Tomlinson: I should be delighted to accept that kind invitation. Our reforms of the support that is given to people with disabilities who want to work will give local organisations great opportunities. On Friday I visited Foxes Academy, which has a success rate of more than 50% in providing work for people with learning disabilities; that contrasts with the national average of 6%. Local flexibility is vital.

Work Capability Assessments

21. Tommy Sheppard (Edinburgh East) (SNP): When his Department next plans to publish information on people who have died after undergoing work capability assessments.

The Minister for Employment (Priti Patel): There are no plans to publish such information.

Tommy Sheppard: That is a source of great regret. A recent study by Liverpool and Oxford Universities concluded that 590 suicides were linked to work capability assessments. When will the Department stop hiding behind excuses and publish the information that we seek, so that we can examine the effect of the claimant system on suicide rates?
Priti Patel: We do not agree with those claims, and the authors themselves caution that no conclusions can be drawn about cause and effect.

Housing Benefit

22. Teresa Pearce (Erith and Thamesmead) (Lab): What assessment he has made of the potential effect of changes to housing benefit announced in the spending review and autumn statement 2015 on people under 35. [902582]

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): To introduce fairness, we will cap housing benefit at the appropriate local housing allowance rate for the area from April 2018 when a new tenancy is taken out or a tenancy is renewed after April 2016. That means that the housing benefit of single claimants under 35 who take on a new tenancy or renew a tenancy will be restricted to the local housing allowance shared accommodation rate.

Teresa Pearce: Research shows that it is fairly unusual for people under 35 without children to be given social housing, but the exception to that is care leavers. Can the Minister let the House know whether there will be any safeguards or exemptions for vulnerable care leavers?

Justin Tomlinson: To clarify, this will be a flow measure so there will be no cash losers among those already in the system. We will be looking at the protections in place, recognising those in the private sector which include protection for care leavers.

Topical Questions

T1. [902548] Jo Stevens (Cardiff Central) (Lab): If he will make a statement on his departmental responsibilities.

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): I am pleased to be able to update the House today on the next stage of universal credit roll-out. Universal credit is available now in three quarters of all jobcentres, and by April next year will be available nationally. Building on that, the digital service is already in a number of jobcentres, and I can announce that it is being extended to a further five jobcentres as early as next year—to Hounslow, Musselburgh, Purley, Thornton Heath and Great Yarmouth prior to May 2016, when the digital service will be rolled out nationally.

Jo Stevens: I invite the Secretary of State to confirm that current claimants of universal credit will face losses next April as a result of cuts to the work allowance. Can he explain to the House why there is no transitional protection for universal credit, as there is for tax credit recipients?

Mr Duncan Smith: I thought I had made this clear, but I will make it clear again. For those already on universal credit, advisers will support them through the additional resources and the flexible support fund to ensure that their status remains the same. Those moving from tax credit to universal credit are transitonally protected, as has already been stated.

T2. [902549] Mark Menzies (Fylde) (Con): What steps are being taken to support those with early onset dementia through the ESA process and, where appropriate, how do we support those who wish to continue in work to do so?

The Minister for Employment (Priti Patel): We fully recognise the devastating impact that a diagnosis such as early onset dementia can have on individuals and their families. That is why we have the work capability assessment, which is designed to ensure that any claimant who is severely affected can be identified at the earliest possible stages and is supported. They will of course be placed on to the highest rate of benefit, where there has been such a diagnosis, and they will be free from any conditionality.

Nick Thomas-Symonds (Torfaen) (Lab): At the election, the Conservative party promised to exempt pensioners from their proposed benefit freeze, yet as a consequence of the autumn statement some 400,000 of those on pension credit will see their benefits cut, and 800,000 will see it frozen. [ Interruption. ] There is no point in Ministers looking puzzled; I would have thought they would learn to read the small print of the Chancellor’s economic statements by now. How can it be right, when three quarters of pensioners are facing a choice between heating and eating this Christmas, to be taking more than £100 a year away from so many older people?

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): The hon. Gentleman really must move away from student politics. This Government have done more for pensioners than any other Government. They are benefiting more now than they would have under any system introduced by the Labour party. The triple lock is making sure they have more money. We have also maintained a lot of the universal benefits, so we on this side of the House will take no lectures from those on that side of the House.

T6. [902553] Chris White (Warwick and Leamington) (Con): I recently visited UK Interactive Entertainment to learn more about the work of Special Effect, a charity working with disabled people to make video games accessible to all. How can we further utilise technology to assist those with disabilities?

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): I was delighted to join my hon. Friend on the visit to that fantastic charity, which has widespread support including from the Prime Minister and the deputy leader of the Labour party. Technology is key to removing barriers and I am delighted that we have the innovative technology prize—we will be announcing the winner in March—which shows that creating innovation and creating more opportunities will reduce more barriers.

T3. [902559] Kate Osamor (Edmonton) (Lab/Co-op): I have a constituent, a single mother of three, who was declared fit for work despite having ongoing complex mental and physical health problems. Since the verdict, she has phoned my office and she says she cannot take any more. Her doctor has also increased her medication for depression. Will the Government admit that in this instance and many others they are pushing the fit for work test too far and it is having an adverse effect on people’s health?
Priti Patel: I would be very happy to look at the constituency case that the hon. Lady has just raised. I also remind her and the House that we have already had five reviews of the WCA.

Mr Duncan Smith: The hon. Gentleman is right to raise that. All support will be given by Jobcentre Plus. If it has not already done so, I will ensure that it puts a specialist team in to make sure that all those people are seen as a priority, that all their skills are assessed and that they are got into jobs as quickly as possible. If, however, he would like to come and see me about this or if he can think of anything else we can do, I can assure him we will do everything we can to help his constituents at this time.

Michelle Donelan: The hon. Gentleman is right to raise that. All support will be given by Jobcentre Plus. If it has not already done so, I will ensure that it puts a specialist team in to make sure that all those people are seen as a priority, that all their skills are assessed and that they are got into jobs as quickly as possible. If, however, he would like to come and see me about this or if he can think of anything else we can do, I can assure him we will do everything we can to help his constituents at this time.

Mr Duncan Smith: Is my hon. Friend aware that he should be congratulated on the fact that unemployment in his constituency is improving and unemployment is falling, and that is happening nationally as well as with him. I would be very happy to visit him again.

Mr Duncan Smith: If he can think of anything else we can do, I can assure him we will do everything we can to help his constituents at this time.

Priti Patel: I would be very happy to visit him again.

Mr Duncan Smith: As my hon. Friend knows, I visited him the other day in his constituency, where he is doing an exemplary job, as is the jobcentre. Employment is improving and unemployment is falling, and that is happening nationally as well as with him. I would be very happy to visit him again.

Mr Duncan Smith: If he can think of anything else we can do, I can assure him we will do everything we can to help his constituents at this time.

Priti Patel: I welcome the work that my hon. Friend is doing through the APPG. We recognise that we can never stand still in this area. There is always more to be done to support young people through work experience, traineeships and, importantly, working with employers to encourage them to take on more young people and get them into the labour market, invest in them and train them so that they have skills for the future.

Michael Tomlinson: I know that my hon. Friend is doing a great deal of work locally in the employment space through apprenticeship fairs and things of that nature. When it comes to supporting people who are suffering long-term unemployment, we are working with our jobcentres and employers and, importantly, Work programme providers to get people closer to the labour market, to support them through training schemes and to nurture them so that they have an easier, smoother journey into work.

Mr Vara: When the Pensions Act 2011 was passing through Parliament, the Government made a concession worth £1.1 billion that reduced the period concerned from two years to 18 months. For 81% of the women concerned, the period will not be extended, and will be a maximum of 12 months. I am sorry to tell the hon. Gentleman that this Government have no plans to make any further concessions.

Peter Heaton-Jones: Does the Under-Secretary of State responsible for disabled people agree that, at a time when we are doing so much to encourage people with disabilities to participate in sport, it is a huge missed opportunity that not one of our inspirational disabled athletes is being honoured by the BBC Sports Personality of the Year awards?
Mr Duncan Smith: Under universal support, which is delivered locally, we are talking hugely to local authorities and all the local organisations in the area, and my hon. Friend will find that this will be swept up as part of that process; it is a dramatic improvement on where tax credits are right now, because it brings in all those other benefits as well.

Stephen Timms (East Ham) (Lab): The latest projections show that universal credit is running about four years behind the timetable that the Secretary of State originally set out. He has told us today that the new digital IT solution is to be rolled out from next April. How will he merge that with the prior IT system, which is already in use in quite a lot of jobcentres?

Mr Duncan Smith: The universal programme is on track and has been approved by the Major Projects Authority, which has said that it is delisted. I say to the right hon. Gentleman, who has been here long enough to remember, that I will take no lessons from a Labour Government who gave us a tax credit debacle—they rolled it out and more than three quarters of a million people failed to receive any benefit on the day it was launched. He should come to see this system; the live service and the digital service are merged because a lot of the digital service will use elements of the live service. They are therefore merging in the run-up to May and will then be rolled out together at the same time.

Alison Thewliss (Glasgow Central) (SNP): The Minister said earlier that there is no place for domestic violence in our country, and I firmly agree with him. When will he confirm how his Department intends to make women prove that they have had their third child by rape?

Mr Duncan Smith: I missed the question, Mr Speaker. There was a lot of noise, so I did not hear it.

Mr Speaker: The hon. Lady was asking about the treatment of someone who has a third child through rape.

Mr Duncan Smith: My apologies to the hon. Lady. May I say to her that we will come back with our exact reasons and rationale for how we will decide that? The reality remains, however—and this is, I believe, popular among the public—that those who make choices and take responsibility for them want everyone else to do the same as well.

Neil Coyle (Bermondsey and Old Southwark) (Lab): Order. Points of order come after statements. I shall await with eager anticipation the hon. Gentleman’s point of order.
Flooding

3.35 pm

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): With permission, Mr Speaker, I wish to make a statement on the impact of Storm Desmond and flooding in the north of England.

As the House knows, this weekend has brought some enormously difficult and extreme weather conditions, and I begin by expressing my deepest sympathy to those who have been affected in all parts of the UK. I also wish to commend the Environment Agency, the emergency responders and volunteers who have been working tirelessly throughout the weekend, often in horrific conditions. People have come from all over the country—from as far as south Wales, Lincolnshire and Somerset—to help. I am sure that the whole House will join me in paying tribute to them for their work, and to those who have shown such generous community spirit in offering food, transport and even beds to neighbours.

Over the course of Friday 4 December, it became clear that Storm Desmond would bring an exceptionally high volume of rainfall across the UK. The Environment Agency responded by mobilising its people and assets, moving temporary defences and pumps to north-west England. On Saturday morning, it became clearer which counties would be affected and that we would see very high levels of rainfall that evening.

The Government mobilised a full national emergency response. At midday on Saturday, I held a cross-departmental meeting to assess the projected impacts, which was shortly followed by the mobilisation of 200 military personnel and supporting assets, including making available a Chinook helicopter.

Local commanders were able to call on more than 50 high-volume pumps as well as specialist tactical advisers and rescue boats from around the UK, adding to more than 200 emergency responders already on the ground. The Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), travelled to Cumbria on Saturday to ensure that the emergency responders on the ground got all they needed. He has remained in the north-west throughout.

On Saturday night, we saw an unprecedented amount of rainfall. More than a month’s rain fell in one day. During Saturday night, main rivers all across Cumbria exceeded the highest levels ever recorded. There is a mark on the bridge in Carlisle showing the flood level in 1853. The 2005 flood was half a metre higher than that of 1853, which was the highest on record until then. This flood was half a metre higher again. It was 0.6 metres higher than previous records in Kendal, 0.7 metres higher in Keswick and 0.3 metres higher in Appleby.

Although more than 8,000 properties were protected by our flood defences, by Sunday morning, more than 3,500 properties had flooded across the country, the majority of which were in Cumbria. In Carlisle, more than 1,300 properties flooded. More than 600 properties flooded in both Kendal and Keswick, with more than 200 in Appleby. Flooding was also seen in Northumberland, with more than 60 properties flooded at Hexham. Some 55,000 properties lost power in Lancaster following the flooding of the electricity substation. Transport was severely disrupted, with roads closed across the north-west and bridges damaged. The west coast main line was suspended.

Tragically, I also confirm that there were a number of weather-related fatalities, with a number of incidents caused or exacerbated by flooding or poor weather. I am sure that the House will want to join me in expressing our deepest sympathy to their families and friends. It is a tragic reminder of how dangerous these conditions can be.

On Sunday morning, I chaired a cross-Government Cabinet Office briefing room meeting to ensure that the emergency responders on the ground had all the resources that they needed and to address immediate issues, including the threat to the power supply in Lancaster and Carlisle. I spoke with gold commanders in the worst affected areas during the day to ensure they had sufficient national resources to deliver their emergency plans.

The Prime Minister chaired a further Cobra meeting this morning and is visiting the affected areas today. I am pleased to confirm to the House that progress is being made on recovering from some of the impacts. The number of homes affected by power outages has been reduced to fewer than 5,000 following the restoration of power at Lancaster substation. Electricity companies are working round the clock to restore power as soon as possible.

Transport remains disrupted across much of the area. Many roads remain closed and will need to be repaired. The west coast main line remains suspended to Scotland and service is unlikely to be restored until Wednesday at the earliest. The Government will continue to ensure that all resources are made available to support recovery from this flooding. Cobra will continue to meet daily to oversee recovery efforts and I will be travelling to Cumbria and Lancashire after this statement to continue to ensure that we are doing all we can to help those affected.

I know that local communities will want to know what action Government will be taking to support the recovery phase. I am pleased to confirm to the House that my colleague the Secretary of State for Communities and Local Government will shortly be opening the Bellwin scheme for local authorities affected by floods, and that 100% of eligible costs will be met by the Government. We will announce further support schemes over the coming days.

Since 2009 we have invested £45 million in new defences in Cumbria, but we will need to reflect on lessons that we can learn from this extreme weather event. In the last Parliament there was a real-terms increase in the investment in flood defences and in this Parliament there will be another real-terms increase in spending. We are investing £2.3 billion in 1,500 schemes throughout the country that will better protect 300,000 homes. The spending review has also confirmed that we are protecting flood maintenance spending throughout this Parliament as well as capital spending.

I am sure the whole House will join me in expressing our sincere sympathy to those who have been affected by this weekend’s extreme weather conditions. I can assure the House that the Government will continue to do everything we can to support those affected and I commend this statement to the House.
3.42 pm

Kerry McCarthy (Bristol East) (Lab): I thank the Secretary of State for her statement. I have spoken this morning to my hon. Friends the Members for Workington (Sue Hayman), for Copeland (Mr Reed) and for Lancaster and Fleetwood (Cat Smith) for an update on what is happening in their constituencies. Understandably, they cannot be here this afternoon as they are with their constituents, and I appreciate that the floods Minister is, rightly, in his constituency too.

Our thoughts are with all the communities in Cumbria and Lancashire that have once again been devastated by flooding. Tragically, it now seems that a number of people have lost their lives; their friends and family have our deepest sympathy and condolences. I join the Secretary of State in paying tribute to the emergency services and the Army, who have once again responded superbly.

The immediate priority of course has to be help for all those who have been forced to evacuate their homes and businesses, and making sure that everyone is safe, warm and well. Communities such as those in Cumbria are getting used to rallying round and helping those who need shelter, food and clothing while they contemplate the state of their homes, and they have been magnificent this time, too. They are desperately worried that further rain is predicted for tomorrow, and I hope that the emergency response of which the Secretary of State spoke is geared up to respond to further bad weather.

With the last major floods of 2013-14, the Prime Minister declared that “money is no object in this relief effort”, yet it was months before residents, business owners and farmers received support from the Government, and much longer before they could return home. I was pleased to hear the Prime Minister say today that we must “make sure everything is done to help in this vital phase of dealing with the floods”; but it is not enough for the Prime Minister and the Environment Secretary to pledge to deal with the devastation and damage caused. We need a commitment from them to do all they can to try to prevent this from happening again.

It was just six years ago that Cumbria was hit by “unprecedented” flooding, described then as a once in a lifetime or a once in a century event, but it has already happened again. This time, as the Environment Secretary said, it is even worse. Her predecessor was, as we know, not someone who was prepared to acknowledge the risks posed by climate change. Does this Secretary of State agree that extreme weather events are unfortunately increasingly a feature of British weather and that Government policy has to adapt accordingly? World leaders in Paris are negotiations what, we hope, is an historic agreement on climate change right now, yet domestically the Government have repeatedly abandoned measures to reduce the UK’s carbon emissions, and climate adaptation appears to be a worryingly low priority for the Department for Environment, Food and Rural Affairs. The Secretary of State travels to the north-west later today I hope that she will see that that cannot continue.

Until the 2013-14 winter floods in the south-west, DEFRA had downgraded flood defence as a priority, despite the fact that the Committee on Climate Change warned that flooding represented the greatest climate change risk to the UK. Flood defence maintenance was cut by 20% in 2010. In one year alone, the coalition slashed flood spending by more than £100 million. Does the Secretary of State accept that that left the UK unprepared for extreme weather events? I know that capital expenditure has been announced and is protected, but DEFRA has said that it cannot tell us about the resource funding for flood defence maintenance from 2016-17 to 2019-20 until next summer. I should be grateful if she elaborated on that and gave us a bit more information.

Will the Secretary of State heed the warnings from experts that we need year-on-year investment in flood defences to meet the increased threat of flooding? Given that this year’s flood defence budget is £115 million lower than last year, and lower than flood defence expenditure in 2009-10, can she honestly reassure the communities affected by flooding that the Government are doing enough?

After the last floods in Cumbria, insurance pay-outs took months and, in some cases, years. Flood Re is not due to become operational until next year, so will the Secretary of State update us on her discussions with the insurance companies since the weekend? Has she managed to secure assurances that householders and businesses will be paid promptly and in full? Local people are finding it impossible to meet the cost of insurance premiums. What reassurance can she offer to people who fear that their premiums will increase even more?

The Secretary of State spoke, rightly, about the need for a cross-departmental approach, with issues such as road and school closures, and the role of hospitals. The point has been made by my colleagues in Copeland and Workington that it would be absolute folly to downgrade the West Cumberland hospital in Whitehaven, given that power shortages and the sheer distance that people had to travel meant that the hospital in Carlisle was not geared up to deal with the floods this time round. I am more than happy to confirm that we want a cross-party approach to the problem, working with communities and Government Departments to try to ensure that people in Cumbria and Lancashire are, wherever possible, back home, safe and well with a roof over their head, and as dry as possible before Christmas strikes. I offer the Secretary of State my support in that.

Elizabeth Truss: I can assure the hon. Lady that we have an absolute focus on making sure that gold commanders on the ground have every support they need to make sure that people are safe and homes are protected, and to aid the recovery effort. We have seen that in efforts to restore the power supply and to report issues on road and transport systems. We are vigilant about the weather outlook. Cobra will meet daily to make sure that we have all those forecasts, that they are taken into account and that we put our resources where they are needed. We remain vigilant on that at all times. We began the recovery and response effort on Friday by making sure that those resources were in place in Cumbria. We can do all we can to mobilising resources such as the Army to ensure that support is on the ground where it is needed.

We have seen an unprecedented weather event. The hon. Lady referred to previous flooding in Cumbria, but this flooding was more extreme—levels were exceeded by half a metre in some key towns and cities in Cumbria. Of course, it was absolutely devastating for people previously
affected by flooding who believed that things would be better but who have been affected by flooding again. My huge sympathy goes to those business owners and local residents, and I hope to meet them later today and tomorrow.

The hon. Lady is absolutely right about the extreme weather patterns that we are seeing. As we say, that is consistent with climate change trends. Climate change is factored into all the modelling work that the Environmental Agency does, but in the light of this extreme weather we must look at that modelling and ensure that it is fit for purpose for future decisions. We constantly review investment in flood defences. It is important that we remain fair to people across the country, and that the people of Cumbria understand why decisions have been made and get the proper protection they deserve.

On flood defence spending, over the last Parliament we spent £1.7 billion in capital spending—a real-terms increase on the £1.5 billion spent between 2005 and 2010. Our next six-year programme is £2.3 billion, which again represents a real-terms increase. It is the first time government have laid out a six-year programme so that we do not have lumpy bits of flood spending, but commit to a long-term programme that helps to protect the country better. Including the impact of climate change, that is forecast to reduce flood risk by 5% over the next six years.

The hon. Lady asked about the maintenance budget. We spent £171 million last year on flood maintenance. In the autumn statement the Chancellor confirmed that.

In the autumn statement the Chancellor confirmed that we spent £171 million last year on flood maintenance. In the autumn statement the Chancellor confirmed that.

Mr Nigel Evans (Ribble Valley) (Con): Parts of my constituency have been affected by the floods that have wrought so much damage throughout the north-west. Many I reinforce the point about insurance claims? They should be met speedily, not in six or nine months’ time. People’s needs are now, not in six or nine months. Will my right hon. Friend also make it clear to insurance companies that they will be looked at very carefully if they start to withdraw cover from people who have been affected by these floods? Withdrawing cover blights people’s homes, following the devastation that they have just suffered.

Elizabeth Truss: My hon. Friend makes an extremely good point. We will work with insurance companies to make sure that people receive prompt payments and that we can get people back into their homes as soon as possible.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Secretary of State for her statement this afternoon and, with my colleagues on the Scottish National party Benches, send our condolences to families that have been affected over the weekend. Normally my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) would speak on behalf of the SNP, but he is in his constituency assisting with the work there.

We feel for the devastation across the north of England and for the clear-up that is under way across the borders in Scotland as well, after some of the worst flooding that the region has seen. At its height about 700 people were evacuated from their homes. Hundreds of houses and business premises have been flood-damaged. There was extensive flood damage across other parts of Scotland, including the most significant flooding on the River Tay in 12 years. Today flood alerts have been issued for Dumfries and Galloway and the Scottish borders again.

I note that David Shukman, the respected BBC science editor, wrote:

“Scientists always shy away from blaming any particular weather event on climate change. But they also point to a basic physical property of the atmosphere: that warmer air can hold more moisture. That means that rising temperatures are likely to lead to storms that may drop more rain—and in more intense bursts.”

In 2009 the Scottish Parliament unanimously passed world-leading climate change legislation. Using 1990 as a baseline, it committed itself to reducing greenhouse gas emissions by at least 42% by 2020 and at least 80% by 2050. In Scotland, we are doing what we can to foster renewable energy. It is a pity that this Government are removing support for onshore wind. Will the Secretary of State liaise with the Secretary of State for Energy and Climate Change to revisit this? We need to do more to protect our environment.

There is potential for extreme weather systems to continue to plague the UK. We are lucky in the UK that we have the resources to help as much as we can in preparing for them and helping communities in the aftermath, and I am grateful for the Secretary of State’s comments on that. However, across the world, smaller and poorer countries are going to be far worse hit by the effects of climate change. Today the Scottish Government announced that they will double their climate justice fund by pledging a further £12 million for developing countries to lessen the impact of climate change. What are the UK Government doing to help in poorer countries?

Elizabeth Truss: I express my sympathy for the people affected in Scotland. We are working very closely with the Scottish Government on our response.

My right hon. Friend the Secretary of State for Energy and Climate Change is currently in Paris working to secure a good international deal so that we can deal with climate change on an international level. Of course, we have a very clear carbon budget system in place in the UK.

Seema Kennedy (South Ribble) (Con): I pay tribute to my local Environment Agency team in Lancashire and Cumbria, who worked all weekend keeping me up to date. My residents in Banks and Rufford are very concerned that in less than two years the flooding pumps at Alt Crossens are going to move away from the Environment Agency to another, as yet unnamed, body. Most of this water gives on to farmland. What is the Department doing to protect farmland?
Elizabeth Truss: I agree with my hon. Friend’s tribute to the fantastic emergency service and Environment Agency staff who have been working round the clock to support people in the area. Our six-year programme will mean that an additional 420,000 acres of farmland will be protected. In the specific case of the flooding in the north over the weekend, we will look at what more can be done to help farmers.

Christian Matheson (City of Chester) (Lab): Over the weekend and this morning I have been in contact with my hon. Friend the Member for Workington (Sue Hayman), who remains in her constituency, and she has given me some thoughts on the situation in that part of Cumbria. She is extremely grateful, as are her constituents, for the response of the emergency services. There is concern that an unintended consequence of reductions in front-line services, as well as cuts to local authorities and the Environment Agency, is that those emergency responses may not be possible in future. Will the Government give some thought to whether cutting local authority and Environment Agency budgets might damage the ability to respond to these events in future?

Elizabeth Truss: The response efforts over the weekend and the preparations put in place by the Environment Agency, the emergency services and Army personnel have been fantastic. They have been working their socks off on the ground to protect people, and we are all very grateful for what they have done. My role is to make sure that we are co-ordinating those efforts and giving the local teams all the support they need. On Saturday and Sunday I spoke to the gold command to ask whether they needed any additional support and resources, and whether all those resources have been made available. Of course, we will continue to monitor the situation to make sure that the resources are available on the ground.

Mark Menzies (Fylde) (Con): May I put on record my thanks to the emergency services and to officials at DEFRA and the Department of Transport for the work they have put in over the weekend? Will the Secretary of State assure me that she will continue to work with farmers in my constituency to ensure that the devastation that some of them have suffered over recent days will be looked at with sympathy?

Elizabeth Truss: I absolutely agree with my hon. Friend. As well as making sure that farmland is protected as part of our six-year flood defence programme, we will look at the specific impacts on farmers. The farming Minister, my hon. Friend the Member for Camborne and Redruth (George Eustice), will do more work on that.

Rachel Maskell (York Central) (Lab/Co-op): This morning I met businesses in York who are over 4 metres under water. This is the second flooding they have had within a month. Will the Secretary of State assure that basics like sandbags and pumps are available free for businesses, because they pay a heavy price when flooding occurs?

Elizabeth Truss: We are monitoring the situation in York very closely. There are defences in place in York, and the Environment Agency makes sure that the relevant equipment, such as sandbags and pumps, are moved to the area in question.

Rishi Sunak (Richmond (Yorks)) (Con): My North Yorkshire constituency has also been affected this weekend, so I welcome my right hon. Friend’s earlier comments and pay tribute to those working hard in my area. My thoughts are with those affected elsewhere. I recently visited the village of Brompton, where the community has come together to create a set of natural flood defences, including a leaky dam and a series of holding ponds. Does my right hon. Friend agree that such schemes have a role to play in preventing floods, and will she urge the drainage boards and the Environment Agency to support them where appropriate?

Elizabeth Truss: I have great sympathy for those constituents of my hon. Friend who have been affected. I completely agree that natural defence schemes can play a very strong part in flood prevention. Indeed, I recently visited the Slow the Flow project in Pickering in Yorkshire, which is doing just that. Not only does it help to reduce flooding: it also contributes to the natural environment and biodiversity.

Mr Dennis Skinner (Bolsover) (Lab): Is it at times like these that we begin to worry about the cuts that local government and the fire service have suffered for the last five years. Is there any opportunity for the Secretary of State to say from the Dispatch Box today that she will ensure that the fire service will have those cuts reversed and that it will be able to carry on without losing men and machinery from this day forward?

Elizabeth Truss: We have seen fantastic support from the fire service and other emergency services, and the co-ordination on the ground has been superb. We have kept in regular touch with the gold command in those local areas. On flood protection, I have confirmed today that we are seeing an increase in real terms in capital spending over this Parliament, and we are also seeing a protection in real terms of our flood maintenance budget. That is really important in preventing and reducing the impact of flooding.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): In the light of the floods in Cumbria and elsewhere, I am pleased to say that flood defences provided security and protection, as they were supposed to, in north Northumberland. Will the Secretary of State consider, as a matter of urgency, increasing the number of trees we plan to plant during this Parliament from 11 million, which equates to only one tree for every five people, to some 200 million, which equates to five trees for every person? They would cover some 50,000 hectares, much of which could be in the upland areas of river basins, to help nature to hold water and to reduce the risk of flooding in the long term.

Elizabeth Truss: I completely agree with my hon. Friend’s point about the number of houses that were protected. Although my thoughts are with those who were flooded, 8,000 houses in the north of England were protected by our flood defences. I completely agree with her about looking at the environment on a catchment level and making sure that we put in place tree-planting programmes that can both reduce flood risk and improve the environment at the same time.
Angela Smith (Penistone and Stocksbridge) (Lab): May I put on the record my heartfelt sympathies for the people of Cumbria and elsewhere, and for the friends and families of all those who died as a result of the weekend’s events? My constituency was badly flooded in 2007, and one has to live through such an event to be able to understand the devastation it visits on communities and families alike. The Secretary of State has made a great deal of play of the real terms increase in flood maintenance spending, but can she reassure the House that the flood maintenance budget has adequate funding to start with and that the Environment Agency is adequately funded to discharge its role in relation to flood prevention and flood response?

Elizabeth Truss: I know the hon. Lady has a lot of experience in this area. I have had such a discussion with the Environment Agency, and the budget is effective for the level of our plans at the moment. As I have mentioned, we saw an extreme weather event with the incidents in Cumbria, so although the flood defences in Cumbria delayed the impact, giving the emergency services an opportunity to operate and to evacuate people, and also reduced the impact, we clearly need to look at that area.

Mr David Nuttall (Bury North) (Con): With uncanny timeliness, a publication entitled “Responding to Major Floods” arrived in my postbox today from the Association of British Insurers. It is a useful guide to help those affected by flooding. Will my right hon. Friend speak to the ABI and ensure that copies of the booklet are distributed to everyone affected by this weekend’s flooding?

Elizabeth Truss: In fact, I met the ABI a couple of weeks ago and saw the document. It is indeed a good document, which I encourage Members of Parliament across the House to use in helping their constituents.

Mr Speaker: The hon. Gentleman is doubling up as a helpful public information system, on top of all the other useful contributions—

Mr Nuttall: Always keen to help.

Mr Speaker: Indeed, the hon. Gentleman is always willing to help. We are grateful to him.

Liz McInnes (Heywood and Middleton) (Lab): Like everybody in the House, I pay tribute to all our emergency services, the Environment Agency and the Army. The Cobra system that we have to co-ordinate them when we have an emergency, as we have had for the past few days, has worked very effectively, and we have been able to mobilise people on the ground. I am interested in what works, in what is effective and in how we protect the maximum number of people and the maximum number of homes from this extreme event.

David Rutley (Macclesfield) (Con): I, too, pay tribute to the emergency services. As an officer of the all-party groups on mountain rescue and on mountaineering, I pay particular tribute to the mountain rescue workers who have put in a huge amount of work to support the communities affected.

Given that tourism is such a vital part of the local economy, will my right hon. Friend assure the House that every effort will be made to support local businesses and communities in the run-up to Christmas and during the Christmas season in these very difficult circumstances?

Elizabeth Truss: My hon. Friend is absolutely right. Mountain Rescue has been a fantastic support, particularly in some of the remotest areas across the north of England, especially in Cumbria. I pay tribute to it for its round-the-clock work. It has been absolutely fantastic.

I agree with my hon. Friend about rural tourism, which is already worth £10 billion to the economy. It is really important to get that going again, which is why I am working with my colleagues the Transport Secretary and the Energy Secretary to make sure we get transport and power up and running, not only so that residents can enjoy the area, but so that people can visit it.

Tom Brake (Carshalton and Wallington) (LD): I echo both the condolences expressed by the Secretary of State and her commendations of the emergency services and the volunteers for the invaluable work they are doing. Thousands of people across the north of England and Wales have been affected, including the leader of my party, my hon. Friend the Member for Westmorland and Lonsdale (Tim Farron). He has suffered the relatively minor inconvenience, compared with what other people have experienced, of having his car written off as a result of the floods. He cannot be in the Chamber today.

The Secretary of State is clearly focusing on the emergency. After the emergency, however, does she intend to apply to the EU solidarity fund to help rebuild the communities devastated by floods once the immediate emergency has been dealt with?

Elizabeth Truss: My understanding is that there is quite a high threshold to obtain that funding, but we will of course look at all potential sources of funding. As I have mentioned, my right hon. Friend the Communities Secretary will open the Bellwin fund, and we are also looking at specific schemes.

Edward Argar (Charnwood) (Con): Floods, as we have seen, can have a devastating impact on businesses, homes and individuals. Our thoughts are with those who have been affected. My right hon. Friend’s Department has had a clear commitment to date to investing in flood prevention schemes. Will she reaffirm her continued commitment to investing in such schemes and to continuing the vital work that she has begun, which has spared many people from the plight of flooding—although, sadly, by no means all—and which has the potential to protect many more?
Elizabeth Truss: It is an absolute priority for my Department to improve our flood defences as much as possible to reduce the flood risk and to make sure that we are constantly prepared for these extreme situations. That is why we acted early on Saturday by bringing the Departments together to prepare the response and why we held a Cobra meeting on Sunday to make sure that the Army was deployed to deal with the situation and protect as many lives and homes as possible.

Paula Sherriff (Dewsbury) (Lab): Much of my immediate family, including my parents, live in the Carlisle area. Thankfully, they are safe, but my thoughts and prayers go out to everyone who has been affected by this dreadful situation. Obviously, I thank the emergency services and the community volunteers.

Just six years after unprecedented flooding, Cumbria has once again been hit by unprecedented rainfall. Does the Secretary of State agree that, unfortunately, such extreme weather events are increasingly a feature of the British weather and that Government policy has to adapt accordingly?

Elizabeth Truss: I am pleased to hear that the hon. Lady’s family are safe and well. The events in Carlisle were not just extreme weather events, but were significantly worse than those on the previous occasion. There was an additional half metre of water, which has had a huge impact on local communities. Of course, as with all major incidents, we will look at this one and see what lessons can be learned for the future.

Richard Drax (South Dorset) (Con): May I pass on my sympathy to all those who have been affected and my commendation to all those in the emergency services who, as always, have done a fantastic job? Given the pressure on housing, will my right hon. Friend ensure that she and the Government note the new levels of water that are arising around the country and ensure that no new housing is built in those locations?

Elizabeth Truss: That is very much part of our planning system.

Robert Flello (Stoke-on-Trent South) (Lab): Like other hon. Members, my prayers and thoughts are with all those who have been impacted by these appalling scenes. The word “unprecedented” has been used time and again today, and we seem to be coming back to the House again and again to discuss these issues. Is it not time that we sat down as a nation and looked at all the infrastructure, at where the substations, roads and bridges are, and at the drainage systems—looked at everything—and involved the public in a national consultation, so that we can have a proper plan for how these so-called unprecedented events, which I am sure will become more and more frequent, can be dealt with once and for all?

Elizabeth Truss: We do have very clear national resilience plans to ensure that our key assets are protected. Of course, after every major incident, we review them to see what could be improved. We constantly review the modelling on our flood defences to make sure that it is as good as possible. Each time something different happens, we need to be able to adjust it. Our models are open and transparent. The public can look at the methodology the Environment Agency uses. We use sophisticated data from the Met Office. Of course, we will look at this issue and see what more can be done.

Dr Tania Mathias (Twickenham) (Con): I send my sympathies to everybody who has been affected by the flooding. Cumbria is in the recovery phase. Will the Secretary of State review the flood defence modelling for the lower Thames region, in which many of my residents have no confidence? In particular, will she consider Thames barrier 2, which civil engineers were calling for even before the high floods in 2013-14?

Elizabeth Truss: I would be very happy to discuss that issue with my hon. Friend and to meet the people who are working on the proposed scheme. It is helpful to have an open and transparent discussion about why decisions on flood investment are made. I would be happy to share the data and the modelling with her.

Diana Johnson (Kingston upon Hull North) (Lab): The people of Hull, who know only too well the devastation flooding causes, extend their sympathies to all those affected by flooding this weekend. We pay tribute to the emergency services and to local BBC radio, which has an important role to play when we face such situations. Has the Secretary of State given any consideration to increasing support to the National Flood Forum, which does so much, through practical support and good advice, to help families and households affected by flooding? Additional resources would really help at this time.

Elizabeth Truss: The hon. Lady is absolutely right about the National Flood Forum and local radio: we were able to ensure that people were evacuated from their homes and given adequate warning to keep them safe. It is also worth mentioning that the Environment Agency website has been a very useful resource. It has gone from having 400 hits on an average day to 650,000 hits on one day alone, so the public are able to access information. We have also been communicating on social media, enabling early evacuation to keep people safe.

Matt Warman (Boston and Skegness) (Con): According to the Association of British Insurers, my constituency is the most likely to flood in the entirety of the UK. The tidal surge of 2013 flooded hundreds of homes and my constituents are still living with the consequences. Will the Secretary of State go back and double-check that the coming Boston barrier is not only up to the job but will provide the much needed economic benefits of flood defences after devastating floods, such as those that we are seeing in Cumbria and saw in Boston?

Elizabeth Truss: I agree with my hon. Friend. Friend that the Boston barrier is an extremely important scheme not just for local businesses in Boston but for farmers in the surrounding area. I met a group of local internal drainage boards to discuss what more can be done in Lincolnshire. I am very happy to update him on the modelling we have done and the forecasts we have made.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I join the Secretary of State and hon. Members in sending condolences to the families affected and in paying tribute to the extraordinary response of the emergency services. What message are the Government sending to the fire and rescue service personnel who are giving their all right now, and to the people so badly affected right now, when 40 firefighters face job losses and five stations face closure in Cumbria alone under the latest round of emergency service cuts? How will
[Neil Coyle]

this affect the Government’s ability to respond to future extreme weather conditions that the Secretary of State said we must expect?

Elizabeth Truss: My message to the firefighters of Cumbria is to thank them for all the fantastic work they have done, alongside the police, the Army, other emergency services and the Environment Agency, to help local people.

Rehman Chishti (Gillingham and Rainham) (Con): Apart from the national interest in ensuring that Cumbria receives the support it needs, my researcher Nicholas Altham lives at Yanwath near Penrith and raised with me the collapse of nearby Pooley bridge. Will the Secretary of State look at having a commitment not just to rapid repair but to the provision of transport infrastructure in this area in future?

Elizabeth Truss: Pooley bridge was discussed at this morning’s Cobra meeting, as part of our programme to ensure that bridges are restored as soon as possible. My right hon. Friend the Transport Secretary will be working on that.

Andrew Gwynne (Denton and Reddish) (Lab): The Secretary of State talked about assisting local authorities through the recovery phase with 100% of eligible costs. Will she outline to the House what she considers to be the recovery stage? Is it just the clean-up and recovery, or is it the future-proofing of the reconstruction and investment in new infrastructure? What does she consider to be an eligible cost for local authorities?

Elizabeth Truss: My right hon. Friend the Communities Secretary will be laying out more details of the scheme later this week, but the Bellwin scheme operates under well-established terms.

Marcus Fysh (Yeovil) (Con): On behalf of the people of Somerset, who know what flooding is like, may I extend my condolences and sympathies to all those affected in the north-west and say how pleased I am to hear that expertise from Somerset is being used up there?

In Somerset, local authorities and national Government have come together with residents to fund the Somerset Rivers Authority to ensure adequate and ongoing funding and oversight for flood defences. Does my right hon. Friend agree that this is very welcome and that its decision to dredge this year is correct, despite the opposition of South Somerset’s local Liberal Democrats?

Elizabeth Truss: It is fantastic that volunteers from Somerset are helping out in Cumbria, and I am delighted we have been able to establish the Somerset Rivers Authority to give local people control over local decisions such as on dredging. It is absolutely right that people who know the ground and understand the area are making those crucial decisions.

Tom Tugendhat (Tonbridge and Malling) (Con): I speak for many in west Kent—I see the Secretary of State for Communities and Local Government, my right hon. Friend the Member for Tunbridge Wells (Greg Clark), on the Front Bench—when I ask the Secretary of State, when she looks at the floods in Cumbria, to remember that we in west Kent not only feel huge sympathy for our compatriots in Cumbria but are keen to ensure that the defences required on the Medway and the Beult are put in place. I know that my hon. Friend the Member for Faversham and Mid Kent (Helen Whately), who is not here, would be urging me and others to say on her behalf that towns such as Yalding, Wateringbury, Tonbridge and Edenbridge absolutely need the defences planned only a few years ago when we suffered ourselves. I urge the Secretary of State not to forget the rest of the country.

Elizabeth Truss: Over this Parliament, we will be investing an additional £2.3 billion of capital expenditure on flood defences in real terms. I am committed to ensuring that this money is distributed and spent in a clear and transparent way so that people fully understand how it is being used.
Point of Order

4.21 pm

Neil Coyle (Bermondsey and Old Southwark) (Lab): On a point of order, Mr Speaker. In Work and Pensions questions earlier, I asked about the Access to Work programme, which helps disabled people to attain and retain work. In response, the Under-Secretary of State for Work and Pensions, the hon. Member for North West Cambridgeshire (Mr Vara), stated that Access to Work use was at record levels. According to DWP figures published in October, in 2014-15 there were 36,760 users, but in 2009-10 there were 37,270. Mr Speaker, will you encourage the Minister either to correct the record or provide the House with information on the statistics he was referring to, or encourage him to make a broader statement that might actually answer the original question?

Mr Speaker: A better recourse is for the hon. Gentleman to make the short journey to the Table Office and pose further questions. I do not know which baseline year the Minister had in mind when making his comparison, and nor—I gently add—is it my responsibility to know. The hon. Gentleman is an adroit and ingenious contributor to our proceedings, and his head will almost certainly now be filled with a series of follow-up questions that encapsulate his dissatisfaction with what he has heard so far. He should make full use of the questioning system, whether the Minister likes it or not, and I have a hunch that that is precisely what he will now do.

Cities and Local Government Devolution Bill [Lords]

[Relevant Documents: Oral evidence taken before the Communities and Local Government Committee on 12 and 26 October and 10, 23 and 30 November 2015, and written evidence to the Committee, reported to the House on 7 and 15 September and 12 October 2015, on the Government’s Cities and Local Government Devolution Bill, HC 369, the Committee’s First Report of Session 2014-15, Devolution in England, the case for local government, HC 503, and the Government response, Cm 8998.]

Consideration of Bill, as amended in the Committee of the whole House

New Clause 7

ENGLISH NATIONAL PARK AUTHORITIES: GENERAL POWERS

After section 65 of the Environment Act 1995 insert—

“65A English National Park authorities: general powers

(1) An English National Park authority may do—

(a) anything it considers appropriate for the purposes of the carrying out of any of its functions (its “functional purposes”),

(b) anything it considers appropriate for purposes incidental (whether directly or indirectly) to its functional purposes,

(c) anything it considers to be connected with—

(i) any of its functions, or

(ii) anything it may do under paragraph (a) or (b), and

(d) for a commercial purpose, anything which it may do under any of paragraphs (a) to (c) otherwise than for a commercial purpose.

(2) Where subsection (1) confers power on an English National Park authority to do something, it confers power (subject to section 65B) to do it anywhere in the United Kingdom or elsewhere.

(3) Power conferred on an English National Park authority by subsection (1) is in addition to, and is not limited by, the other powers of the authority.

(4) In this section, and in sections 65B and 65C, “English National Park authority” means a National Park authority for a National Park in England.

65B Boundaries of powers under section 65A

(1) Section 65A(1) does not enable an English National Park authority to do anything which it is unable to do by virtue of a pre-commencement limitation.

(2) Section 65A(1) does not enable an English National Park authority to do anything which it is unable to do by virtue of a post-commencement limitation which is expressed to apply—

(a) to its power under section 65A(1),

(b) to all of its powers, or

(c) to all of its powers but with exceptions that do not include its power under section 65A(1).

(3) If exercise of a pre-commencement power of an English National Park authority is subject to restrictions, those restrictions apply also to exercise of the power conferred on it by section 65A(1) so far as that power is overlapped by the pre-commencement power.

(4) Section 65A(1) does not authorise an English National Park authority to borrow money.

(5) Section 65A(1)(a) to (c) do not authorise an English National Park authority to charge a person for anything it does otherwise than for a commercial purpose.

(6) Section 65A(1)(d) does not authorise an English National Park authority to do things for a commercial purpose in relation to a person if a statutory provision requires the authority to do those things in relation to the person.
subsection (1) or (2) which are made only for the purpose of
Secretary of State must consult—
(a) a company within the meaning given by section 1(1) of
the Companies Act 2006, or
(b) a registered society within the meaning of the
Co-operative and Community Benefit Societies Act 2014.

(8) In this section—
“post-commencement limitation” means a prohibition,
restriction or other limitation imposed by a statutory provision that—
(a) is contained in an Act passed after the end of
the Session in which the Cities and Local
Government Devolution Act 2015 is passed, or
(b) is contained in an instrument made under an
Act and comes into force on or after the
commencement of section (English National Park authorities: general powers) of that Act;
“pre-commencement limitation” means a prohibition,
restriction or other limitation imposed by a statutory provision that—
(a) is contained in an Act passed no later than the end
of the Session in which the Cities and Local
Government Devolution Act 2015 is passed, or
(b) is contained in an instrument made under an Act
and comes into force before the commencement
of section (English National Park authorities: general powers) of that Act;
“pre-commencement power” means power conferred
by a statutory provision that—
(a) is contained in an Act passed no later than the end
of the Session in which the Cities and Local
Government Devolution Act 2015 is passed, or
(b) is contained in an instrument made under an Act
and comes into force before the commencement
of section (English National Park authorities: general powers) of that Act;
“statutory provision” means a provision of an Act or
of an instrument made under an Act.

65C Power to make provision supplemental to section 65A
'(1) The Secretary of State may by regulations make provision
preventing an English National Park authority from doing under
section 65A(1) anything which is specified, or is of a description specified, in the regulations.

(2) The Secretary of State may by regulations provide for the
exercise by English National Park authorities of the power
collected by section 65A(1) to be subject to conditions, whether
generally or in relation to doing anything specified, or of a
description specified, in the regulations.

(3) Before making regulations under subsection (1) or (2) the
Secretary of State must consult—
(a) such representatives of English National Park
authorities, and
(b) such other persons (if any),
as the Secretary of State considers appropriate.

(4) Subsection (3) does not apply to regulations under
subsection (1) or (2) which are made only for the purpose of
amending earlier such regulations—
(a) so as to extend the earlier regulations, or any provision
of the earlier regulations, to English National Park
authorities, or
(b) so that the earlier regulations, or any provision of the
earlier regulations, cease to apply to English National
Park authorities.

65D Procedure etc. for regulations under section 65C
'(1) The power to make regulations under section 65C—
(a) is exercisable by statutory instrument;
(b) includes power to make different provision for
different purposes;
(c) includes power to make incidental, supplementary,
consequential, transitional, transitory or saving provision;
(d) may, in particular, be exercised by amending, repealing,
revoking or otherwise modifying any provision made
by or under an Act passed before the Cities and Local
Government Devolution Act 2015 or in the same
Session as that Act.

(2) A statutory instrument containing regulations under
section 65C may not be made unless a draft of the instrument
has been laid before, and approved by a resolution of, each
House of Parliament.

(3) Subsection (2) does not apply to a statutory instrument
that contains regulations only of the following kind—
(a) regulations under section 65C(1) that make provision
for the purpose mentioned in section 65C(4)(b);
(b) regulations under section 65C(2) that make provision
for that purpose or for imposing conditions on the
doing of things for a commercial purpose;
(c) regulations made by virtue of subsection (1)(c) that do
not contain provision amending or repealing a provision
of an Act.

(4) A statutory instrument to which subsection (2) does not
apply is subject to annulment by resolution of either House of
Parliament.

(5) If a draft of regulations under section 65C would, apart
from this subsection, be treated for the purposes of the standing
orders of either House of Parliament as a hybrid instrument, it is
to proceed in that House as if it were not a hybrid instrument.”.

The New Clause confers new general powers on National Park
authorities for National Parks in England, along similar lines to
those conferred on other authorities by Chapter 1 of Part 1 of the
Localism Act 2011

Brought up, and read the First time.

4.23 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss Government amendment 51.

James Wharton: First, I should put on the record my
gratitude and that of my colleagues for the representations
made by hon. Members who were keen to see the new
case included in the Bill, and to support and empower
their local national parks authorities to do the best job
they can and to continue to contribute to the communities
they represent. In particular, I am grateful to my right hon.
Friends the Members for Thirsk and Malton (Kevin
Hollinrake), for Penrith and The Border (Rory Stewart),
for Berwick-upon-Tweed (Mrs Trevelyan) and for
Richmond (Yorkshire) (Rishi Sunak). I would like to add
Councillor Gareth Dadd of North Yorkshire
County Council, who made strenuous efforts to convince us of
the merits of these changes and kindly arranged for me
to meet representatives of the North Yorkshire national
park authority and National Parks England.

In the light of this weekend’s flooding, I think it
important to reiterate the comments of my right hon.
Friend the Secretary of State for Environment, Food
and Rural Affairs in the statement that we have just
heard, and I offer my sympathy to the people of Cumbria
and other affected areas in recognition of the significant impact of what has happened there as a result of the unprecedented weather events.

Before speaking expressly to the content of the new clause and amendment, I would like to say a few words about the role of the national park authorities in water management in the context of what has happened this weekend, and about how the changes might assist them in further performing that role. Although national park authorities do not have responsibility for emergency planning, the planning decisions they make and the development control conditions they enforce can make a big difference to the demands placed on those who do have to respond during an emergency.

National parks have an important role to play in managing the water environment and helping with restoration work. For example, the floods of November 2009 caused severe damage to the rights-of-way network in Cumbria and the Lake District national park. Over 250 bridges were damaged or destroyed and 85 paths needed repair. The function-specific general power of competence that we are discussing with these amendments could be used to enhance the national park authorities’ ability to respond to flood emergencies by enabling them to enter into partnerships, to develop skills and capacity within small rural communities and businesses to assist with the responses needed, to develop specific skills to combat future flood management, and to adapt the network to improve flood resilience.

Andrew Gwyne (Denton and Reddish) (Lab): Given that national parks might cover one or more metro mayor areas—for example, the Peak District national park is partly in Greater Manchester and partly in South Yorkshire, two areas that might well have metro mayors quite soon—is there not a case for having some co-ordination for emergency planning to make sure that there is the same resilience and the same emergency planning in the different parts of the national park?

James Wharton: The hon. Gentleman makes an important point. We want to see co-ordination, and there are already structures in place to deliver it and to ensure that different bodies work together to respond as efficiently and effectively as possible. From what I have seen happening in Cumbria and other areas over the weekend, a number of those bodies are working very hard to deliver for local communities. The hon. Gentleman puts an important point on the record. We absolutely want to see as much co-operation as possible, and we want to empower these public bodies to carry it out wherever possible. That underlies in many ways the purpose of devolution, so it is an apt time for the hon. Gentleman to put his comments on the record.

Mr Dennis Skinner (Bolsover) (Lab): In the east midlands, there is the D2N2—Derby Derbyshire-Nottingham Nottinghamshire—which may or may not have a directly elected mayor. There is also the Sheffield city authority, which includes Barnsley, Rotherham, Doncaster and various other district councils in North Yorkshire and indeed in North Derbyshire. In the middle of all that, there is Hardwick Hall and various other major buildings. What I want to know, now that the Minister has said that there should be the greatest co-operation, is how that can happen between the Sheffield people who are anxious to take over large areas of North Derbyshire and D2N2, which is also part and parcel of the same area? My guess is that there will be many more situations like that in Tory shires. What is the Government’s policy?

James Wharton: Devolution is a bottom-up process; it is done by consensus. I know that the hon. Gentleman will have a significant opportunity further to discuss some of the relevant provisions today, but where we see bodies that have the capacity to co-operate, we want to empower them to do so. We want to give them the levers they need to deliver such things as better public services and economic development. The first step towards that is to confer the powers that the bodies will need to achieve it. What the amendments do is to start the process of empowering our national parks authorities so that they can not only contribute on flooding and resilience, but better the offer that they can make to the public to improve the work they already do so well.

New clause 7 confers new general powers on national park authorities in England, along similar lines to those conferred on, among others, fire and rescue authorities and integrated transport authorities in chapters 2 and 3 of part 1 of the Localism Act 2011. I should make it clear to Opposition Front Benchers that those general powers are intended to enable a national park to do more and to do it better; they are not a back door to fracking or shale gas development, and will not affect the approach that we intend to take in that regard.

In England, our nine national parks include some of the country’s finest landscapes, beautiful vistas and exciting wildlife. They are part of our national identity. National parks protect those landscapes for future generations so that we can all enjoy them. They are the cornerstone of many rural businesses. The new powers for national park authorities will allow an authority to act as an individual could—with certain limitations—in relation to its functions. For example, a functionally specific power of competence will allow a national park authority to act through a company, and will allow authorities to trade in a broader way than they currently can.

National park authorities have themselves asked for that power, because they consider that it will enable them to act in a more entrepreneurial and innovative way. For example, they consider that they will be in a better position to enter into partnerships to support growth across our rural economy. Jim Bailey, the chair of National Parks England, has said:

“We are pleased to see the Government introduce this amendment. This will help National Park authorities to maximise opportunities to fulfil our statutory purposes”.

The measure will allow national park authorities to participate fully in devolution deals—an example is Northumberland national park authority’s request as part of the north-east devolution deal—and to seek additional sources of funding to assist further their work in supporting rural economies.

It is important to note that a power of competence does not override existing legislation. National park authorities will therefore be bound by their statutory purposes: conserving and enhancing the natural beauty, wildlife and cultural heritage of an area, and promoting opportunities for the understanding and enjoyment of the special qualities of the area. It is also important to note that the power will not be used by national park
authorities as an opportunity to start charging for entry. As all but a very small percentage of land in national parks is owned privately rather than by the national park authorities, they could have no legal basis for charging.

Let me also make it clear that the new powers will not be used to encourage or permit too much, or inappropriate, development. National parks are designated under the National Parks and Access to the Countryside Act 1949 for their natural beauty and opportunities for open-air recreation. Under the Act, they have the two statutory purposes to which I have just referred. The statutory framework of protection and consents will remain unchanged, and, in using their new powers, the park authorities will not be able to promote or permit activities that are incompatible with those statutory purposes.

The powers given to the Secretary of State, by regulation, to restrict the use of powers by national park authorities in a particular way relate solely to the new clause, and not to their existing powers. Other than those concerning the furtherance of national park purposes, which are retained, the new powers replace the existing general powers of national park authorities under the Environment Act 1995. The new powers are considered more extensive, but the old ones are being repealed to avoid overlap.

Amendment 51 is a minor and technical amendment to schedule 5. It contains consequential amendments to section 65 of the Environment Act.

We are making these changes in response to effective representations that we have received from a number of Members, and from National Parks England and national park authorities. I hope that they will be broadly supported by Members on both sides of the House.

Liz McInnes: Our national parks are precious national assets. Millions of people use and enjoy them every year. They are areas of protected countryside that everyone can visit, and where people live, work, and shape the landscape. We have 15 national parks: 10 in England, three in Wales and two in Scotland.

In his autumn statement, the Chancellor included devolution to national park authorities in England, allowing them to lend, invest, trade, and set up co-operatives with businesses. That is legally known as the general power of competence. However, we know what is driving this change: cuts made by this Government. Since 2010, national park authorities in England have suffered cuts of up to 40% in their Government funding. Indeed, Northumberland national park is already renting out its spare office space—vacated by staff who have lost their jobs—where an enterprise hub has been set up.

New clause 7 would amend the Environment Act 1995 to provide English national park authorities with general powers to do anything they consider appropriate in carrying out their functional purposes. The new general powers in proposed new section 65A are similar to those conferred on other authorities by chapter 1 of part 1 of the Localism Act 2011. The new clause only applies to English national park authorities.

Proposed new section 65B limits the scope of the general power of competence in several respects. It does not allow English national parks to borrow money or charge a person for anything they do other than for a commercial purpose. That immediately raises concerns. The coalition Government’s attempt to privatise our forests was met with a public outcry. That plan was rightly defeated. This Government have attempted to open up our national parks to fracking, again causing a great deal of concern among the public, who value our precious national assets and have no wish to see them opened up to commercial ventures in that manner. We need strong assurances that the character of our national parks will be protected and that such important national institutions are maintained for the benefit of the public. We need a cast-iron assurance from the Government that fracking is not going to be allowed in our national parks.

We need more details on Government funding of national parks. We need more details on what the national parks are actually planning to do with the new powers. We cannot allow the commercialisation of our national parks by the back door. The future governance and accountability of our English national parks is an absolutely massive issue, which deserves proper debate. It does not belong here, in the Cities and Local Government Devolution Bill, inserted at the eleventh hour with no time for the weighty issues raised to have a proper discussion.

Robert Neill: Given that national parks are local authorities for these purposes, will the hon. Lady reflect upon the complete and deeply misleading red herring that she raises? After all, the fracking matter has nothing to do with the role of local authorities of any kind—national parks or otherwise—in relation to a general power of competence. Should she not welcome the ability of national parks to enter into joint agreements, for example with their district and county councils, which is precisely what this provision is aimed at? She is actually setting up a complete Aunt Sally in this matter.

Liz McInnes: Red herrings, Aunt Sallies: I am merely expressing the unsuitability of the new clause in application to this Bill. It has been brought in at the eleventh hour with the minimum of notice. It raises huge issues. I do not think the general public would agree with the hon. Gentleman that the worry about fracking in our national parks is a red herring. I certainly got a lot of correspondence about it when the Government were talking about it a few weeks ago, and I think we need a proper debate.

James Wharton: I do not know whether I could be clearer on this: the debate around fracking is perhaps for another day, but let me be absolutely clear that these clauses will not be a back door to fracking. They do not affect the issue of fracking with regard to national parks. I would also add very clearly that this is something that has been asked for by national parks. I would be interested if the hon. Lady could tell the House how many national park authorities she has spoken to before coming to oppose the new clause and amendment.

Liz McInnes: The Minister makes an important point. The Government have not given us time to respond correctly. I have not spoken to any national park authorities because the Government have not given us time to consult properly on this matter. No reference had been made to the new clause before now. Today the Bill’s Third Reading debate will take place, and the new clause has been slipped in at the eleventh hour. The Minister is being disingenuous if he seriously expects us to have been able to do a
thorough consultation with all the national park authorities in England. If that is his approach, he is trying to set us up to fail. We value our national parks, and we want to ensure that we have a proper debate on their future. That is what we are asking for here.

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): As the MP for the Northumberland national park, may I say to the hon. Lady that this issue has been ongoing for many months? The powers of competence that are dealt with more widely elsewhere in the Bill have been the cause of enormous concern to the national parks as they have tried to get themselves into the arena of discussion. It is a huge credit to the Minister that he has come up to the north-east and spoken to those in North Yorkshire and to some of my colleagues at the national park in Northumberland to ascertain just how important the new clause—which is just an extension of those general powers of competence—will be. I hope that the hon. Lady will talk to the national parks, because they are absolutely passionate about having this freedom to get on and expand what they do.

Liz McInnes: I am sure that, like me, the hon. Lady does not agree with the cuts that have been made to the Northumberland national park authority. I am sure, too, that she would rather we had a proper debate on this matter instead of discussing a new clause that has been snuck in at the eleventh hour.

Steve Brine (Winchester) (Con): I understand that the hon. Lady has not spoken to the national park authorities, but that is not necessarily a reason to oppose the proposal. I have spoken to members of the board of the South Downs national park authority—Margaret Paren, who leads it, and Councillor Barry Lipscomb, who is a Winchester City councillor—and they very much welcome it. They think that this general power of competence will allow them to be full players at the table in the devolution bids that are so important in my area. I do not know what “Aunt Sally” means, although I remember her on the television, but this is nonsense. It is opposition for opposition’s sake. The Government should get with the plan here. Just because the Opposition have not talked to the national park authorities does not mean that they should vote against the proposal. I have spoken to the national parks, and they want this.

Liz McInnes: I am sure the hon. Gentleman believes that the Government should get with the plan. However, we are the Opposition. I am not opposing the proposal for opposition’s sake; I am opposing it because I think we need a proper debate on it. It could have a far-reaching effect on our national parks, which are loved and valued by the general public.

Several hon. Members rose—

Liz McInnes: I will not take any more interventions. I have already given way to hon. Members. The national park authorities are one part of the equation, and, as I have already said, we have not had time to consult them properly because this proposal was brought in at the eleventh hour. Surely any reasonable person would want—

Neither I nor any of my team are opposing the new clause for opposition’s sake; we are opposing it because we have serious concerns about the way in which it has been introduced. We will not agree to such a huge change in the governance and accountability of our national parks at only a few days’ notice and without a proper debate. If the Minister thinks that we are going to let this go through without a proper discussion, he is very much mistaken.

It is totally inappropriate that the new clause, which could bring about major and irreversible changes to our national parks, should be slipped into the Bill in this manner. The national park authorities are there to protect the environment for the good of the nation and its people. I call on the Secretary of State to withdraw the new clause. It does not belong in the Bill. If a discussion is needed about the future funding of our national park authorities, so be it, but let us have a proper debate. Let us give our stakeholders, the people, a chance to have their say, and let us not try to introduce damaging changes to our national parks by the back door.

Robert Neill rose—

Peter Heaton-Jones (North Devon) (Con) rose—

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

Mr Speaker: Ah, what a rich and delicious choice! I call Mr Robert Neill.

Robert Neill: Thank you, Mr Speaker.

That was without any doubt the least-informed speech I have heard from a Front Bench in the whole of my career in the House of Commons. I am sorry to say that to the hon. Member for Heywood and Middleton (Liz McInnes), but she has simply not read the new clause and understood what it is about. It extends the power of general competence that applies to local authorities, which her party supported as a welcome thing when I introduced it as a Minister, along with my colleagues, to local national parks authorities; it does not affect planning in any way whatever. I am horrified that an Opposition Front-Bench spokesman does not understand the difference between the role of a national parks authority qua local authority and its role as a planning authority, which is not changed in the slightest by any of this. The Opposition’s approach is therefore worrying.

Steve Brine: As the shadow Minister would not give way to me for a second time, I wish to put on the record the fact, which my hon. Friend will confirm, that we did have advance notice of the new clause. I met the South Downs national park authority on 13 November, when it made clear its support for the provision. It, like me, has had a chance to look at it. The Opposition may have been distracted by other matters, but that is a whole other matter—and, for the record, Aunt Sally was in “Worzel Gummidge”.

4.45 pm
Mr Clive Betts (Sheffield South East) (Lab): As chair of the all-party group on national parks, I do have some interest in this matter. Additionally, a third of Sheffield—the local authority in which my constituency is—is in the Peak District national park. The name “Sheffield” may conjure up past visions of lots of cutlery being produced, but much of it is very rural, very open and very beautiful.

I understand the concerns of my hon. Friend on the Front Bench about new clause 7, which is of some length and has been parachuted into the Bill right at the last minute. The Government had many opportunities to introduce it earlier, and to talk informally to my hon. Friend, which might have alleviated some of their fears. In the end, though, it is the duty of the Opposition to oppose, and probably to be very suspicious of a Government who claim they have nothing but good intentions in proposing a four-page amendment.

Of course there is some suspicion, but let us look at what the national parks have been doing. They have told us at meetings that they would welcome the extension of the general power of competence to them—perhaps it was an oversight that it was not done in the first place. As I understand it, the new clause proposes that where national parks exercise functions in a national park area that are similar in nature to those exercised by a local authority in other places the local authority has the general power of competence, but a national park does not.

Everyone gets suspicious about fracking. Many people do not trust the Government on the issue. They think that, as the Government want to go fracking all over the place and national parks do not, the Government are probably happy to do it and have rather brought those suspicions on themselves. Perhaps the Government could make an absolutely clear statement that there is no way in which this proposed new clause gives any extension of planning powers or anything else that could possibly affect fracking in national parks.

Mr Betts: I see my hon. Friend’s concerns in that regard, but the reality is probably that many national parks do look at ways to raise revenue to help support their budgets. I share his views that national parks should be single-mindedly protecting our environment, but this power of general competence allows them to engage in commercial activities to bridge the funding gap that the Chancellor has left them with. Does my hon. Friend not worry that that single-minded concentration on protecting the environment might be lost in the search for additional revenue as a result of the commercial powers that are being conferred on the national parks?

James Wharton: I wish to clarify that this proposed new clause has no impact on planning as it would affect national parks. It has nothing to do with shale gas
Mr Betts: I am aware that the national parks have been asking for it, and I accept the Minister’s statement. Will he think about the comments made by my hon. Friend the Member for Hemsworth (Jon Trickett) on fundraising and the extent to which the powers of general competence could be used by national parks in any way that undermined their primary purpose, which is to look after the national parks, their beauty and the environment while ensuring they are a place where people can live and work? That is an important function of national parks authorities.

James Wharton: I thank the hon. Gentleman for generously giving way again, and I can offer that reassurance. The primary purpose remains, as I said in my speech, that anything that a national park does must be in line with its statutory obligations. There is no legal basis for charging, and we are not looking to allow it. I hope that we might move to a position of greater consensus on the new clause, which I felt would be uncontroversial. I recognise the concerns expressed by hon. Members and I thank the hon. Gentleman for accepting my interventions and giving me the chance to put some of these matters to bed.

Mr Betts: I thank the Minister for his helpful comment. Perhaps more discussion could have been had before we reached this point; that might be something that everyone could learn from. The Minister’s intervention has been helpful to me and I thank him for it.

Dr Julian Lewis: I have never felt disadvantaged by my right hon. Friend the Member for New Forest East (Dr Lewis). The Minister’s intervention has been helpful to me and I thank him for it.

Peter Heaton-Jones rose—

Mr Speaker: Order. The right hon. Member for New Forest East (Dr Lewis) has for some minutes now been poised rather like a sprinter, but he suffers from one disadvantage relative to the hon. Member for North Devon (Peter Heaton-Jones), whose constituency houses Exmoor, namely that the right hon. Gentleman beetled into the Chamber a little after the hon. Gentleman. We will reserve the right hon. Gentleman as a specialist delicacy and reach him in due course.

Peter Heaton-Jones: Thank you, Mr Speaker, and I have never felt disadvantaged by my right hon. Friend the Member for New Forest East (Dr Lewis).

As you correctly point out, Mr Speaker, one third of Exmoor national park is in North Devon, and it is a difficult part of the world it is. Before I go on with my prepared remarks, which I admit are pretty much a verbal tourist brochure, let me say that I do not recognise a lot of what was said from the Opposition Front Bench about what the new clause is all about. It appears that they failed to do so.

Having spoken to those people, I can say that it is the national park authorities and managers who want this to happen. Opposition Members do those national park managers a great disservice by alleging some of the things that they are. They imply that in asking for the new clause those managers will in some way use the powers for nefarious purposes. Nothing could be further from the truth. Opposition Members need to be careful about what they are alleging because in my experience national park managers have nothing but the best intentions for managing our national parks, particularly in Exmoor.

That leads me on to extolling the virtues of Exmoor and why new clause 7, in particular, will be so valuable. One third of the national park is in my constituency and it includes the beautiful, rugged coastline that not only provides opportunities for many leisure activities, but is very important for our environment and ecosystem. In the conversations I have had with them, the chairman and chief executive of Exmoor national park have been absolutely adamant that Exmoor in particular would benefit from the measures included in the new clause. Let me give some specific examples of why they believe that it would be beneficial and why they welcome it.

First, there is great pressure on the provision of housing for local communities in Exmoor and other areas of North Devon. Until now, national park authority managers have been hamstrung in the conversations they have been able to have with developers to ensure arrangements for local, affordable housing. Nevertheless, the new clause is not a carte blanche to say that all development will be allowed, and, as the Minister rightly said, nothing in it will allow that to happen.

5 pm

Currently, it is difficult for national parks to enter into any sort of meaningful relationship with developers. In fact, they cannot set up a joint enterprise, and they could not engage with a developer who was seeking to undertake commercial activities in North Devon. The new clause will allow national park authorities to enter into an arrangement with a developer, so that land for commercial activity can remain in the ownership of the national park. That will mean that the park retains—and indeed gains—some financial advantage that has not been possible until now. I heard a sedentary comment from the Labour Front Bench that national parks want to make money, but what is wrong with that? What is wrong with national parks being able to raise funds to carry out further excellent work? Opening the commercial world in that way to national parks can only be good for Exmoor.

Another example is visitor attractions. Every year, Exmoor enjoys a large number of visitors who come for its rugged beauty and for the coastline and inland moor areas. The new clause will allow national park authorities to enter into commercial arrangements to ensure that more people enjoy those visitor attractions. It will attract people to the area and ensure that when they are there they have the best possible visitor experience. That is enormously important.
When I asked the chief executive of the national park to sum up for me in two sentences why he welcomes new clause 7—indeed, it is welcomed by all national park authorities—he said two things. First, at a time when we all have to save money, it gives national park authorities more options to ensure that they are viable going forward. Secondly, the new clause will give national parks the power to make things happen in a way that has not been possible until now.

I warmly welcome the new clause. It is also welcomed by the heads of Exmoor national park—I have spoken to them about this issue in great detail since Thursday. All other national park authority managers welcome it, and I know that they have been in conversation with the Minister. I warmly welcome that because the new clause will be good for Exmoor, and good for the rest of our national parks.

Dr Julian Lewis: I thank you, Mr Speaker, for drawing such attention to the fact that I “beetled” into the Chamber, as you put it, rather late, and I apologise for that. I also apologise for the fact that unfortunately I am going to beetle out of it again rather early, for the same reason that I was late, namely Defence Committee business. I am delighted to have the opportunity of this small window to try to reassure those on the Opposition Front Bench. I hope that they will take my re-assurances seriously, as I was one of only three Conservative Members to vote against the scheme for privatising the forest estate, which the hon. Member for Heywood and Middleton (Liz McInnes) referred to in her remarks. I am not one to accept on trust everything about forests that the Government put forward.

Having said that, the Government deserve a big pat on the back for this measure. It is often said that the Government do not listen, but this is a classic case of their having listened. [Interruption.] I would be grateful if those on the Opposition Front Bench also listened for a moment, because I am directing my speech at them in an attempt to be helpful.

The chair of the New Forest national park authority, Mr Oliver Crosthwaite-Eyre, is a former official verderer of the New Forest and very highly thought of by all those who live and work in the forest and are concerned with its management and protection. He contacted me some time ago to ask if it would be possible to persuade the Government to include such a provision in the Bill in Committee. Sadly, that stage had just concluded, so it shows extraordinary flexibility and willingness to listen by the Government in general—and by the Under-Secretary in particular—to manage to include the provision.

I fully sympathise with the Opposition spokesmen, because new clause 7 is a lengthy provision, and it is their job to scrutinise measures, whether they are long or short, but particularly if they are long. I should therefore like to try to reassure them about new clause 7 by reading two brief extracts from a document supplied by National Parks England specifically for use in our debate. It says:

“National Parks England (the umbrella body for the NPAs) warmly welcomes the tabling of New Clause 7 by Ministers and hopes that you”—

meaning me—

“will be able to speak in support of it at the Report Stage debate of the Bill on Monday 07 December 2015.”

It then gives a long list of the reasons why it supports the extension of powers, which are similar, it points out, to powers given to many comparable bodies. It ends by referring specifically to the new clause:

“New Clause 7 follows the legislative format established for other public bodies. National Parks England supports this amendment and would encourage MPs to speak in support during the Report Stage debate on the Bill.”

I understand the difficulty in which Opposition spokesmen find themselves, given that a clause of such complexity has been tabled at short notice. I hope that I have been able to reassure them that national parks themselves warmly welcome the clause. I do not think that it is a conspiracy. I have had occasion in the past to point out conspiracies when they crop up, but I do not think that this is an occasion for concern about conspiracies—on the contrary, it is an opportunity to congratulate Ministers, including the Under-Secretary, on listening, being flexible and making a change at, indeed, the eleventh hour. That change deserves to be made if we are to show our trust in the judgment of the national park authorities themselves.

James Wharton: I do not intend to speak for long. I merely wish to record my thanks to hon. Members who have contributed to this debate. We began in a contentious place, but we have, I hope, moved towards consensus. I acknowledge the contributions of right hon. and hon. Members, including my right hon. Friend the Member for New Forest East (Dr Lewis), who has been vociferous in making the case and with whom I have exchanged a significant quantity of correspondence, for bringing this to the Government’s attention and suggesting that it be included in the Bill. The measure is welcomed by national parks and by many hon. and right hon. Members. I hope that it will be welcomed, too, by shadow Ministers and that we can move forward in a more consensual way in the rest of today’s debates. Regardless, I commend the changes to the House. They are welcome and they are important.

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


Divison No. 141] [5.8 pm

AYES

Adams, Nigel
Afrinyie, Adam
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brake, r h Tom
Brazier, Mr Julian
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Cairns, Alun
Carmichael, Neil
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chishti, Rehman
Churchill, Jo
Tellers for the Ayes: Margot James and Sarah Newton

NOES

Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Coffey, Ann
New Clause 2—Local Government Constitutional Convention: terms of reference—

“The convention must consider the following terms of reference—

(a) the devolution of legislative and fiscal competence to local authorities within the United Kingdom;

(b) the reform of the electoral system for local government;

(c) constitutional matters relating to local government to be considered in further conventions; and

(d) procedures to govern the consideration and implementation of any future constitutional reforms in relation to local government.”

This new clause creates the means by which every UK citizen can engage in a national public discussion of devolution, local government, governance and electoral systems and make recommendations and receive a response from government and parliament to that national debate.

New clause 3—Local Government Constitutional Convention: recommendations—

“(1) The Local Government Constitutional Convention must publish recommendations within the period of one year beginning with the day appointed under section (Local Government Constitutional Convention).
(2) The Secretary of State must lay responses to each of the recommendations before each House of Parliament within six months beginning with the day on which the recommendations are published.”

New clause 4—Local Government Constitutional Convention: composition—

“(1) The Local Government Constitutional Convention must be composed of representatives of the following—

(a) registered political parties within the United Kingdom,
(b) local authorities, and
(c) the nations and regions of the United Kingdom.

(2) At least 50% of the members of the convention must not be employed in a role which can reasonably be considered to be political.”

This new clause creates the means by which every UK citizen can engage in a national public discussion of devolution, local government, governance and electoral systems and make recommendations and receive a response from government and parliament to that national debate.

New clause 5—Commission on devolution of fiscal powers and taxation—

“(1) The Secretary of State shall appoint a commission on devolution of fiscal powers and taxation to local authorities.

(2) The Commission shall consider the following issues—

(a) the desirability, impact and process necessary to implement an Income Tax rate of 10p in the pound on English tax payers;
(b) the desirability, impact and process necessary to give English Councils the same fiscal and taxation powers as those devolved to the Scottish Parliament in the 2012 Scotland Act, and
(c) any other issues that the Commission considers relevant.

(3) The Commission shall produce a report covering the issues listed in subsection (2) no later than 31 December 2017, and shall make such recommendations to the Secretary of State as it deems necessary.”

This new Clause would establish a Commission to consider the possibility of England local authorities being granted the same fiscal and taxation powers already devolved to Scotland in the Scotland Act 2012.

New clause 8—Combined authority functions: cool off period—

“(1) The Secretary of State shall amend any order made under a provision of this Act which transfers a power to exercise a function from a constituent part of a combined authority to a combined authority, to devolve responsibility for that function back to a constituent part of that authority, if the following conditions are met—

(a) A constituent part of a combined authority requests that the Secretary of State amend an order to return responsibility for the exercise of a function to the constituent part of the combined authority from the combined authority, and
(b) Such a request is made within one year of the first local government election held in the constituent part of the combined authority since the original order was made.”

The intention of this amendment is to create a cooling off period for the transfer of any power to the level of a combined authority. If a constituent part of a combined authority requests that a power is returned to it within one year of next elections held in the constituent part, then the Secretary of State must amend the relevant order to return power to the constituent part.

New clause 10—Governance arrangements for local government: entitlement to vote—

“In section 2 of the Representation of the People Act 1983 (local government elections), in subsection (1)(d) for “18” substitute “16”.”

This Clause would re-instate the provision in the Bill, as brought from the Lords, allowing votes for 16- and 17-year olds in local government elections.

New clause 11—Review of fire and rescue services in combined authorities—

“(1) The Secretary of State must, within 15 months of this Act being passed, publish a review of the fire and rescue services affected by the provisions of this Act.

(2) The review must make an assessment of the extent to which the provisions of this Act affecting fire and rescue services have worked safely and efficiently for the protection of the public over the first 12 months from this Act being passed.”

This Clause would require a review, after 12 months of the Bill being passed, of the fire and rescue services to make sure the new system is working safely and efficiently for the protection of the public.

New clause 13—Fiscal and financial powers—

“Within six months of the passing of this Act, the Secretary of State must publish plans for further devolution of fiscal powers to local authorities in England, including—

(a) an equalisation model related to the retention of business rates, to ensure local authorities with lower business rate income are not negatively impacted;
(b) greater local authority control over local tax rates and discounts;
(c) provision for combined authorities to set multi-year finance settlements.”

This new clause allows the Secretary of State to ensure devolution continues beyond current devolution deals by setting out plans for further fiscal devolution and greater local freedom and stability in relation to budgets and tax rates. The clause also ensures a model is put in place to ensure authorities with lower business rate income do not lose out from the phasing out of central government grants.

New clause 14—Cooperation with peripheral authorities—

“No later than three months after the passing of this Act, the Secretary of State shall publish guidance to be considered by combined authorities while exercising a devolved function, in order to—

(a) have regard for any significant direct impact of decisions taken by the combined authority on neighbouring authority populations;
(b) encourage cooperation between combined authorities and their neighbouring authorities so as to encourage local growth;
(c) enable greater economic cooperation between combined authorities and their neighbours within a travel-to-work area.”

This new clause asks the Secretary of State to publish guidance to ensure neighbouring authorities are considered when devolved functions are exercised, and encourage economic cooperation between authorities within a regional economy or travel-to-work area.

Government amendments 4 to 6.

Amendment 58, in clause 2, page 2, line 10, at end insert—

”( ) The transfer of local or public authority functions to combined authorities shall not be dependent on an order being made under subsection (1).”

This amendment makes clear that devolution deals must not be dependent on a combined authority having a mayor.

Amendment 2, page 2, line 13, at end insert—

“(2A) An order under subsection (1) may not be made unless the proposition that the combined authority have a mayor is approved by a referendum of the electorate of that combined authority.”
Consents.

The intention of this amendment is that elected mayors will be introduced only if that proposal has been approved by a referendum of the residents of the combined authority. The rule for the conduct for such a referendum shall be made by the Secretary of State, in consultation with the Electoral Commission.

Amendment 57, page 2, leave out lines 21 to 26 and insert—

“(7) An order under this section providing for a constituent part of the combined authority to leave the combined authority and to resume its existence as a separate local authority.

(7A) An order under this section providing for a constituent part of the combined authority to leave the combined authority and to resume its existence as a separate local authority.

(7B) Where a combined authority has entered into a contractual arrangement with a third party and an order under this section is made to enable a constituent part of a combined authority to resume its existence as a separate local authority, that separate local authority shall be deemed to be a contracting party to that agreement unless an alternative agreement is reached with the third party.”

The intention of this amendment is to allow for the leaving party (i.e. their resource is calculated on a per capita basis, or similar.) and the impact this may have on contractual arrangements with third parties.

Government amendments 7 to 25.

Amendment 59, in clause 10, page 12, line 32, at end insert—

“(1) Within 6 months of the passing of this Act, the Secretary of State must publish a report on the performance of the Localism Act 2011 and a review of the general power of competence provision in relation to its use by combined authorities.”

This amendment introduces a review of the use of the general power of competence by combined authorities.

Government amendments 26 to 29.

Amendment 1, in clause 15, page 17, line 7, at end insert—

“( ) all local authorities in a mayoral combined authority commencing a community governance review of their whole local authority area within two years of this Act coming into force.”

This amendment introduces further measures to support the creation of new local councils with mayoral and combined authority consents, to expire at the end of 31 March 2019. The intention of this amendment is to allow changes to boundaries of local authorities if it has the consent of at least one relevant local authority.

Government manuscript amendment (a) to amendment 56, after subsection (4C), insert—

“(4D) Subsections (4A) to (4C) expire at the end of 31 March 2019 (but without affecting any regulations already made under this section by virtue of subsection (4A)).”

This amendment provides for the provisions in subsections (4A) to (4C) of clause 15, allowing structural and boundary provision in relation to a non-unitary district council area if at least one relevant local authority consents, to expire at the end of 31 March 2019.

Government amendments 30 to 33 and 36.

Amendment 3, in schedule 1, page 37, line 3, leave out paragraphs 4 and 5 and insert—

“(4) The mayor is to be returned under the simple majority system.”

This amendment would require the mayors of combined authorities to be elected using the simple majority system, also known as “first past the post”.

Government amendments 37 to 45, 50 and 52 to 55.

Mr Allen: One of the difficulties involved in the debates we have had on this so-called constitutional Bill is that they have taken place on the Floor of the House. If we were upstairs in Committee and having detailed debates about particular places and particular boundary issues, the Minister could say, “The hon. Gentleman has made a very good point. I will take it away, talk to one or two authority leaders and issue a few words of reassurance.” On the Floor of the House, however, given the rather clumsy weapons at our disposal—such as a Division of the House—they become much bigger issues. I congratulate the Secretary of State and his team on bringing the devolution process to the House, but rather than it being seen as the first step of many, it is lapping into the good old confrontational stuff that we seem to enjoy so much on the Floor of the House.

Even under that structure, however, we can do a number of things in the Chamber this evening. We need to seek a more consensual way forward and understand that devolution is an organic process and that it will evolve. Once the deals in England have been concluded, they will make progress and other demands will be made. People will see that they can do things that they could not do before. They will look at neighbours who have concluded deals and say, “I’d like to try a little bit of that. I think I’ll talk to the Secretary of State.” The Secretary of State may well suggest to some places, “Things have been done by another place that you could also do.” To other areas, the Secretary of State and/or councils may say, “Perhaps we bit off a little more than we could chew. Let’s take half a pace back, let this settle and then come forward with other proposals in the future.” That process is not very amenable to debate on the Floor of the House of Commons. Almost by definition, it is better done, first, in Committee, and secondly, by the key players—council leaders and Ministers—talking openly and transparently to take forward the process.
John Redwood (Wokingham) (Con): The hon. Gentleman is making a very thoughtful speech. Does he not agree that the fact that devolution is being driven at pace by the Scottish agenda means that there is no time to have such a convention on the big devolution to Scotland, and is it not time for England to have matching devolution if Scotland is going to get so much?

Mr Allen: The right hon. Gentleman talks about moving at pace and then immediately suggests that England should have what Scotland has. I would go with the latter of his contradictory points: in such devolution Bills, England should have everything that has been obtained by the Scottish people. To round out the package, England should in particular have not just the powers but the financial capability to make the powers real.

I will talk later about new clause 5, which says that we can have income tax assignment to England, in just the way it pertains to Scotland, without civilisation as we know it falling apart. I would add that that would renew and strengthen the Union, which will need to happen in future decades, as a federal entity in which the nations of the Union work together very closely as a family, but all retain a degree of income tax in their areas to make their own country work effectively.

Norman Lamb (North Norfolk) (LD): I share the hon. Gentleman’s view about financial powers going alongside the responsibility for providing services, but does he not agree that there is a case for devolving responsibility for income tax to below the England level? Most local services in Sweden, for example, are run through tax raised locally, rather than at national level.

Mr Allen: I am delighted to hear the Liberal Democrats proposing something in opposition that, sadly, they did not propose when they were a key member of the coalition Government during the past five years. Before Labour colleagues smile too much, however, the previous, Labour Government also did very little on this matter. [Interruption.] My hon. Friend the Member for Blackley and Broughton (Graham Stringer) says that they did. Obviously, I would never be so disloyal as to underline such remarks by repeating them on the Floor of the House, but—

Mr Speaker: Order. At any rate, the hon. Gentleman would certainly not have done so in those almost forgotten days when he was a Whip.

Mr Allen: Indeed, Mr Speaker. We all have scars and sins that are best left unrevealed; otherwise that can turn into rather a destructive process. If we look at the constructive process initiated by the Secretary of State, there is a way forward. To finish my answer to the right hon. Member for North Norfolk (Norman Lamb), double devolution has repeatedly been raised by colleagues from all parts of the House in different ways. Let me restate that it would be ludicrous for England to go the way of Scotland, where there is devolution down to Holyrood, but we can hear the sucking sound—Ross Perot used to hear a “suckling sound” in the United States from Mexico—of powers being sucked up from the localities in Scotland into Holyrood. We do not wish that to be repeated in England, which means, as the right hon. Gentleman said, that there must be a proper localisation of power if the devolution bandwagon and evolution are to continue.

5.30 pm

I would like to put a number of items on the record, but I will not discuss my new clauses at length because we have gone around the houses on those issues before. I just want to say that if we are devolving in England; if we have devolved in Scotland; if a majority of people’s votes in England do not count and perhaps ought to be made to count in a different way; and if we see, as we are seeing with the Strathclyde commission, an anxiety about the powers of the second Chamber: if all those things are happening and we did not have a Political and Constitutional Affairs Committee—imagine if such a thing existed—it makes a lot of sense to have a steady, careful, citizen-led convention that discusses all those issues. Party leaders should at least commit to give the views of a citizens convention airtime on the Floor of the House through the discussion of draft Bills.

It makes sense to take a slightly broader view when discussing these changes and to consider what our democracy ought to look like. The threats are considerable and the action we take should be swift in countering those threats. There should therefore be a broad-brush review of where our democracy lies. That is what is proposed in new clauses 1 to 4, which are in my name. New clause 5 takes up the point about having financial powers to go alongside that.

I turn to what is a difficult question, because it is a detailed question, in respect of amendment 27, to which the Minister will speak. I tempt him to respond to my view on what might be done with the amendment. Devolution deals are so important to those who run local authorities and those who care about local authorities that, because boundaries might change, functions might change and mayors might be imposed, there is a great deal of anxiety in certain places in the country about the precise detail of the deals and how they might work.

I fully understand why the Government tabled amendment 27. It makes sense within the terms of what they are trying to do. They are rightly trying to have a level of flexibility in respect of devolution deals. However, there are particular difficulties in and around Nottinghamshire and Derbyshire, and in respect of the Sheffield deal that is being discussed. I say to colleagues that we are at the beginning of a long road. It is not perfection that we seek today, but progress. We can secure progress, provided that we discuss this matter in a consensual way. The Minister may wish to respond to what I say now. If not, I hope that he will do so soon.

I am sure that the Minister and the Secretary of State will agree that any changes in local governance that are enabled by the Bill must be achieved through local consensus, with the relevant partners coming around the table to agree a negotiated position. Given that, I draw their attention to the suggestion in amendment 27 that districts that form part of a county could join a different combined authority, without the need for any negotiation with, consensus within or consent from the county council. That would be deeply divisive in many areas and undermine the very consensual approach the ministerial team has consistently advocated in this House. Will the Secretary of State or the Minister provide the House with a reassurance that the amendment will not give districts the right to walk away without local consent, and that any changes would be made through a negotiation between district and county, facilitated if necessary by the Secretary of State?
James Wharton: I intend to speak at greater length on this issue, but as the hon. Gentleman has given me the opportunity to do so I would like to make it clear that the amendment gives any council, including districts, the permission to request to be removed from or added to a combined authority. My right hon. Friend the Secretary of State will review the case put forward by a council and make a decision on whether the request can proceed, but I can reassure the House that any such decision would, where possible, be made only following consultation and negotiation with relevant parties. In all cases, we would endeavour to seek and secure the consensus that I think has characterised many of the discussions we have had in a range of places so far, and which is so important in underpinning the Government’s approach to devolution more generally.

Mr Allen: I am sure that those words will have been heard throughout the Chamber and, more importantly perhaps, by all those who care about, or are in positions of authority in, local government. I very much hope that they take the message that the Government and the House are keen for there to be progress on devolution, and that it should occur on the basis of consensus, interaction and negotiation facilitated by the Secretary of State and the Government.

The people who have interacted with the Secretary of State and the Minister will make their own judgment on whether the Secretary of State can be trusted on these matters. As far as I am concerned, however, the Secretary of State has got us to this position on devolution, which, as I mentioned earlier, was not possible under the previous coalition Government or the previous Labour Government. Is it perfection? No. Is it genuine progress? I hope the answer to that is most definitely yes.

Chris Leslie (Nottingham East) (Lab/Co-op): All this consensus can sometimes feel a little bit disconcerting, but I think it is a good thing. The fact that the Minister has underlined and put it on the record, in respect of Government amendment 27, that consensus would have to be achieved—this is not about particular councils having vetoes or unilateral capability, but a negotiated process—is a very important step.

Mr Allen: I can barely believe that my hon. Friend would be anything other than consensual. In recent weeks he has perhaps been known as being on the provisional wing of the Labour party, but his innate character is that of seeking consensus. I agree very strongly, as I mentioned earlier, that it is always a good thing, with my constituency neighbour. I hope colleagues throughout the UK adopt a similar view and take us forward on this issue.

Jenny Chapman (Darlington) (Lab): Is my hon. Friend concerned that there are absent voices from the consensus thus far, in the shape of the public, who are not always involved or even aware that these kinds of deals are going ahead? I realise it is difficult, but do their voices not need to be captured somehow, too?

Mr Allen: To an extent, their voices have to be captured by those who seek elected office, whether in this House or in the locality. Devolution is just one part of a broader democratic settlement. It is essential that it is not just the great and the good who are involved. As I outline in new clauses 1 to 4, there has to be the most tremendous unprecedented outreach. A citizens convention must go way beyond even what we saw in Scotland, either in the referendum campaign or in its own citizens convention, and use all the modern techniques of social media, technology and electronic polling, so that people can feel ownership. My hon. Friend is absolutely right that unless we build that in, and unless people feel that a proper debate has been had, the process could be stressed and fractured when people feel that the right thing has not been done. I would argue, therefore, as with new clauses 1 to 4, that we will need a broad-based exercise involving an unprecedented level of public participation in order to settle our democracy not just for the next four years but so that it holds for 100 years after that. That cannot be done on the back of us alone making these decisions.

Madam Deputy Speaker, I seek your advice on a matter of order, although I do not know if I am entitled to do so in the middle of a speech. There are amendments on health. Should we talk about those matters now or wait for a natural break?

Madam Deputy Speaker (Mrs Eleanor Laing): The hon. Gentleman asks a perfectly reasonable question, and, just for once, it is a question that the Chair can answer. The answer is no. The matters relating to health are in the next group, of which the lead amendment is new clause 9. We should discuss health at that point.

Mr Allen: That is very helpful, Madam Deputy Speaker. In that case, I will limit my final remarks to a brief consideration of manuscript amendment (a) to amendment 56, which bears my name. Amendment 56, which I wish well, seeks to provide some welcome flexibility to allow for the organic growth and development of our devolution proposals. The Secretary of State, who needs to be reassured that the process will not drag on forever, has proposed a manuscript amendment that puts an end date on discussion. Colleagues and local authorities will have an opportunity, a gateway, a window—whatever metaphor we wish to use—in which to make representations. That process will not drag on forever, but there will be a lot of time to make those representations, which seems very appropriate. On that basis, I am pleased to have added my name to amendment 56.

This large group of amendments covers many other areas, including issues on which I could speak at some length, such as votes for 16 and 17-year-olds and a governance review. The latter will be very important. I believe that there are now 34 or so devolution deals. As we develop those, there will be much best practice, which, by definition, we cannot learn from mid-process, around what has been devolved and how, and around how local authorities can use their powers. It will all be at different levels and different speeds—because, again, devolution means people doing their own thing, not taking a one-size-fits-all approach—but there will be a place for a gathering and sharing of best practice by local government so that the next set of deals, building on the pre-existing deals, can be done in the best way.

We do not currently have an institution that can do that. Despite the excellence of the officials in the Department, we do not have what local government might regard as an independent body to take that forward. It makes a lot of sense, therefore, to have a review at an appropriate time. It might not look that way to the Secretary of State, who is battling through a
set of deals with lots of interested individuals—and that can only be his main priority—but, when the dust settles, it will make sense to have an adjunct to the Local Government Association, or whatever local and central Government come up with, to make sure that all the learning from the first set of proposals is carried over to the next set.

With that, I shall draw my remarks to a close. We now have a set of devolution deals, and the boulder is rolling forward. We need to keep the momentum going, so I hope that everyone will wish the Bill well.

5.45 pm

James Wharton: I begin with new clauses 1 to 4, which propose the establishment of a local government constitutional convention. We had the opportunity to discuss these provisions on our first day in Committee, and as the hon. Member for Nottingham North (Mr Allen) said then, they include the nuts and bolts of this body, as proposed by the Political and Constitutional Reform Committee, which the hon. Gentleman chaired in the previous Parliament. He now draws on the wealth of knowledge that he acquired from his chairmanship during that time. His intention has been, in part at least, to ensure that some of his observations and experience could be read by anyone who feels that the concept of a constitutional convention is something that could be recommended to the House. I hope he feels that he has been successful in that aim. I have certainly enjoyed the debates we have had on the issue, and I recognise his tenacity and consistency in putting this case before us.

I do not consider it necessary to go through in detail every stage of the possible effects that new clause 1 could have, but it is important to recognise that the hon. Member for Nottingham North has made a number of points that draw on his experience and that inform the debate on devolution. However, as has been the case in previous debates and in Committee, I am not yet persuaded to go as far as to include new clause 1 in the Bill at this time.

John Redwood: Will the Minister confirm that as the talks on Scotland’s money versus that of the rest of the United Kingdom make rapid progress, it will be the Government’s aim to ensure that England has a block grant that it may choose how to spend?

James Wharton: My right hon. Friend tempts me to go further than I can in the specific context of the Bill, but I think he has been above averagely consistent on that point and very clear about his position. He has put it clearly on the record today, as he has before, and the fact that he has done so is welcome.

I look to the Chair, Madam Deputy Speaker, for advice on whether you would like me to comment on the other amendments in the group, which I would be happy to do, although I have not yet heard the comments of hon. Members on them.

Madam Deputy Speaker (Mrs Eleanor Laing): If the Minister would like to wait until the end of the debate, I shall, with the leave of the House, call him again.

James Wharton: Thank you, Madam Deputy Speaker. Given that we have had such a productive and healthy debate so far, it would be appropriate for me to respond later to the specific points that hon. Members raise. I therefore look forward to the opportunity to speak again as we progress through this stage of consideration.

Mr Betts: I shall speak specifically to Government amendment 27. The proposals for combined authorities are welcome. They are essentially about local authorities coming together where they wish to combine their approach, their workings and their functions to deliver better services and, hopefully, greater economic growth for the residents in their areas. The idea was pioneered in Manchester. The one fundamental difference between Manchester and some of the other areas that we are considering is that Manchester has had a number of authorities that have worked together over a period of time and these happen to be the authorities that were part of the old Greater Manchester metropolitan area. There were 10 districts that formed that old Greater Manchester metropolitan county, so they have always had a sense of being together and working together over a number of years. They are also unitary authorities that all have the ability to make their own decisions about whether they come together, how they do so and what they do to form the combined authority. It is a relatively simple and easy arrangement in constitutional terms.

The difficulty for some other areas is that the constitutional arrangements are slightly different. Obviously, I am now going to refer to my own area. Sheffield contains the four districts which used to form the old South Yorkshire metropolitan county, and which have worked together to varying degrees, and with varying degrees of success, since the counties were abolished. They came together to form what is now the Sheffield combined authority.

To an extent, the same applies to Leeds, which contains five districts that used to be the West Yorkshire metropolitan county, and which have been working together as a combined authority. There are, however, some differences, which have been recognised at various times by parties on both sides of the House. Sheffield contains not merely the four districts of south Yorkshire, but five other districts which form part of either Derbyshire county or Nottinghamshire county: Derbyshire Dales, Chesterfield, North East Derbyshire, Bolsover and Bassetlaw. They are not part of the old South Yorkshire county, but they are very much part of the local economy of the Sheffield city region—the travel-to-work area.

That has been recognised in a number of ways, and I remember when it was first recognised. I went to the first meeting between the leaders of those nine councils, which took place at Meadowhall shopping centre, and which had been called by David Miliband when he was number two in his Department. I am not sure which Department it was, but it was probably the Office of the Deputy Prime Minister. I expected a reaction from the districts outside south Yorkshire—I expected them to think that Sheffield Big Brother was going to take them over—but the leader of Bolsover district council said, “Actually, it is quite good that we are involved in this.” He said, “I know that not everyone who lives in Bolsover will have a job in Bolsover but it will have a job in Bolsover, and that many people have to travel to work in Sheffield. What happens in Sheffield matters to us, and how people transport themselves from Bolsover to Sheffield matters to us. It is right that we are sitting round the table having discussions and being involved in the decision-making process.” Those were wise words, which have stood the test of time.

The coalition Government adopted a similar approach. When they formed the local enterprise partnerships, they recognised that the historical regional boundaries
were not always appropriate. I know that the previous Secretary of State had a thing about regions; people almost had to cross themselves, or put money in the Department’s swear box, if they mentioned them. He was not always right in damning the regional spatial strategies and blaming them for every evil on the planet, but I think he had a point nevertheless, in that the old regions did not necessarily represent local economies and the way in which areas worked in day-to-day life.

The districts of south Yorkshire were in the Yorkshire and Humber region, but the districts in Derbyshire and Nottinghamshire were in the old East Midlands region, and that often did not work because the two regional development authorities did not always speak to each other. That was a fundamental problem for the Sheffield regional economy, which the last Government recognised when it created the LEPs and allowed them to create themselves across the old regional boundaries to reflect the travel-to-work areas and the local sub-regional city region economies.

We now face a challenge. So far, the districts in that position in North Nottinghamshire and North Derbyshire have, to an extent, been able to have it both ways. They can continue as districts, as part of the two counties, but they can also be non-constituent parts of the combined authority in Sheffield. Ultimately, however, the districts will have to make some sort of choice.

We are to have an elected mayor in the Sheffield city region. We have had discussions and arguments about that, but it is going to happen. Should the people of Chesterfield, Worksop or any other parts of those districts be able to vote for the mayor in Sheffield, who will be in charge of transport in that area, or should they not be able to vote for the mayor, who will then cover only part of the travel-to-work area with his or her transport responsibilities? That strikes me as illogical, because it will not bring about a combined authority that really covers the city region and the travel-to-work area.

Is it possible that the people of Chesterfield will not have a vote for the mayor because Chesterfield will not become part of the Sheffield city region combined authority—although, under the proposals, the mayor will be involved in discussions and decision making about economic development matters that affect Chesterfield, even if it is only a non-constituent part of the combined authority? I do not think it reasonable for an individual who has not been elected by the people of Chesterfield to have a say in what happens there.

What the amendment does is ensure that the districts of North Derbyshire and North Nottinghamshire will be able to make their own decision about the long-term position—about where they think they fit and where their future lies—without the county councils’ having a veto. Like my hon. Friend the Member for Nottingham North (Mr Allen), I hope that that will be done by means of consensus and discussion. No one wants Chesterfield to feel that it is no longer part of Derbyshire county or Bassetlaw to feel that it is not part of Nottinghamshire county, for many other purposes.

Julian Sturdy (York Outer) (Con): The hon. Gentleman is advancing a powerful argument. He is absolutely right about consensus. He is also right about the fact that businesses do not recognise local authority boundaries. Surely, when we talk about devolution, we must talk about it on the basis of economic rather than political areas, but there is a danger of our being sucked into those political areas.

Mr Betts: I entirely agree. In the end, of course, a district council as a whole will have to go to an area, but, as the hon. Gentleman says, the focus should be on what works for the economy in terms of job creation, growth and the development of skills, and on ensuring that the necessary transport links exist.

I hope that the Minister will clarify one important point. There may ultimately be a decision for the Secretary of State or the Minister to make on these matters. The districts in North Derbyshire and North Nottinghamshire, or some of them, may well decide to become part of the Sheffield city region—I hope that they will, because I think that it makes economic sense—but it is nevertheless possible that Derbyshire and Nottinghamshire will form another combined authority, an N2D2, and that there will then be a conflict between the two decisions.

I understand from the amendment that it will be up to the Secretary of State to decide which combined authority the districts should join, because they cannot join two: the people in those areas cannot have a vote for two elected mayors in different combined authorities. I hope when he decides that he will indicate that his key criterion will be what is right for the local economy—that point was made by the hon. Member for York Outer (Julian Sturdy)—and right for developing skills, for economic growth, and for the development of a proper transport strategy for those areas.

James Wharton: I absolutely hear what the hon. Gentleman says. We must do what is right. If devolution is to be successful, it must recognise the boundaries that are, as my hon. Friend the Member for York Outer pointed out, more than political: the economic boundaries and the community boundaries. We must take account of what local people want. I am sure that, in exercising whatever powers he has when discussions on the Bill have concluded, the Secretary of State will first seek to build that consensus, as he has throughout the devolution discussions, but will then seek to ensure that the deals that are done will stand the test of time.

Mr Betts: Standing the test of time is about what works economically and what works for growth, because that is the purpose of devolution in the first place.

Nigel Mills (Amber Valley) (Con): I think I agree with the main thrust of the hon. Gentleman’s argument, but we might well grant the elected mayors powers to replace the police and crime commissioners, and if, for example, Chesterfield chose to join Sheffield rather than Derbyshire, the people would presumably lose the right to vote for the person who holds their police force to account. I am not sure that, in those circumstances, the Secretary of State could make his decision solely on the basis of economic powers.

Mr Betts: That is an added complication. At present, three separate police and crime commissioners cover the Sheffield city region: one for south Yorkshire, one for Derbyshire and one for Nottinghamshire. Those issues might be considered at some point way down the line, but the leaders of the Sheffield combined authority
have—sensibly, in my view—decided not to incorporate the police and crime commissioners’ powers in their devolution deal, probably because that would lead to exactly the sort of further complications to which the hon. Gentleman has referred. They have confined their deal to economic, transport, skills and growth issues, which are precisely the issues to which the Secretary of State will have to give particular consideration if there is a decision to be made about which combined authority the districts are to go into.

Graham Stringer (Blackley and Broughton) (Lab): I am sure my hon. Friend agrees that we live in an extremely complicated country both culturally and economically, and one of the things that has bedevilled attempts to devolve powers to local authorities has been searching for the perfect boundaries. The perfect boundaries do not exist. Does my hon. Friend agree that it is better to devolve than to spend for ever looking for those perfect boundaries?

Mr Betts: Absolutely, and therefore I support the principles of the Bill, but having said that, and while agreeing with my hon. Friend, if we can do something to improve the devolution process, which this amendment does, we should be looking to do that as well. I want devolution to happen, but I want it to work. There is a danger in the Sheffield city region proposals that, without those North Derbyshire and North Nottinghamshire districts, and without a true reflection of the whole travel-to-work area, the devolution will not be as economically successful.

I accept in the end that it is a matter of consensus, however. This amendment allows those districts to express their own view about where they think their economic future lies without pulling out of the county for all other services. It allows devolution to go forward without a veto from the county over the particular issues of economic devolution and transport powers. It makes a lot more sense for the Sheffield city region. It also offers the same opportunities for the same way forward for the West Yorkshire combined authority and probably for the west midlands as well.

Mr Graham Brady (Altrincham and Sale West) (Con): I shall be brief. I am pleased to follow the Chair of the Select Committee, not least because I thought one of his closing lines summed up our objective here this afternoon: we want devolution to happen, but we want it to work. I want to speak to new clause 8 and amendment 57 in my name and also touch on amendment 2 in the name of my hon. Friend the Member for Hazel Grove (William Wragg), all of which share exactly that objective.

Dealing with the question of consent and the referendum contained in amendment 2, it seems to me that if this process is to work it is essential that it should have the consent of the people who are going to be governed under these new structures. If the argument can be made for the new structures and new form of governance, the Government ought to have the self-confidence to give people a direct say on the changes that are about to be introduced. From a Greater Manchester perspective, I think it is entirely possible that the Government could put a case that would persuade people that the new arrangements should be approved in a referendum, but the very act of withholding that opportunity for them to express their will and to show real consent for what is being done in itself sows the seeds of difficulty and discord and makes it less likely that the new arrangements will work.

Mr David Nuttall (Bury North) (Con): In his speech on 14 May, the Chancellor of the Exchequer said: “I will not impose this model on anyone.” Does my hon. Friend agree that the best way to demonstrate that local people want the new system would be to hold a referendum?

Mr Brady: I agree wholeheartedly. I devoutly hope that Ministers even at this late hour will recognise that it is very much in their own interests and those of the Government, and entirely in the interests of the people of the combined authority areas which may face these new arrangements of governance, to accept the point. I am especially hopeful given the sterling work my hon. Friend the Member did in the last Parliament trying to ensure that people had the opportunity to give consent on the arrangements surrounding our membership of the European Union. I know he will recognise that, given his deep commitment to democracy, it would be entirely consistent for him to recognise the wisdom of the proposal.

New clause 8 is in tune with the essence of the Bill and the essence of the Government’s intentions. There are very few of us on either side of the House who would argue with the proposition that it is generally better for power and decisions to be exercised as close to the people as possible. It is almost invariably better for decisions, including spending decisions, to be taken more locally, and new clause 8 seeks to place an extra protection in the Bill: a safeguard seeking to limit the occasions on which the legislation could be used to permit devolution in the wrong direction. That is not really devolution at all, of course. Rather, it is the opposite of devolution: it is the capacity that exists in the Bill as it currently stands for powers to be moved up, away from the people and away from local authorities which currently exercise powers, to the combined authority or to mayoral authority level. It is a very modest measure—[Interruption.] My hon. Friend the Member for Bury North (Mr Nuttall) endorses that view, and I was surprised at just how modest my aspiration had become during the course of this process, perhaps due to the endless courtesy and charm of the Secretary and State and the Minister.

All new clause 8 seeks to do is ensure that, if a local authority decides to transfer a power to the mayoral level, there would be a cooling-off period before it became permanent, and crucially that a local election must be held before such time that that transfer of power away from the people in the wrong direction—this anti-devolution—can become permanent. That is a modest but important safeguard, and I hope Ministers will accept it would be in their interests and the interests of good governance to incorporate it.

Perhaps the most important measure in this group is amendment 57, which sits, almost naturally, as a part of a couplet with the proposition for a referendum. In a way, if we do not have one of them, it becomes even more important that we have the other. If the Government are not going to consult the people directly on the new governance arrangements that will apply to them by
allowing a referendum, it is even more important that the arrangements set out in amendment 57 should be incorporated, which would allow a local authority, in the event that the new arrangements do not work in the interests of that local authority area, to seek at a future date to leave, with a fair distribution of both the liabilities and assets of the combined authority.

I have sought to ensure proper fairness and a reasonable arrangement in the unlikely eventuality that a local authority would reach the point where it was convinced that the new arrangements were not in its best interests. That would provide the necessary reassurance to people that this is not an irrevocable step, and that if it does not work, there is a way out of it. Perhaps most importantly, it would also place a real discipline on an elected mayor and ensure that the holder of that office would at all times seek to behave reasonably and reflect the interests not just of the majority of the area of the mayoral authority, but of the whole of it. The risk that an elected mayor may at some point in the future seek to govern in a way that is clearly contrary to the interests of any one part of a conurbation would be massively greater if the Bill were to proceed unamended. Again, I very much hope Ministers will recognise that the Bill would be strengthened and improved by amendment 57.

Norman Lamb: I want to speak in support of new clause 10 and to make a brief comment on amendment 7. The new clause seeks to reinstate in the Bill, as brought from the Lords, the provision to allow votes for 16 and 17-year-olds in local government elections. As a matter of principle, I support the idea of votes for 16 and 17-year-olds, whether in national elections, local government elections or referendums. I supported the case for 16 and 17-year-olds to vote in the Scottish referendum. I have also argued the case, along with many others, for them to be able to vote in the European Union referendum, because it is their future that we will be debating.

In the context of the Bill, I strongly support the case for 16 and 17-year-olds having a say, for goodness’ sake, in the election of their local councillor. I find it extraordinary that, if you seek to engage with young people, they will turn out to vote. Will he just clarify which of those two arguments he would like us to accept?

Mr Nuttall: I am getting confused. A few seconds ago, the right hon. Gentleman was trying to convince the House that 16 and 17-year-olds should be allowed to vote because such an enormous number of them had turned out to vote in the Scottish independence referendum. Now we are told that we are ignoring them because they do not turn out to vote. Will he just clarify which of those two arguments he would like us to accept?

Norman Lamb: We saw in the Scottish referendum that, if you seek to engage with young people, they will respond. They turned out in record numbers. I understand from the study that took place following the referendum that the turnout was 75% among that age group. I also made the point, however, that there is a lack of engagement with the political process as a whole among young people. I am sure that the hon. Gentleman would agree with me on that. I believe that it is incumbent on all of us to change that by getting young people to feel part of the process and to participate in it. If we give 16 and 17-year-olds the right to vote, it sharpens their minds and focuses their interest because they have an opportunity to participate in the political process.

6.15 pm
Sir Edward Leigh (Gainsborough) (Con): The right hon. Gentleman is making his arguments very well and I do not want to take him to task over them, but I want to ask him a question. Presumably the Bill will again end up in the House of Lords, as the European Union Referendum Bill has done. Does he think it is the place of unelected people in the House of Lords to make a decision on this question, or should it be reserved to the House of Commons?

Norman Lamb: I continue to argue strongly that we should have a democratically elected second Chamber, and we sought to achieve that during the coalition Government. Sadly, Conservative Members managed to block that long-overdue reform. [ Interruption. ] I think the hon. Member for Nottingham North (Mr Allen) is agreeing with me from a sedentary position. But we are where we are, and because Conservative Members ensured during the last Parliament that we still have to put up with an unelected second Chamber, it will just have to do the job as best it can. It is a revising Chamber and I hope that it will again make the arguments that 16 and 17-year-olds should have the right to vote. I hope that I have responded adequately to the hon. Member for Gainsborough (Sir Edward Leigh).

David Willetts made the case strongly that there had been a break in the generational contract. I believe that it is incumbent on all of us to address that serious issue and to ensure that all political parties start to show a
real interest in the interests of young people. If 16 and 17-year-olds had a vote at local and national levels, there is no doubt that the parties would focus more attention on their interests.

Graham Stuart (Beverley and Holderness) (Con): The right hon. Gentleman said that the interests of young people are not properly reflected, partly because they do not vote, but he then said that giving the vote to even younger people who were even less likely to vote would somehow change the way in which the Government operated. I just do not understand the logic of that. Will he also tell us what is so special about 16? Why not choose 15? Is this about paying tax? We have to draw the line somewhere. What is the principle on which he is basing his argument?

Norman Lamb: On the hon. Gentleman’s last point, I of course accept that this is an arbitrary line. The current age at which people can start to vote is also arbitrary. We have chosen to make it 18. My argument is that we can reduce it because people aged 16 and 17 have rights and play a significant part in society. For example, they can join the armed forces, they can work and pay taxes on their income and they can marry. Those are all significant rights and responsibilities, and if they have such rights and responsibilities they ought surely to have a say in the election of our national Government and in the election of local authorities as well.

Graham Stuart: If the right hon. Gentleman were charged with a serious offence, would he really want 16 and 17-year-olds serving on the jury and deciding on his guilt or innocence? I certainly would not. We are talking about a certain level of maturity, and the line we have drawn is an appropriate one. If we would not want a 16-year-old sitting on a jury deciding whether or not we went to jail for 10 years, I suggest that we would not want to let them play a part in the election of the Government of the country.

Norman Lamb: With all due respect, I think that that is a distortion from the issue we are debating today. I repeat my argument that if 16 and 17-year-olds are able to join the armed forces, pay taxes on their income and marry, which are big responsibilities and rights, they ought to have a say in the election of their Government, either at national level or locally.

Alison Thewliss (Glasgow Central) (SNP): Does the right hon. Gentleman agree that some of the Conservative Members’ arguments do not quite stack up? Maturity is not necessarily to do with age, after all. People of any age can be deemed to be immature, yet they can still serve on a jury and vote in elections.

Norman Lamb: I absolutely agree with the hon. Lady about that. The argument made by Conservative Members could be used, by logical extension, to deny democracy entirely or to deny trial by jury. I seek to oppose both those logical extensions and to make the case again for 16 and 17-year-olds to have the right to vote. In this Bill, we are talking about their having a say in the election of their local councillors, for goodness’ sake. If the Conservatives seek to deny 16 and 17-year-olds such a basic right, in their own local community, I strongly oppose them on that. The Government say this issue deserves further discussion, and I welcome that, but why can they not just get on with it, accept the principle and legislate for it today?

William Wragg (Hazel Grove) (Con): I rise to speak to amendment 2, which stands in my name and those of a number of right hon. and hon. Friends. As a former councillor in Stockport, I draw people’s attention to my entry in the Register of Members’ Financial Interests.

The purpose of the amendment is clear: to ensure that a referendum is held in a combined authority area before any mayoral model of governance is adopted. I am pleased that a number of colleagues have felt able to support it by putting their names to it, and I know that a number of others have some sympathy with it. I thank the Secretary of State for his courteous understanding of my concerns. Such a generous and fair approach is, as colleagues from across the House will attest, typical of the thoughtful and decent man he is.

I extend a similar tribute to the Under-Secretary of State for Communities and Local Government, my hon. Friend the Member for Stockton South (James Wharton), who has handled my reservations with good humour and more than a degree of tenacity, and I thank him sincerely for that.

My motivations for tabling the amendment are several. First, this is very much a local issue of concern, given that my constituency is part of the Greater Manchester area, which has been earmarked for an elected mayor in 2017. I can discern no real demand for this innovation among my constituents—indeed, there is a certain degree of reservation. However, despite their and my scepticism, I am prepared, as I argued on Second Reading, to accept that perhaps there is some demand and so I am perfectly willing to let the people have their say at a referendum, in order to allow them to express their view emphatically. Of course, the outcome either way would be something I would respect entirely.

Although not wishing to prejudge the outcome of such a referendum, I remind the House that directly elected mayors were in recent memory rejected by a number of constituent boroughs of Greater Manchester—Bury and Manchester itself—and subject to widespread rejection across the country in 2012. I thought the Conservative party’s policy at the time was absolutely right: mayors in metropolitan areas should be introduced only if there was a referendum and assent was given. The policy of holding a referendum was correct three years ago and I contend that the opportunity to have a democratic decision at a referendum remains equally valid today.

My overriding concern is, I expect, understandable to many colleagues with shared experience in local government: when new models of local government are seen to be imposed on areas, even if more carrot than stick is used, there the danger lurks. Some will still see the Local Government Act 1972 as an act of municipal desecration, with the break-up of centuries’ old counties and the formation of false constructs, but, aside from mocking the quaint fustiness of those dinosaurs—I do not refer with the break-up of centuries’ old counties and the formation of false constructs, but, aside from mocking the quaint fustiness of those dinosaurs—I do not refer to anybody in this House—we should take a valuable lesson from it: people should feel a sense of belonging to the area in which they live. Furthermore, as this amendment proposes, they should feel a sense of ownership over the formation of entities that govern them.
Mr Betts: I am trying to work out what the hon. Gentleman is trying to achieve by this amendment. Is he just probing the Government? They have made it clear that devolution deals, as negotiated, will go ahead only with an elected mayor. Is he working on the assumption that if the population turn down an elected mayor in a referendum, the whole devolution deal for that area will fall?

William Wragg: I thank the hon. Gentleman for his intervention. My amendment seeks not to ensure that such devolution deals fail, but that the mayor is not a prerequisite of such a deal. I am at variance with the Government on this issue and I would like my amendment to be included in the Bill.

Alison Thewlis: I wish briefly to go through some of the new clauses and amendments. The hon. Member for Nottingham North (Mr Allen) makes points in new clauses that have been made before in previous debates. His new clauses 1, 2, 4 and 6 include Scotland, as part of the United Kingdom. As local government is entirely devolved to the Scottish Parliament, and the UK Parliament has no scope in that matter, he has perhaps made an oversight in his proposals. In new clause 6, he wishes to make local councils in England equivalent to the Scottish Parliament, which also is not quite appropriate—after all, they are not the same things. The Scottish Parliament is a Parliament, rather than a local authority, and they are very different items.

Mr Graham Allen: The hon. Lady is misunderstanding me and I need to clarify my remarks. I am not at all equating a local authority with the Scottish Parliament. I welcome the Scottish Parliament, which is one of the Labour party’s greatest achievements. Donald Dewar and all those people who were in the citizens convention have created, often without the co-operation of the Scottish National party, a magnificent institution. I just have a degree of jealousy that the powers that have rightly gone to Scotland are not coming fast enough to England and to those of us in the rest of the Union. If we are Unionists, we think that the good things that can happen in one country can happen in all countries of the Union.

Alison Thewlis: I am not sure that the hon. Gentleman includes me in the statement that we are Unionists, because I am not necessarily—

Mr Allen: I say that only because the hon. Lady is elected now to the Union Parliament. This is not the Scottish Parliament and therefore we speak here, all of us, as part of the Union Parliament in Westminster.

Alison Thewlis: The hon. Gentleman’s new clause 5 refers to “the desirability, impact and process necessary to give English Councils the same fiscal and taxation powers as those devolved to the Scottish Parliament in the 2012 Scotland Act”.

That seems to me as though he is drawing a comparison between the two, and I am not convinced that is entirely appropriate.

The right hon. Member for North Norfolk (Norman Lamb) eloquently put the case for new clause 10, and I, too, absolutely support votes for 16 and 17-year-olds. It is a shame that the Government are not taking the opportunity at least to trial it in local government, as it would be a worthwhile trial. If they are not prepared to bring forward comprehensive legislation to change the franchise for all elections, it would be nice if they were willing on this occasion at least to try it in this way, because it is very much worthy of examination. It has worked well in Scotland: the 16 and 17-year-olds who were given the vote on the referendum were very engaged and have remained engaged. Those who were younger were not able to participate but they still had greater interest in the democratic process as a result—they paid attention. A lot of them felt very aggrieved that they were not able to participate, but, as was said earlier, the bar has to be set somewhere and 16 is a reasonable place to put it. That has worked well in Scotland and I very much encourage it here.

On new clause 12, it seems reasonable to review how the NHS is treated in the devolution deals. It seems reasonable to see how that is working, and perhaps more powers need to go across if things could work better.

On amendment 2, tabled by the hon. Member for Hazel Grove (William Wragg), and amendment 58, I have lot of sympathy for his comments about the imposition of mayors on local authorities. Some of the evidence that we heard in Committee on this issue suggested that it is perhaps not being fair to local government to say, “You must take a mayor in exchange for these powers.” I have a lot of sympathy for the points he makes. As I said earlier in this process, the Glasgow and Clyde Valley city region deal did not require a mayor in Scotland, so it is not a blanket policy of the Government to apply this provision in every circumstance. I believe that the Duchy of Cornwall has not had a mayor imposed upon it at this stage. Evidence was given in that respect in Committee.

On amendment 3 and the supplementary vote system, I am not sure that that system is necessarily the best one for electing anybody. I have been elected under the single transferable vote in Scotland and under first past the post here, and I believe that the first-past-the-post system is fair from ideal in terms of democracy. I cannot understand why anyone would want to put first past the post back into an electoral system—perhaps there will be more explanation of that later—when the majority of research suggests it is the least fair way of electing people to any system of government.

I thank you for your time, Madam Deputy Speaker. That is all I have to say today.

6.30 pm

Martin Vickers (Cleethorpes) (Con): I shall speak to amendment 56 and the Government manuscript amendment to it. Although I added my name to the amendment, the original proposal came from my hon. Friend the Member for Carlisle (John Stevenson), who apologises for not being present in the Chamber today. As the House will appreciate, his constituency has been very badly affected by the weekend floods.

I wish to make a few points on my hon. Friend’s behalf. Amendment 56 provides for a very modest change that would give greater flexibility both to the Government and to local communities. Where there is a clear wish for change, a county could achieve it in a much more efficient manner and without too much delay. The amendment seeks to build on existing legislation in relation to changes to boundaries. I am talking about not radical change, but easier changes that both Government and local people support.
My hon. Friend hopes that these changes can be applied to his own county of Cumbria, where they are badly needed and widely supported, as they would improve local government and lead to cost savings. I note that the hon. Member for Nottingham North (Mr Allen) spoke in favour of this amendment. I hope that that sentiment will also be expressed by the Opposition Front Bench and that we can proceed on this matter with consensus. With that, I hope that the House will support this amendment.

Mr Jacob Rees-Mogg (North East Somerset) (Con): I wish to support some of the amendments tabled by my hon. Friend the Member for Hazel Grove (William Wragg) and to try to give more information to the hon. Member for Glasgow Central (Alison Thewliss) to explain why I am in favour of first past the post.

Briefly, let me talk about referendums and why I have attached my name to amendment 2. It seems that there is a slowly developing theory of referendums in this country that fits in with a parliamentary democracy. It is that those of us who sit in this House, who admire this House and who approve of how our constitution works, have a great affection for the understanding that we are representatives and not delegates, and that we are here to exercise sovereignty on behalf of the people for a five-year period before returning it to them in toto at the end of that period. That is the well-established constitutional position. Against that, and in sympathy with that, there is a developing view of where referendums are useful, and moving from useful to becoming essential; and that is to do with the structures of government. The reason for that is that there is a permanency in the structures of government that outweighs the normal level of legislation with which we deal.

It is quite right that Scotland had referendums on its decisions on independence and on establishing a Parliament in the first place, because those are effectively permanent decisions, irreversible and unchangeable without the consent of the Scottish people. Likewise in Wales, the Welsh have had referendums on their Assembly, as has Northern Ireland, too. With regard to local councils and changes, if the structures are to work they need to go with the grain of popular consent. Authority, when it is used, needs to have a legitimacy that is based in democratic consent. When that consent was not given in the Local Government Act 1972, there was a great deal of hostility to what was done because it did not meet the requirements of local people. Against that evolving doctrine of referendums there is, inevitably, the Government’s view of referendums, which I characterise, perhaps unfairly, as being, “We will have referendums when we think we will win them, but if we think we won’t win them, it is a bit too dangerous, so we won’t take the risk.” It is a pity that the Government have not taken the risk with these new structures. Let us take the Mayor of London as an example. The Mayor of London has enormous popular consent, even when it was Ken Livingstone, let alone now that it is the great man, my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson).

William Wragg: The London example is a case in point. That system of mayorality was assented to by the population at a referendum.

Mr Rees-Mogg: That is exactly the point I am making. That is why there has been affection for the Mayors, even from people who do not share their political sympathies. It is felt that they have a legitimacy to do what they have done. I voted against having a mayor for London, because I thought that another tier of government was quite unnecessary; we already have far too many. However, because London had a referendum and the referendum was won, there is a legitimacy. The great city that I neighbour, the city of Bristol, elected a mayor, having decided to do so through a referendum. Therefore, the people of Bristol have invested in that office and given legitimacy to it. I cannot think of anything worse than having an elected mayor covering Somerset, and I would oppose it tooth and nail. The watchwords will be, “Somerset will fight, and Somerset will be right.”

Nigel Mills (Amber Valley) (Con): May I suggest something that might be even worse to my hon. Friend? It is that the outcome of the amendment might be that there is no mayor, but a new combined authority with devolved powers being run by a politburo of leaders of other councils, the policies of which people will have no direct say in.

Mr Rees-Mogg: If Madam Deputy Speaker will indulge me, I compare that with the Council of Ministers in the context of the European Union. It has democratic legitimacy derived from its constituent parts, whereas a mayor imposed, without a referendum, lacks that fundamental legitimacy. It is more like the President of the European Commission. To have a system that has an imposed mayor is to move away from legitimacy.

Nigel Mills: Just to continue that thought, will my hon. Friend not join me in having some concern that the people who will be taking the decisions, spending the money and exercising the power will not have been elected for that purpose, but for some very different position on a very different authority that could be on a much smaller scale?

Mr Rees-Mogg: I do not accept that. I am not a big-is-good advocate. I think that small can well be beautiful. The individual leaders of councils are the doughty defenders of the interests of the population that has chosen them, and they are in their way like Members of Parliament in that they represent a specific area and a specific interest, and they can combine with others to see how decisions can be made. I see no lack of democracy in a group of people coming together, each one of whom has an individual mandate. Indeed that can be a better democratic mandate than having a highfalutin mayor.

Mr Graham Brady: I am enjoying my hon. Friend’s speech very much and following it closely. He may be interested to know—he may already be aware of this—that in Greater Manchester, which is really the point of origin of many of the things that we are discussing today, the combined authority has worked extraordinarily well, and that those elected council leaders have worked very well together. It seems odd to many of us that we should move from a structure that is working well, and to which nobody has any objections, to the imposition of a completely different structure without popular consent.

Mr Rees-Mogg: I agree with my hon. Friend. Imposing structures does not give them legitimacy. What gives them legitimacy is that they should be built from the ground upwards. Fundamentally, that is a Conservative view of how Governments are constructed. I am talking
about the little battalions coming together to do big things jointly, rather than a hierarchical system that says, "We know what's best for you." That is the approach of those on the Opposition Benches. The socialist approach, as it is now, once again, a Socialist party, is about telling people what to do and giving them the figures who do it. The Conservative evolutionary approach is to allow people to come together, each one of whom individually has legitimacy to do things. I absolutely accept his point that combined authorities have worked by consent and that they do not necessarily need super-mayors or metro mayors put on top of them. If that is done without referendums, we will be back here in 20 years’ time—[Interruption.] I very much hope that the hon. Member for Bolsover (Mr Skinner) is still here in 20 years’ time so that we can discuss these important matters.

Mr Skinner: I have got a better chance of surviving a long number of years if we keep the NHS out of the hon. Gentleman’s and Tory hands. Keep the NHS public, and I have a chance—I am taking a gamble here—of making it.

Mr Rees-Mogg: I do not think the Prime Minister had any intention of making me the Secretary of State for Health, but now that he has heard from the hon. Gentleman, I am sure that he will not.

We will return to the legitimacy of these changes if there are no referendums. Although the Government might well push the provisions through and order these mayors to be appointed, if there is not that validation through referendums the component parts of the super-areas will chafe. They will say, “We are paying taxes to pay for the centre of a city to which we have no real link. We would rather be run from Whitehall than by these funny people in a town hall with whom we have no real link.” The referendum lock follows the grain of the developing referendum theory of government in this country and will ensure that the process is more successful in the long run. In opposing the amendment, the Government are probably being short-termist.

I promised the hon. Member for Glasgow Central that I would come on to the amendment about first past the post as the fairest electoral system. I think that people are grateful that my hon. Friend the Member for Hazel Grove proposed it, and had he not done so I would have tabled my own amendment. I believe in first past the post as the fairest electoral system. I think that people get what they vote for rather than what they do not vote for. They get what they most like, not what they least dislike. The fundamental problem with proportional systems is that nobody gets what they want. Everybody gets something else, because the votes go off in all sorts of different directions.

Mr Graham Allen: Does the hon. Gentleman feel that the 50% of people in Scotland who voted for non-separatist parties got what they thought they were getting when they received only three Members of Parliament to represent them whereas the other 50% got 56?

Mr Rees-Mogg: The hon. Gentleman makes my point for me. They got exactly what they wanted. They got a referendum that decided that they would remain part of the United Kingdom and then they voted for champions to come to this place and represent them constituency by constituency. That is how first past the post works. I wish that they had all voted Conservative; it is a great shame that they did not. The system worked effectively to represent what most people in Scotland wanted. Sadly, most people in Scotland did not want the Conservatives to have 56 MPs. How that aberration could have come about, I do not know, and I am sure that in time it will change.

Nigel Mills: It was worse in ’97.

Mr Rees-Mogg: It was indeed worse in 1997.

However, the majority in each constituency, or at least a plurality in each constituency, got exactly what they voted for and not one of the three Unionist parties in those constituencies was able to compete. That seems perfectly fair.

Alison Thewliss: Does the hon. Gentleman agree that the only reason why the Scottish Conservative party is present in the Scottish Parliament is proportional representation?

Mr Rees-Mogg: I was going to say that it was because of my efforts in Glenrothes in 1997, but I think that that would be untrue. I would be accused of misleading the House. I think it is to do with the fact that we have a fantastic leader of the Conservatives in Scotland and an inspired Secretary of State. The two combine to make Conservatism in Scotland the coming force. However, that strays from the main topic of why first past the post is a preferable system. It is important to have a victory for the most popular rather than the least unpopular. It encourages the most charismatic figures and people who have a strong party affiliation to stand. That is important.

I am not a great believer in having huge numbers of independents running our great cities. There is a danger that if we take people outside the party system they do not have a particular badge to stand under and it is not clear at the outset what they represent, other than independence. They have no fall-back as regards having someone senior in the political system to get in touch with to guide them.

Norman Lamb: I am very grateful to the hon. Gentleman for giving way, and I totally disagree with everything that he is saying. Does he not think that there is a risk that with first past the post in local government one can end up with a complete one-party state, as has happened in some Liberal Democrat councils, some Conservative councils and, indeed, some Labour councils? The net result is a sort of rotten borough with poor local government and no accountability.

6.45 pm

Mr Rees-Mogg: The right hon. Gentleman makes a very important point. Having one party in office forever can create its own difficulties, but I think that that is less likely to happen with a mayor than with a local council with individual councillors. A mayor stands both as a party figure and as an independent figure. That is undoubtedly the case with the mayorality for London, and the Conservative and Labour figures who have fought successfully have done so by being semi-detached from their parties and building up their personal following.
That would happen in other places, but it clarifies the issue and is more straightforward if we have first past the post and whoever is most popular wins.

To go back to the developing theory of referendums, I also think that first past the post is what the British people voted for. We had a great referendum under the coalition Government of which the right hon. Member for North Norfolk (Norman Lamb) was a very distinguished part, and in that referendum the electorate blew a very large raspberry at electoral reform. They said that they did not want the alternative vote system but wanted to stick to first past the post.

For a Government who have an opportunity to correct what was previously put in place and to go for what the electorate not only want but have voted for is fundamentally democratic and proper, and ties in with my original theory of referendums. It is the right of the people to decide who governs them as well as the structures of government and how they relate to them. The individual Members, mayors and councillors are then entitled to operate those levers between elections. How people vote, for whom they vote and the regions for which they operate those levers between elections. How people vote ought to be determined by referendums. We have had one in support of first past the post, and we have had one supporting a mayor for London and a mayor for Bristol. It is a mistake to ignore the very first of those votes and an error not to give people the right to vote on their own structures in future.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before I call the next speaker, I gently remind the hon. Member for Bolsover (Mr Skinner) that although I did not want to interrupt him when he was in such rhetorical form in his intervention, matters concerning the health service are in the next group of amendments. The House so much looks forward to hearing what he has to say then, but that will be after we have finished debating this group of amendments, having heard Sir Edward Leigh.

Sir Edward Leigh: It is of course a pleasure to follow my hon. Friend the Member for North East Somerset (Mr Rees-Mogg), with whom I normally agree. I quite understand his enthusiasm for referendums, which in one sense surprises me, because a traditionalist like him would normally have opposed the concept of referendums. He would have opposed them in the past because it was felt—this point has been made many times in the House of Commons—that they were a fundamentally unparliamentary device that has often been used by Governments who are dictatorships to impose extreme changes on society.

I understand where my hon. Friend is coming from, however, because in recent years referendums have been seen as a fundamentally conservative force. Generally, the people vote against change. I understand his arguments and I understand why the Government are wary of accepting any amendment promoting a referendum, because they have looked at what has happened in the past, particularly in the north-east, where people voted against change. The Government are determined to drive change forward and fear that if there is a proposal for a referendum, people will usually vote no. This is a very interesting argument.

I want to dwell on amendment 56, which was tabled by my hon. Friend—and indeed real friend—the Member for Cleethorpes (Martin Vickers). Normally I agree with him about most things, but on this occasion his amendment concerns me, and I want to make a few points about the situation in Lincolnshire and give the Minister the opportunity to reply.

My hon. Friend represents north-east Lincolnshire, and I represent Lincolnshire. Lincolnshire is a very conservative county. It is so conservative that the Gainsborough constituency—which I am proud to represent—has had only three MPs in 90 years, and all three have been Conservative. People do not like change in Lincolnshire, and they are wary of any device such as that in amendment 56. The Government appear to have accepted the amendment, albeit with a sunset clause, and it is quite unusual for a Back Bencher to table an amendment that the Government then accept.

People in Lincolnshire—and, I suspect, other rural counties—want to proceed by consent, which seems an admirably conservative point of view. Normally, proceeding by consent means dealing with the tried and tested, and taking things forward together. Many people are scarred—this has already been referred to—by the events of the 1970s, when ancient counties were swept away. There were different enthusiasms then. They may not have been in favour of elected mayors, referendums or unitary authorities, but everything was done on the basis of Heath-ite efficiency. We now know that that drive towards Heath-ite efficiency was fundamentally wrong and unpopular, and it imposed Whitehall centrist ideas on what local people wanted. I see that my hon. Friend the Member for Beverley and Holderness (Graham Stuart) is here. As a result of 1974, we created the ludicrous county of Humberside, destroying Lincolnshire, East Yorkshire—what madness. We know that is not the right approach.

Speaking as a Conservative—not just as a party politician, but as someone who tries to understand Conservative values—I appeal to the Minister to proceed with great caution and to take people with him on this matter. Now, elected mayors are all the rage, but a few years ago so were police and crime commissioners. We had a mixed history with that—low turnouts, lack of interest, and not necessarily democratic accountability.

Lincolnshire County Council is generally well run, popular, and has been in place for 130 years. The district councils have been in place for more than 40 years. It is not for me to speak for local councillors in Lincolnshire, but since they cannot speak in this place and have only me to say these things, I hope nobody minds if I say that we do not want a solution imposed on us. What worries me about the amendment—and the Government’s ready acceptance of it—is that, as the county council and district councils recognise, in terms of unitary authorities, elected mayors and devolution, we do not want a bruising battle over many years between district and county councils about which should be abolished.

We want to proceed by consent and to get together. We are happy with the idea of central Government devolving more powers to a county such as Lincolnshire, but we recognise that we are not Manchester, Birmingham or London. We are a large, quite poor county with a low rate base and a scattered population. There is no question that we could run the NHS or anything like that; we are not in the business of devo-max. We want to leave the
present structure in place with district councils and county councils, and perhaps form a new body on which those will be represented. We would then accept new powers for that body. That is how we want to proceed by consent. Given many of our discussions so far, I am worried that in our rush for change and innovation, we may ride roughshod over what local people and councillors want. Being sensible people and knowing their area, they generally want to proceed slowly, cautiously, and by consent. With that, I feel that I have made my arguments and I will let others speak. I am sure they will be far more interesting than me.

Nigel Mills: I am in the unfortunate position of not only having to follow my hon. Friend the Members for Gainsborough (Sir Edward Leigh) and for North East Somerset (Mr Rees-Mogg), but disagreeing with them both. I always thought that if I disagreed with my hon. Friend the Member for North East Somerset, I should sit down and think again. In this case, however, I disagree with his arguments, because I think that when electing an individual who will have significant powers, we should try to ensure that they are elected with a larger proportion of the vote than is required by first past the post.

I suspect that no one would want some kind of extremist to win a powerful mayorality in a fluke election where there were 14 candidates and the winner ended up with 16% of the vote. I accept that that is unlikely, but it would be a horrible situation. I am sure that the people of France, having seen their election results over the weekend, are glad that they will have a run-off in their presidential election. If the Front National were to win the first round, people will get a chance to elect a non-extreme president. I disagree with my hon. Friend, because when electing an individual who will have power, I am not sure that first past the post is the right answer. We should have the system currently used for the London Mayor and police commissioners, where there is a run-off after the original vote to ensure that the person who wins commands 50% of the vote.

I also disagree with my hon. Friend that not having an elected mayor is the least worst thing. If we are to devote significant amounts of money and power to a new body, that body must be accountable directly to the people. We need people standing and being elected on the basis of how they will use that power and money.

When people elect a leader of a district council that has a small £10 million budget and mainly does planning and refuse collection, I am not convinced that they will be thinking, “The party I am voting for will choose the leader of the council and will effectively have a veto over the new super body that covers at least two counties in my area.” That is not accountable to the people, and I think it is bad for democracy. We risk recreating the police authority model that we did not think worked, but on a much larger scale and with more powers. That would be a retrograde step for our constituents’ democratic accountability over key public services, and that is why I do not support the amendment.

On amendment 56, I am a supporter of devolution to English regions. The hon. Member for Sheffield South East (Mr Betts) made the right arguments, because areas such as Nottinghamshire and Derbyshire do not have a long-standing, coherent geography that makes people think, “That’s a natural body of government I identify with.” We must proceed carefully, and ensure that we produce Government bodies that the people identify with and say, “Yes, I see a coherent natural fit. That is where I look to for decisions to be taken.”

The hon. Gentleman is right to suggest that some parts of north Derbyshire and north Nottinghamshire might feel better suited to the Sheffield region than to Nottinghamshire and Derbyshire. I am pretty certain that Amber Valley, which runs along the boundary between Nottinghamshire and Derbyshire and has the strapline “The Heart of Derbyshire” sees itself firmly in the Nottinghamshire and Derbyshire area, rather than somewhere else, but it is right for individual local districts to have the democratic right to say, “We represent our people, and we think that that region is the right place for us to be.” If people vote for that, that is what should happen, and there should not be a veto from a higher authority that covers a different area.

In exercising that right and making that decision, the Secretary of State should try to achieve consensus, consider the broader picture, and ensure that we do not achieve some strange, farcical democratic situation where, if the people of Bolsover choose to go with Sheffield, they suddenly have no say in holding their own police force to account because that is handled by the elected mayor for Nottinghamshire and Derbyshire. We must proceed with caution regarding what powers go to the mayors. If they are mainly economic powers and interests, and perhaps transport, perhaps elected mayors should not replace the police commissioners if we are to vary the geography, as that could be a dangerous step.

I know that people in Nottinghamshire and Derbyshire are keen to replace their police and crime commissioners, but I am not sure how one person can hold to account two different police forces. That seems a little strange, because someone could be using one mandate to hold to account two forces with very different policies. We must think carefully about such functions. We ought to think properly about the geography, not just rely on some historical, centuries-old set of local government boundaries that may not make sense in the modern world. We should step back and think about what a good system of local government would look like if we added that extra tier. I am not sure that our constituents would thank us if we had four different tiers of local government.

My constituents in Heanor or Ripley elect 21 town councillors and 45 borough councillors. They elect two councillors to the county council, which has more than 60 councillors. I am not sure that they will fancy electing a new mayor and another tier of government, and paying for all that as well. I am not sure that many of them understand exactly what functions those three council tiers have, and what a fourth one on top would do. They would probably think that all four had some role in economic development and regeneration, largely because that features significantly in most of the election literature that we see.

7 pm

If we are going to have this devolution we ought to step back and consider whether it is a sustainable, effective and efficient system of local government that our constituents can understand and support. Should we use this Bill as the driver for looking at changing that
local government system, perhaps with unitary councils and a new elected mayor for a larger region? I put my name to amendment 56, which would make it easier, where there is consensus in an area, to create those new unitaries. It would not allow one small district to cross two counties to block the whole thing and reject the unitary authority. If there were consensus, that proposal should be allowed to proceed.

I am not sure about the drafting of the amendment, which would allow the Secretary of State to create unitaries if only one council wanted that. It would be perverse for the Secretary of State to have such a power if one of the nine districts in Derbyshire was in favour and the county council and the other eight district were against. Where the majority of districts and the county council are in favour, or if all the districts but not the county are in favour, the Secretary of State could use that power to create unitary authorities, which would be a more efficient, cost-effective and effective form of local government overall. I welcome the fact that the Government appear to have accepted amendment 56 with the change proposed in manuscript amendment (a). If the Lords accept the proposal, perhaps they should consider whether the consent of only one authority is the right model. Perhaps the power would be fairer if it were half the authorities, or two thirds. Apart from that, I commend amendment 56 to the House.

Mr Christopher Chope (Christchurch) (Con): I am concerned about amendment 56 and the Government’s acceptance of it, albeit subject to the proposal in amendment (a).

The reasons for my concern go back some time. Twenty years ago, before I was privileged to be a Member of Parliament, I served on the Local Government Commission, which looked at structures of local government in England, including at whether councils should switch from a two-tier structure to a unitary one. The method we adopted in those days was to invite local people and councils to submit evidence, and to hold public inquiries and hearings on the evidence. It was very much a bottom-up process. That was decided by consensus in the commission. In due course, it made recommendations to the Government, which were adopted by Parliament if changes were involved.

In Dorset, which I have the privilege of representing in Parliament, there was a lively debate about whether Poole and Bournemouth should become unitary authorities, with Dorset County Council remaining a county council and a two-tier system operating in the rest of the county. In the end, it was agreed that Poole would become a separate unitary authority, as would Bournemouth, but the remainder of the county council area would be two-tier, with Dorset County Council dealing with the main services such as education and social services, and the borough or district councils dealing with the services closest to the people.

Nothing that has happened in the 20 years since leads me to believe that people in Christchurch, East Dorset or Dorset are anything other than content with the current arrangements. When there was all this talk about the possibility of change being forced through by the Government, I was assured by my right hon. Friend the Secretary of State that nothing would happen to change things in Dorset unless it had the wholehearted consent of the councils concerned. On that basis, a half-baked proposal introduced by Poole, with support from Bournemouth, to try to set up a new unitary authority incorporating Christchurch and East Dorset, could not work. Dorset County Council understandably said that it would mean that part of its area, which enables it to provide good services and make economies of scale, would be taken away and no longer be included in Dorset county. The line, which the Secretary of State articulated to me very persuasively, was that there was need to worry, because nothing would be imposed from the centre. It was something that would only come from the bottom up.

That is where we were until today and the inclusion of amendment 56 on the amendment paper. I assumed that the amendment did not have Government support, and I had not applied my mind to the question of opposing it. I assumed, on the basis of what I had been told, that it would be opposed by the Government. Much to my amazement, I found that a manuscript amendment had been tabled, suggesting that the Government were going to accept amendment 56, albeit on the basis that it would only be in operation until 31 March 2019, which coincides with the end of the current period for district councils. The terms of office for all the district councils that were elected last May expire at the end of March 2019.

That is the effect of the Government amendment, and they have not provided any detail about the criteria that they will use to exercise their significant power to intervene against the wishes of one or more local councils in, to take my county example, Dorset.

Sir Edward Leigh: I hope that the Minister is listening, because it is open to him to intervene on my hon. Friend, to make it clear that in areas such as Lincolnshire and Dorset we should only proceed towards a unitary authority by consent.

Mr Chope: Of course, it would be open to the Minister to do so. I understand—I have been told privately, not on the Floor of the House—that the Government are neutral on this. They do not have an agenda to try and create unitary authorities.

James Wharton: May I take the opportunity, as presented by my hon. Friend the Member for Gainsborough (Sir Edward Leigh), to confirm that it is indeed the Government’s intention to build that consensus? We are not going to impose change on areas that do not want it. However, we have been persuaded, that, as proposed in amendment (a), areas should not at the same time be prevented from being part of devolution deals. We are seeking to build consensus, not impose change on areas, but we should have the flexibility to ensure that we can deliver the deals that local people want.

Mr Chope: I am grateful for that, so far as it goes, but will the Minister explain how he will deal with the situation in, for example, Dorset? The county council wishes to retain control over the area that it currently governs. If one or more district councils in that county council area wish to enter into a unitary arrangement with, for example, Poole and Bournemouth, who will prevail? Is it going to be the will of the county council or is it going to be the will of, for example, Christchurch Borough Council? In my constituency, a number of
[Mr Chope]
councillors serve on the borough council and on the county council. To which group will the Government pay heed, or will they say, “Because there is no agreement, there can’t be any progress”, which I understood was the Government’s policy?

James Wharton: Of course we want to find consensus. Tempted as I am to go down the route of discussing individual proposals in too much detail, there is no intention to set out here or at any other time some sort of rule that would allow districts always to determine what happens, or counties always to determine what happens. We want to talk with local areas, take representations from those local authorities and local people, from local enterprise partnerships and, of course, from hon. Members representing those areas to build a consensus as to how best we should go forward with this process. The Secretary of State will apply a statutory test, which I will talk about later, but I hope I can at least give my hon. Friend that reassurance.

Mr Chope: I am grateful to my hon. Friend, so far as it goes, but basically he is saying that the Government will now decide. A few months ago the process was to be bottom-up, driven by the local councils: if they wanted change, they would be able to introduce change. Now we are told that nobody will be able to dictate, neither a borough council nor the county council, but ultimately the Government will decide. This is a significant change of Government policy, announced in the form of a manuscript amendment to amendment 56.

Sir Edward Leigh: This is an interesting triangular discussion and it is terribly important. What I think my hon. Friend is looking for, and what I am looking for—again, the Minister can intervene on my hon. Friend—is an assurance that if either Dorset County Council or one of the district councils does not want change, that would effectively be a veto, and the same would apply to Lincolnshire and other rural areas. In other words, change would proceed only by consensus. The Minister says he wants to proceed by consensus, as I understand it, and that is extremely important. Again, he can intervene on my hon. Friend.

Mr Chope: I am grateful to my hon. Friend. Friend for his intervention and for his suggestion that we might be able to find a modus operandi between the two of us, who are very concerned about this, and the Minister, who I know is doing his best to give us assurances which will enable us to support amendment 56, as amended by the Government, rather than dividing the House on it. I am happy to give way once more to the Minister if he is able to give the sort of undertaking that my hon. Friend the Member for Gainsborough was suggesting he might like to give.

James Wharton: Thank you. Friend for giving way. I will talk more about this issue when I speak to the new clause and amendment later. It is important to be clear that this is not about allowing areas to veto. We want to allow flexibility to build that consensus. The Government’s intention is to work with local areas to deliver economically sensible areas of devolution, with structures that sit beneath them that allow those things to be delivered and that potential to be realised. So it is not about giving one area or another a veto or taking a particular mandated approach; it is about having the flexibility to deliver what different areas need. That is what the amendment allows, which is why we are looking at it so closely and are keen to see it discussed further and delivered as part of the Bill.

Mr Chope: I am grateful to my hon. Friend for that intervention, but I am afraid that what he said goes against the position that we have already established, which was explained to me by the Secretary of State—namely, that the Government were not pushing any of this agenda, but that this agenda could be promoted by individual councils if they wished and if they had the agreement of their neighbouring councils. Now we are told that it no longer depends on their having the agreement of their neighbouring councils, but that the Government will intervene if they think the consent of a neighbouring council is, for example, being unreasonably withheld. That has not been spelled out yet in the legislation, but it is implicit in what the Minister says—a completely different proposition from what we had before.

This is a sensational change in the Bill, because up until now we had been told that the Government were neutral and that they were enabling councils to do what they want. If this measure goes through as the Government obviously want it to do, one of the consequences is that between now and 2019, in counties such as Dorset, instead of getting on and running local services for local people, the councillors and their officers will be preoccupied with arguing the toss about new structures—structures which, as I have already said, were established 20 years ago and have not been criticised at all. Small councils such as Christchurch Borough Council—the ancient borough—are threatened with losing their independence. Likewise, East Dorset District Council is threatened with losing its independence, ultimately at the whim of the Government.

This is all done, supposedly, in the name of devolution, but a district council is a highly devolved body because it is close to the local people. It decides those all-important planning applications in accordance with the wishes of the local people. I see my hon. Friend the Member for Bournemouth West (Conor Burns) in his place. He will know that one of the reasons that Bournemouth has great tower blocks on its clifftop is that for many years it has had a different planning policy from that of Christchurch, which has an equally delightful clifftop but has not wrecked it by allowing enormous tower blocks on it. That is why Highcliff is still an attractive place in which to take a holiday, like Friars cliff and other places in Christchurch, which are gems on the south coast.

7.15 pm

Conor Burns (Bournemouth West) (Con): My hon. Friend is making a characteristically robust speech. I am slightly concerned that he does not seem to be taking account of the fact that there is a very good photograph of the four leaders of the four local authorities that he refers to, shaking hands about wanting to explore coming together in a new formation. Surely localism is exactly what the Government are doing—providing them with the opportunity to do that. True localism would be for us to let them get on with it.
**Mr Chope:** It is interesting that the opposition leader on Poole unitary authority said he thought it was important that this issue should be dealt with by the people of Poole and that there should be a local referendum. That was pooh-poohed by the leaders of Poole and Bournemouth. My hon. Friend refers to leaders, but we must ensure that the leaders accurately reflect the wishes of local people. At present they have no plans properly to consult the people of Christchurch, East Dorset, Bournemouth or Poole. They are just rushing into some discussions. If those discussions are given the extra momentum that the Minister wants to give them by accepting amendment 56, they will create enormous anxiety among the people in my area.

Christchurch and East Dorset have recently had a local plan inquiry. They now have a new local plan, under which they are able to preserve most of the green belt in their area. My constituents are very jealous of the green belt. Why is it that Poole and Bournemouth want to get their hands on the land in East Dorset and in Christchurch? It is so that they can impose their planning policies on the green belt and expand outwards into our area. That is the perception of my constituents and that is why they are so concerned about it. Up until today, I have been able to say, “Don’t worry. That is never going to make any progress,” because I know for a fact that Dorset county council regards as anathema the idea that it should have two boroughs within its two-tier system taken away from it, because that would make Dorset county council less viable. I had assumed up until now that that would give Dorset county council a veto and therefore that none of these half-baked ideas would make any progress.

**Mr Skinner:** The situation is very difficult, and it is pretty clear that the Government are making decisions on the hoof. It is almost a fag packet job. I live in and represent an area that is involved in two of these structures. One of them is dominated by Sheffield and the four adjoining council areas of Barnsley, Rotherham and so on. That is now attracting the attention of at least three, maybe four, councils in north Derbyshire—Bolsover, Chesterfield, North East Derbyshire and possibly Derbyshire Dales. On top of that, there is the D2N2 power structure which covers Nottinghamshire and Derbyshire. It is time that the Minister got to his feet and explained precisely what will happen if Sheffield demands the powers that currently reside with Derbyshire County Council around transport and takes them away from the county. We have got two power structures both vying for the same thing. Although Dorset is complicated, this is even worse.

**Mr Chope:** I instinctively think that the hon. Gentleman is right. I say that not only because I have on my wall at home a picture of his constituency that was presented to me by his council when I was a junior local government Minister—a picture that I chose—but because I think that his experience means that he understands the complexity of these issues and their potential impact on ordinary people.

The Government can sometimes give the impression that they get rather intolerant of those us who want to raise issues such as this.

**Graham Stuart:** I have tried to follow this closely but I may not have understood amendment 56, which I am trying to square with the assurances from the Minister. If his assurances are right, why would the Government support amendment 56, which will allow the imposition of this if only one affected local authority says so?

**Mr Chope:** My hon. Friend makes a good point, and perhaps the Minister will reply to it. If we are talking about genuine consensus—in other words, agreement between local authorities—then we do not need amendment 56, which is designed to enable the Government to intervene when some local authorities do not do as the Government think they should be doing. That is essentially what this is about. We might as well face up to the reality that this is a very centralising part of the Bill because it brings power back to the Government to enable them to change the structures of local government boundaries in areas such as Dorset.

**Sir Greg Knight** (East Yorkshire) (Con): Further to the point made by my hon. Friend the Member for Beverley and Holderness (Graham Stuart), if amendment 56 is accepted, could it not, despite the promises from the Minister, be used as a lever against a recalcitrant council to say, “You’d better fall into line or amendment 56 will be brought into play”?

**Mr Chope:** My right hon. Friend knows all about levers, having been a deputy Chief Whip. That is exactly how I envisage this power being used. I am sure that that is why there was an attempt to smuggle it through at the last minute. Now we are, I hope, exposing it for what it is, which is a power grabbed by the Government to try to ensure that they can have the final word and beat their stick against a council that is not doing as they wish it to do.

**Bob Stewart** (Beckenham) (Con): I am making the assumption that my hon. Friend would support the amendment proposed by my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) to have a referendum.

**Mr Chope:** Absolutely. I am very supportive of that amendment, but I have not yet had a chance to talk about it because I am so concerned about amendment 56 and amendment (a). I am not going to restate the case about the referendum, but I think it is a necessary safeguard.

If we look at the history books we see the unintended consequences that can flow from local government reorganisation. It was only because Wandsworth council started a campaign to abolish the Inner London Education Authority that education was given back to the inner-London boroughs, which were then able to gain economic growth as a result of having good-quality education within their boundaries. The same thing happened with the Greater London Council. The Greater London Council was interfering in the lives of the boroughs in inner London and outer London, so those in charge of the boroughs at the time persuaded the Conservative Government to abolish it. As a result, parks such as Battersea park are run by the local authority—Wandsworth council—rather than by a remote authority for Greater London.

If we are not going to put proposals like this to the electorate, we must have the necessary safeguards. None of this stuff was in our manifesto. There was no suggestion that a Conservative Government were going to restructure local authorities so as to try to squeeze out small...
councils that are closest to the people. If we are not going to test this in a general election and amendment 56 is going to be on the statute book until the end of March 2019, it is all the more important that we should be able to have the safeguard of a referendum—the very safeguard that the Poole People party and the Liberal Democrats have sought, in vain, from the leaders of Poole, Bournemouth, East Dorset and Christchurch Borough Councils.

We are on the threshold of a big spat at local government level between different councils at different tiers and different councillors with different personalities and political parties. This threatens completely to preoccupy local government for the next three or four years. We will look back and say that this all started with the Government wanting to interfere in areas where they should not be interfering at all. They should be trusting local councillors and local people to decide what is best for them. They should not be taking away from Dorset County Council or East Dorset District Council, for example, the power to veto any proposals to change the boundaries in which they operate.

I very much hope that the House will not accept amendment 56 as proposed to be amended by the Government but will push them back to their previous position, which was that this is genuinely for local councils and local people to decide, and the Government are not going to interfere.

Graham Stuart: I will try to keep my comments brief, because contrasts are always a pleasant thing. It is a pleasure to follow my hon. Friend the Member for Christchurch (Mr Chope), who spoke powerfully about this issue.

Jon Trickett: And lengthily.

Graham Stuart: And at length, it has to be said.

I want to tell the House about something that happened in the East Riding of Yorkshire. For many years, people who think about these things have looked at the boundary of the city of Hull and thought it is too constrained and has too little of the hinterland within it. A lot of people thought that it would make sense for it to be expanded, but East Riding of Yorkshire Council is a very successful council and the residents are relatively happy with it. The city of Hull announced that it would set up a commission to look at the boundaries—in effect, at the possibility of Hull expanding outwards. It did so with little or no involvement from East Riding of Yorkshire Council. The response of the council was to call a referendum for the surrounding communities of Hull to see what they thought. This was a one-off referendum: nothing else was going on at the same time. One might think that the arcane issue of boundaries could occasionally capture the public imagination, but generally people would just accept a sensible top-down solution given to them by leaders and Governments and so on.

We need to be careful. I do not have the figures to hand, but, off the top of my head, there was a 75% turnout and a Ceaușescu-esque election result—96% said that they did not want the expansion to go ahead. I mention that in the context of amendment 56 and the argument that, because not all councils are quite in line, perhaps all they need is a little push to get a sensible result. We should be remarkably sensitive to how strongly the population can feel about such things.

7.30 pm

Expanding Hull is not an utterly absurd idea—it is not necessarily evil. People sat quietly, the letters of the local papers were not full of it and nobody talked about it in my street surgeries, yet when they were asked 96% of three quarters of the population said, “No, no, no”, to the three questions. I add that to the debate to illustrate just how sensitive we ought to be and how easily this could spiral out of control and cause political difficulty and real dissatisfaction.

Sir Greg Knight: Does the experience of the East Riding and Hull referendum lead my hon. Friend to be in sympathy with amendment 56 or against it?

Graham Stuart: It leaves me in a position of having profound doubts about amendment 56. I really appreciated the Minister’s interventions setting out what the Government want to do. The police reorganisation under the previous Labour Government was top down and people did not like it. It is not that we are neutral—my hon. Friend the Member for Christchurch was wrong to say that the Government have always said they would be neutral. The Government have a position and a vision, but I think it is much smarter to offer reassurances and tell people that, whatever we think, we are not going to push it on them, because we have seen that that does not work. People have to consent to it. There will be difficult council leaders who we will think are being a pain because of their own individual interests, but we should bind our hands and restrain ourselves from just pushing them aside. We need to listen and say to everybody, “Unless you can bang heads together yourselves and get a consensus, we’re not going to come piling in, because we’ve seen where that ends up.”

It might be a Labour Government’s instinct to think that they know better than the people, but it should be a Conservative Government’s instinct to recognise that they do not know better and that even if, in their opinion, the people are wrong—and history might show that they were wrong—it is the people who get to decide, and if they feel strongly about something that should be respected.

Mr Chope: Will my hon. Friend give way?

Graham Stuart: My hon. Friend has had a fair crack and I am going to sit down.

Mr Steve Reed (Croydon North) (Lab): This group includes a number of new clauses and amendments, so I want to focus primarily on those in my name and those of my hon. Friend, although I will also touch on some of the others as I go along. I do not want to detain the House for too long and there is quite a lot of ground to cover, so I shall try to romp through it at a reasonable pace.

New clause 10 proposes votes at 16. The Government seem to be a little confused on this issue: the Secretary of State has said that there is a debate to be had; the Minister for the northern powerhouse says there is not; and the Prime Minister is against it altogether. Yet we
know that the Government are considering it for the European Union referendum and that they supported it for the Scottish referendum.

There are more than 1.5 million 16 and 17-year-olds in the UK. They can get a job or an apprenticeship, get married, pay taxes and join the armed forces, but apparently they are not responsible enough to be able to vote for their local councillor to take decisions about the local services in the area where they may well have bought a home and live with their family. The Bill is the ideal place to bring about change. Incremental change is how the British constitution develops, and allowing votes for 16 and 17-year-olds in local elections seems to me to be a good place to start.

The Electoral Reform Society argues that lowering the voting age will improve registration rates. Nearly 90% of eligible 16 and 17-year-olds registered for the Scottish independence referendum, and a high proportion of them took part in it. Research in other countries suggests that the turnout rate for 16 and 17-year-olds is higher than that for 18 to 34-year-olds. Establishing the habit of getting involved and voting in elections at an early age makes a lot of sense if we want people to continue voting throughout the rest of their adult lives. The Scottish referendum set the precedent. It is unreasonable to extend the vote in one part of the Union and not in another. Local elections suffer from low turnout, so that is a good place to start, but if the Minister thinks that this is not the time to introduce the change, perhaps he can answer the question: if not now, when?

On new clause 11, the Government have been very unclear about plans to devolve fire and rescue to mayors or police and crime commissioners, but we know that the Home Office is pushing for it and it is included in the Greater Manchester devolution deal. Our new clause calls on the Secretary of State to publish a review of how the Bill affects fire and rescue services. As we have seen over the weekend, and as we heard in the flooding statement earlier, the fire and rescue service is doing an incredible job, despite extremely severe cuts that have limited its capacity and reduced the number of jobs by almost a third. The cross-party Local Government Association believes there is “no pressing need” for police and fire services to merge. Any changes of the kind being considered will heighten public concerns about safety. The new clause would simply add a level of scrutiny and oversight to the provisions, so I hope that the Secretary of State and, indeed, the Minister will welcome and support the proposal.

Since 2010, local government has faced cuts of 40%, and last month’s spending review imposed a further 56% reduction in central support to councils. We know there will be changes to business rates once they are localised, and we were promised details in the autumn statement about how an equalisation mechanism would work, but no such details were given. Councils have simply been left to plan their future budgets in the dark, despite cuts on a scale that they have never been asked to deal with before. The LGA has warned that local authorities are struggling, and that is even before the spending review hits them. Lord Porter, the Conservative chair of the LGA, says:

“We know we’ve got probably 12 or 14 councils that are very close to the edge now.”

They need to know what is going to happen to them in future if they are going to be able to avoid falling off the edge of that particular financial cliff.

The funding settlement is deeply unfair. The 10 most deprived communities have suffered cuts that are 18 times higher than those made to the least deprived communities. Councils with the highest rates of children in care have suffered cuts that are three times higher than those made to councils with the lowest number of children in care. Although Labour councils are disproportionately hit by the cuts, they are also the ones that are protecting front-line services. Tory councils have shut half their youth services since 2010.

The unfair funding settlements are made worse by England’s local government finance arrangements, which are among the most centralised anywhere in the industrialised world. Councils lack the freedom to innovate so that they can spend on local priorities. Even London, which currently is more devolved than anywhere else in the country, is reliant on central Government funding for three quarters of its revenue. That is far higher than 30% in New York and just 25% in Berlin. London is the world’s greatest city, and yet this Government insist on keeping it on far too tight a financial leash. The Communities and Local Government Committee concluded that local authorities in England “have limited control over local taxation and, as a consequence, rely...disproportionately on central Government funding.”

Our new clause 13 does not prescribe a particular settlement, but calls on the Secretary of State to publish plans for a package of fiscal and financial devolution that addresses three areas. First, on business rate retention, councils need an equalisation mechanism to ensure that those communities with the least capacity for economic growth are not left to sink. Labour supports the localisation of business rates, but it has to be done in a way that incentivises areas to grow, without penalising areas that have less capacity to do so at the time or in the future.

Ministers promised at the Dispatch Box that details of the equalisation mechanism would be made available during the autumn statement, but that did not happen. It still has not happened and we have not been given a date by when it will happen. We simply cannot allow rich communities to get even richer while everywhere else struggles to provide basic services. The new clause calls on the Secretary of State to introduce an equalisation mechanism to ensure that the least well-off are not hammered by the change.

Graham Stuart: The hon. Gentleman, as an expert in this area, will be aware that people in rural areas are on average poorer than people in urban areas. He will also be aware that his Government—the Government of his predecessors—left a system in which there was 50% more support per resident in rural areas, which are wealthier than rural areas, than in rural areas, and that it is more expensive to deliver services in rural areas. It is no surprise that we are not seeing the same reductions in services in rural areas as in cities, because such services do not exist in the first place. His party left it that way. Are Labour Members now committed to a fairer system?

Mr Reed: The hon. Gentleman seems to support my case for a fair equalisation mechanism, which I am pleased to hear.
If the powers are agreed to this evening, they must be used with extreme caution. Where a potential combined authority is divided on the details of a deal, which it may well be, local co-operation must be the preferred way forward. I would welcome a statement by the Minister or the Secretary of State to that effect. Our amendment 58 would reintroduce the change made in the Lords, stipulating that devolution deals cannot be made dependent on having a mayor. That view has support from Members on both sides of the House, as we have heard again this evening.

On amendment 59, we discussed the general power of competence earlier. The Localism Act 2011 introduced the general power of competence, which was intended to give local authorities more power and freedom to innovate. That is a good idea, but LGA research shows that the power is “limited by significant constraints set by central government”, and that local government needs far more independence from interference by central Government. The constraints the LGA identifies are financial, structural and regulatory. Our amendment encourages the Secretary of State simply to review the power of general competence to learn how to make it more effective and to encourage greater take-up than the disappointing level so far.

7.45 pm

Finally, on Government amendment 27 and associated amendments, amendment 27 would allow districts to join combined authorities without the consent of their county authority and vice versa. Our general approach to the Bill is that decisions should be in the hands of the local area and the local people affected. That has shaped our view on models of governance and on the amendment.

Districts or counties should be free to join combined authorities if that is their preference.

We want the Secretary of State to confirm that he is aware of and understands the risks and will build in appropriate safeguards, especially in relation to manuscript amendment (a) to amendment 56, by which the Secretary of State will take the power to impose a decision. That seems a little draconian, and we need to hear that it would be used only in extreme circumstances. Authorities outside the arrangements need protection to ensure that they can remain viable after any change is made. We would welcome assurances from the Secretary of State that the powers will be used only in exceptional circumstances, and that seeking consensus will always be the priority. Will the Minister also confirm that where districts that are part of a county choose to participate in a neighbouring combined authority, their electors will still have a vote in elections for the county council, the authority in which the district lies?

I look forward to hearing the Minister’s response on those points. I give notice of our intention to test the will of the House on amendment 58, which would allow devolution deals to be agreed without the pre-condition of accepting an elected mayor, and on new clause 10, which seeks to lower the voting age for local elections to 16. In our view, these changes would greatly strengthen the Bill, and I hope that they will succeed.

James Wharton: The watchword throughout the debate in Committee and, indeed, today has been “consensus”, but I never thought that it would be consensus between the hon. Member for Bolsover (Mr Skinner) and my hon. Friend the Member for Christchurch (Mr Chope). That goes further than I anticipated we could achieve.
Mr Skinner: Will the Minister give way?

James Wharton: I will give way when I touch on some of the points discussed earlier if the hon. Gentleman wants to comment at that stage.

As I have already spoken about new clause 1, I want to talk about new clause 5. It proposes that a commission be set up to consider devolving tax and fiscal powers to local level. I well know that the hon. Member for Nottingham North (Mr Allen) is an advocate of devolving power from central Government, so he will be familiar with the successive inquiries that have covered similar ground to what he proposes. I therefore do not think that a further inquiry into tax power devolution to local government would serve a particularly useful purpose at this time, although I recognise, as always, his consistency and eloquence in bringing such matters before the House. I hope that he will not press his new clause 5 when we reach the end of this group of amendments.

Mr Graham Allen: Given that there is now no need for an inquiry, since there is a precedent in Scotland—I congratulate Scotland on being able to retain an element of income tax—there is nothing in the water in England to stop us having income tax assignment as well. On the basis that there is now something stronger than an inquiry in the form of a precedent, approved by the Treasury and by this House in the Scotland Act 2012, I gladly agree not to press new clause 5.

James Wharton: I thank the hon. Gentleman. I recognise what he says. There are complexities in devolving such matters to local government, but I am sure he will continue to argue, as such matters are discussed, that he wants those complexities dealt with in reality, rather than just in theory.

New clause 8, tabled by my hon. Friend the Member for Altrincham and Sale West (Mr Brady), would provide a cooling-off or probationary period for the conferral of functions from a local authority to a combined authority. I know that my hon. Friend has raised that issue in discussions during previous stages of the Bill, and that it is of great interest to him.

I can see the attraction that the flexibility to reverse a conferral of powers might have for an individual local authority, but there are considerable downsides. The very fact that the combined authority might be responsible for those powers for only a year or so might be conducive to little action being taken under what would perhaps be perceived as a temporary conferred function. The combined authority would almost certainly be reluctant to base any investment or other major activity on a function that it could lose in a few years’ time. Moreover, partners, whether businesses or other public bodies, would almost certainly be reluctant to enter into arrangements that could so quickly be reversed. We consider, therefore, that it would be very doubtful that activity within that probationary or cooling-off period of any such conferral of powers would give a realistic picture of how a combined authority might operate in the future or of the full range of improvements that might be achieved.

We consider that a better alternative, if local authorities are not sure whether they wish to confer a specific power, would be for them to trial such joint working across the area of a combined authority through informal arrangements, such as a shadow combined authority or joint committee. Those models are available to local authorities and combined authorities without the need for secondary legislation to be made. Therefore, I ask my hon. Friend the Member for Altrincham and Sale West not to press new clause 8 to a Division of the House.

New clause 10 seeks to reinstate the clause that was inserted in the other place to amend section 2 of the Representation of the People Act 1983 to lower the minimum voting age from 18 to 16 for the local government franchise in England and Wales. We debated that provision at length when we last met in Committee, after which we agreed to remove the clause by a significant majority of 95. The message was clear then and it remains clear now.

We have discussed quite widely the age of majority and the things that 16 and 17-year-olds are able to do or are prevented from doing by law. It has been suggested that because young people are politically engaged, and quite rightly so, they should be given the vote. That is a conclusion with which I do not agree. The debate has exposed the wider truth that there is a range of views, many of which are enshrined in legislation, that can best be described as encompassing the transition from childhood to adulthood. There is probably no clear point at which a person becomes an adult, but it is at 18, not 16, that society normally draws the line.

Any change to the entitlement to vote must be considered properly. We should not make piecemeal changes to the franchise. We cannot make changes and simply assume that there will be no implications for other areas where our laws and our society treat 16 and 17-year-olds differently. The voting age for UK parliamentary and local elections is set at 18. The age that is used in most democracies is 18. The Government have no plans to change it. Indeed, my right hon. Friend the Member for Wokingham (John Redwood) reminded the House last time we debated this matter that we have no manifesto mandate to do so. Recognising that the shadow Minister says that he intends to test the will of the House on this issue, I encourage all hon. Members to support the Government and oppose the reintroduction of this clause.

New clause 11 requires that the Secretary of State must, within 15 months of the Bill being passed, publish a review of the fire and rescue services affected by the provisions of the Bill. The new clause is not necessary. Devolution is about enabling local areas to determine how best their services are delivered. It is therefore only right that fire and rescue authorities, in agreement with local partners, should decide how and when to review and assess how the provisions of the Bill may affect fire and rescue services. I remind hon. Members that the requirements of the fire and rescue national framework will continue to apply. With those explanations, I hope the Opposition will not press the new clause.

Turning to new clause 13, we are already taking major steps to devolve local taxes and have only just set out plans for a radical devolution of fiscal powers. By the end of the Parliament, the local government sector will retain 100% of local taxes to spend on local government services. For the first time in decades, local areas will see the full direct benefit of business rate growth in their local area. We will also grant new powers to directly elected mayors and to authorities. We will give all local authorities the power to reduce business tax rates to support businesses in their areas. As was confirmed in
We are not forcing this on anyone or on any place. Mayors.

We are not forcing this on anyone or on any place. Mayors.

New clause 14, which was tabled by the Opposition, would require the Secretary of State to issue guidance to combined authorities on co-operation with peripheral authorities. I do not believe that it is necessary or appropriate. Before making orders establishing a combined authority and orders devolving new functions to such an authority, the Secretary of State must consider that to do so is likely to improve the exercise of statutory functions in the area or areas to which they relate. Additionally, Parliament must approve such orders.

The new clause seeks to provide a further requirement about how, once established, a combined authority should go about the exercise of functions devolved to it. As with local authorities, combined authorities must have regard to all relevant considerations in taking their decisions. Just as local authorities cannot be blind to the impact of their decisions beyond their boundaries, nor can combined authorities. Neither local authorities nor combined authorities can be ignorant of what happens beyond their borders. We do not have these provisions for local authorities and it is the position of the Government that we should not impose them on combined authorities. Therefore, the new clause is neither necessary nor appropriate. I hope that the House will agree.

Amendments 4, 5 and 6 were tabled in response to an amendment tabled in Committee by my hon. Friend the Member for Altrincham and Sale West. The first of those amendments will ensure that the Secretary of State’s annual report on devolution to Parliament includes information on the extent to which powers that have been devolved to a mayor remain exercisable by a Minister of the Crown. Amendment 5 is a consequential amendment to amendment 4, while amendment 6 defines the phrases “combined authority” and “Minister of the Crown”. Although it is the Government’s intention that functions should be devolved as widely as possible, there may be circumstances in which they should be exercised either jointly or concurrently. With those explanations, I hope that hon. Members will accept amendments 4, 5 and 6.

If amendment 58 were accepted, it would mean that any transfer of functions to a combined authority must not be dependent on the combined authority having a mayor. In its intent, it is similar to the provisions of the old clause 3, which the Committee voted to remove from the Bill by a majority of 81. That provision imposed a specific requirement that a mayor could not be a precondition for transferring functions to a combined authority. As I told the Committee, that provision was at odds with our manifesto commitment, and amendment 58 is too.

In our manifesto, we committed to “devolve far-reaching powers over economic development, transport and social care to large cities which choose to have elected mayors.” However, if an area wants to have a devolution deal of the scale and ambition of Greater Manchester’s, we do expect a mayor to be part of the deal. The effect of Government amendment 58 would be to stop our pressing that manifesto policy. It would potentially put the whole future of devolution at risk of challenge. It is an amendment to which we are wholly opposed and that we hope will not be successful should the House choose to divide on it.

Amendment 2 provides that a combined authority mayor can be established only after a referendum. I listened with great interest to the comments of my hon. Friends the Members for Hazel Grove (William Wragg) and for North East Somerset (Mr Rees-Mogg). My hon. Friend the Member for North East Somerset was, as ever, persuasive and eloquent, but on this occasion, I am afraid to say, he was not quite persuasive enough. The amendment would require the Secretary of State to make regulations governing the conduct of such referendums and to consult the Electoral Commission before doing so. We had an interesting debate on the first day of Committee about this very matter. I recognise that I was repeatedly challenged by Members from both sides of the House about the degree of choice for local areas.

While I do not seek to reopen that debate, I must make it clear again that the Bill does not give the Government the power to impose devolution or a model of devolution in any area. The decision to approach the Government with a proposal for the devolution of powers and the decision on the degree of devolution required are entirely local ones. By the same token, we have always been clear that where areas make that approach to negotiate the significant transfer of powers, like the powers agreed with Greater Manchester, we would expect a mayor to form part of the mix, as that provides the levels of leadership and accountability that are necessary to ensure the effective delivery of such a deal.

Mr Rees-Mogg: Will the Minister clarify what he has said about nobody being forced to go down this route? Does that mean that, under amendment 7, an objecting constituent council would not be part of the mayorality?

James Wharton: To clarify for my hon. Friend, areas will not be forced to be part of a devolution deal. If a mayor is part of a devolution deal and a local council does not want to be part of it, the council will not be forced by anything that the Government intend to do or can do to be part of that combined authority or devolution area. It is a matter of building local consensus and giving local people the choice.

Mr Rees-Mogg: So if a council is part of a combined authority and it objects to there being a mayor, but the majority of members of the combined authority vote for a mayor, the council will leave the combined authority and will not be any part of any combined authority or of the mayorality.

James Wharton: My hon. Friend is correct. Where an existing combined authority and a number of the local authorities within it want to make a deal but one or more do not, we want flexibility so they are not forced in any way to enter into a deal with which they do not agree, but are instead able to leave and not be part of that devolution deal.
Holding a referendum on the narrow question of whether there should be a mayor risks not fully recognising the choice that is to be made. It also fails to recognise the role of those who have been elected by people of their area to represent them, and to make the necessary decisions to safeguard their wellbeing and the prosperity of the area. Of course, those democratically elected locally will want to have regard to the views of communities and businesses in their area, and of the voluntary sector and those who live and work there, but we should have the confidence in those who are elected in those areas to grasp the opportunities that the Bill makes possible, to consider the degree of devolved power that is appropriate and deliverable in each of their areas, to enter into negotiations with Government and, in what is a fast-moving environment, to take the decisions that will best deliver the economic growth and development they have already been mandated to deliver.

8 pm

Our democratic traditions do not demand the approach provided for by the amendment, although I recognise the ingenious way in which my hon. Friend the Member for North East Somerset argued that we were perhaps transitioning to a place where they would. I do not think we are in that place yet. Indeed, the approach we have in the Bill, on the choice for a combined authority mayor to be made by councils, is exactly the same approach that is open to councils for choosing a local authority mayor. For those reasons, we cannot accept the amendment.

Mr Andrew Turner (Isle of Wight) (Con): I am very concerned that the Isle of Wight and Hampshire may or may not be subject to the rule about a mayor. What are the Minister’s proposals on that?

James Wharton: It is entirely a matter for the Isle of Wight whether it would like to be part of any devolution deal. That would not be imposed on any area. Which areas we would want to see a mayor in as part of a deal, would depend on the deal and what was being asked for in the discussions that took place. There is no single fixed model that we would look to apply, cookie cutter-like, to different communities, but I assure my hon. Friend that if the Isle of Wight did not want to be part of something and felt it would not serve its interests, there is nothing in the Bill that would allow us to compel it to do so.

Amendment 57, tabled by my hon. Friend the Member for Altrincham and Sale West, would enable a local authority to leave a combined authority, and, should that happen, provide for a fair division of resources. The existing combined authorities legislation, section 106 of the Local Democracy, Economic Development and Construction Act 2009, and the Bill already enable an order to be made to remove a local authority from a combined authority with consent from the area, agreement from the Secretary of State and approval from Parliament.

There would, of course, be a number of practical issues to deal with before making such an order: for example, setting up alternative operational arrangements, working out how to divide budgets and any contractual arrangements. However, the 2009 Act and the Bill provide for that. If an order is made to remove a local authority from a combined authority, it must specify an authority to become the local transport authority. The Bill provides further powers to enable such an order to transfer combined authority functions to another public authority or to be ceased.

We consider that the provisions provide all the powers and flexibility necessary to enable a local authority to leave a combined authority, where that is wanted locally; where the Secretary of State considers that to do so is likely to improve the exercise of statutory functions, and has regard to the need to reflect the identities and interests of local communities, and to secure effective and convenient local government; and where Parliament approves the making of such an order. With those assurances, I look to my hon. Friend not to press the amendment.

I now turn to amendments 7, 8, 13, 15, 18, 19, 20, 26 and 54. The Bill already enables one local authority to be removed from a combined authority if it does not wish to agree to the combined authority’s proposal to adopt a position of mayor. I look to my hon. Friend the Member for North East Somerset, who I know from his earlier comments has a particular interest in this matter. The amendments extend the provisions and would mean that, if one or more councils within a combined authority do not wish to adopt particular aspects of a devolution deal, but the combined authority and other councils within it do, then the area of the combined authority is changed to remove the council or councils that do not wish to participate.

Norman Lamb: I would like the Minister to reassure the House that the emphasis will be—I think the shadow Minister made the point in his contribution—on consensus and that we should only get to the point of imposing this if all else fails. Will the Government issue guidance to ensure that the emphasis is on local agreement?

James Wharton: The emphasis is absolutely on local agreement and consensus. There is no power to impose devolution structures on areas that do not want to be part of devolution. Indeed, the amendments will ensure that areas that do not want to be part of a deal are able to leave that combined authority should they wish to do so. The amendments give greater flexibility to existing combined authorities to implement devolution deals, and to build further on the flexibility of the enabling approach in the Bill.

On amendment 9 and amendments 11, 12, 14, 21, 22, 23, 24, 25, 27, 28, 29 and 50, they are designed to simplify and harmonise the Bill’s provisions relating to the consents needed locally before powers can be conferred or exercised. We have tabled them in response to issues raised during earlier stages of consideration of the Bill in the House. They will standardise the provisions, so that the default position would require the constituent authorities and the combined authority to consent before secondary legislation is made. An exception is that for the dissolution of a combined authority, the consent of a majority of the constituent local authorities is required before such an order can be made. This simply retains the status quo.

I will now speak to amendments 27, 32, 33, 52 and 53, which further increase flexibility within the Bill’s provisions to enable combined authorities to be established and functions conferred. We are bringing them forward in response to our discussions in Committee,
where some hon. Members outlined particular challenges in their areas. As is clear, the amendments do not in themselves change any combined authority in any place, but provide the flexibility to allow agreements to be made and delivered.

Mr Skinner: The Minister will know I have already referred to the fact that there are two different contending authorities or joint authorities in our area. One is Derbyshire and Nottingham, D2N2, and the other is Sheffield and Barnsley. There are several unitary district councils associated with that bid. Sheffield may want to take highways and transport from Derbyshire County Council. The unitary authorities of Bolsover, North East Derbyshire, Derbyshire Dales and Chesterfield are all involved with that county council in relation to social services and various other matters. We therefore need an assurance from the Minister—I know he has just been talking to the Secretary of State—that makes it clear that for Derbyshire County Council the circumstances, in electoral processes or in any other way, will not change. Is it yes or no?

James Wharton: I think the assurance I can give the hon. Gentleman is that what is done will proceed by consensus. We will look to talk to local areas about the different deals they want. The temptation in debates on Bills such as this is to look at the individual deals in individual areas. The Bill will enable us to have maximum flexibility to respond to local demand and local desire for devolution to deliver deals that will stand the test of time. I am unable to talk in detail in this particular forum, given the amendments and new clauses we are discussing, on what is proposed specifically in individual areas or the hon. Gentleman’s concerns, but I would be very happy to meet him to discuss any particular issues he wants to raise. I can assure him that the intention is to find consensus and build on it to deliver the devolution agenda.

Julian Sturdy: We need to ensure we get the safeguards and assurances on amendment 27, so that however well-meaning it is—I do not doubt what the Minister is trying to achieve—it will not have knock-on consequences for county councils in areas where we are trying to deliver devolution deals based on economic, rather than political, grounds.

James Wharton: My hon. Friend has discussed with me outside this Chamber some of the issues of interest to him in his area, for which he is an effective advocate. I can absolutely assure him that the intention is to find consensus and the right solutions for each area. We need flexibility in the Bill to deliver that. Where there are real concerns, far from being ignored they will very much be heard and acted on. I know some of the issues he raises in relation to his area. I am happy, as always, to meet him and his colleagues to discuss them as things progress, but there is no desire to do anything to areas—indeed, quite the opposite. This is about areas asking for things that we can then deliver. The Bill will give us the flexibility to deliver them.

Mr Skinner: Will the Minister give way?

James Wharton: I need to make progress as I am very conscious of the time.

I thank hon. Members for tabling amendment 59 relating to the Localism Act 2011. The amendment would not only impose a requirement to publish a report on the performance of the Act but require the Secretary of State to undertake a review of the general power of competence in relation to its use by combined authorities. The amendment is not necessary.

Jon Trickett: I am grateful to the Minister, who is making an articulate exposition of his position, for giving way. Were some districts in a county area to attach themselves to a great city, would he envisage the possibility of the county taking a different shape—in other words, Derbyshire or any other county in the same category ceasing to represent all the areas they currently do?

James Wharton: The intention is to deliver what local areas want, and therefore the Bill gives us the flexibility to ensure that the county would not need to be reshaped, but equally, where that was wanted, it would give us the flexibility to deliver it. That is the point of the Bill, as an enabling Bill. We want to proceed by consensus, because that is how devolution will last.

Amendment 1 would enable the Secretary of State to make provision in secondary legislation to require all local authorities in the area of a mayor and combined authority to undertake a community governance review within two years of the Act coming into force. Whatever the merits of “parishing” an area, I do not believe the amendment is necessary or appropriate. I recognise the desire for further devolution and for the devolution debate to continue, including on the role of more local decision making and parishes, but this is not the time or place to go down the route set out in the amendment. I hope, therefore, that hon. Members will agree not to press it.

Mr Allen: I will be delighted not to press amendment 1, if the Minister can tell the House what shape or structure will be in place to pull together the best practice from all 34 devolution deals for drawdown by those who wish to do further deals.

James Wharton: We will be talking about that with the LGA and other interested parties, but we are still in the process of delivering those deals and it would be against the spirit of devolution were we to announce the format for such a forum. I recognise the hon. Gentleman’s comments, however, and the value that such a forum could bring. I am happy to put that on the record. It is our intention to have those discussions and to develop something that has broad agreement.

My hon. Friend the Member for Carlisle (John Stevenson), who cannot be with us today because of the terrible flooding that has afflicted his constituency, has tabled amendment 56, which would enable the Secretary of State to use a fast-track process for unitarisation or boundary changes in a particular area. I suspect I am going to take a few interventions on this amendment, but I wish to highlight this point: it enables a fast-track process and streamlines the use of existing powers; it does not bring in powers that do not already exist. He tabled a similar amendment on the first day of the Committee of the whole House, with a view to ensuring that no one council could effectively veto such a change, however sensible and supported such a proposal might be.
My hon. Friend wished to see a way of preventing one council from denying change that might be in the best interests of the wider area. We have heard further arguments today about the proposition, particularly from my hon. Friends the Members for Cleethorpes (Martin Vickers) and for Amber Valley (Nigel Mills). When we debated this last time, I made clear our approach: if such a governance change were to be made, there needed to be a level of consensus across the area and that we are not in the business of imposing change on any one. That remains our starting point and our intention.

Sir Edward Leigh: I know the Minister does not want to comment in detail, but, moving from the general to the particular, what would happen if Lincolnshire County Council, for example, wanted to use amendment 56 to fast-track the procedure, but one or more districts objected to a unitary authority? Do I take it that nothing in amendment 56 would make it easier for the district councils to be overridden by the county council?

James Wharton: The powers already exist for the Secretary of State to review and create unitary authorities and boundaries and create unitary authorities—to do many of those things that hon. Members have talked about with concern. This is a streamlining amendment that makes it more straightforward to deliver things where there is the desire; where it is important, as part of a deal; where there is consensus; and where the Secretary of State, having applied the statutory tests, is satisfied it is the right thing to do in the interests of that area. It is a welcome amendment, therefore, and I hope that hon. Members will support it.

8.15 pm

Graham Stuart: I am struggling to square the amendment with what the Minister has just said. There is no talk about streamlining or tests. The amendment simply states that if one council is in favour, all the others can be pushed aside. That is what the amendment says. Our job is not just to listen to reassurances from Ministers, however brilliant, but to look at the words of the Bill, and the Bill appears to give great power to the Secretary of State. If he has that power already, I do not see why we need it in an amendment; if he does not have it already, I am a little reluctant to give it to him.

James Wharton: I hear what my hon. Friend says, but it remains the case that a council or group of councils can now, regardless of the Bill, ask the Secretary of State to implement a proposal for structural change through the traditional processes of the Local Government and Public Involvement in Health Act 2007, even where not all councils agree or where there are competing proposals for different councils. He has those powers, but only as part of a convoluted and lengthy process. This is not about forcing unwanted change on areas just because we have the power to do so; it is about enabling the flexibility to deliver the right devolution deals for areas and in a timely and flexible way. I know that hon. Members have raised concerns, but there are none the less the statutory tests that have to be satisfied in doing that. This place would need to approve any change, but the fast-track process, with its significant safeguards, is a welcome one.

The new process would still require the Secretary of State to lay before Parliament a report on the fast-track process, including on matters he has taken into account when deciding to use it, and I reiterate that it could not be used without Parliament’s approval. Having carefully considered and weighed the arguments; having listened to the comments of my hon. Friend the Member for Carlisle and others; and having considered the need to ensure flexibility if we are to make devolution last, we have decided to support the amendment. We have tabled a manuscript amendment so that it is for a trial period and not something that would necessarily last in perpetuity; none the less we welcome the flexibility in the amendment.

Mr Chope: Will my hon. Friend confirm that the Secretary of State would not, under any circumstances, force change on a local authority against its will, and is only really interested in encouraging local authorities to talk to each other? He said, at the beginning of his remarks, that the starting point remains that change will not be forced on any one but suggested that ultimately the Government wished to have the power to force it.

James Wharton: I remind my hon. Friend of my earlier comments: those powers already exist. The Government’s intention is to find consensus, to build on the local desire for devolution and to deliver lasting devolution to areas that will benefit from it. Those powers are already there. This is about ensuring we can deliver, in a timely way, the devolution that local areas want, but I can absolutely reconfirm the Government’s commitment to seeking and building on consensus. That is how devolution will stand the test of time.

Amendments 16, 30 and 55 ensure that criminal liabilities of a public authority can be transferred to either a local government or combined authority on the same basis as other liabilities when public authority functions are conferred. Amendments 17 and 31 amend clauses 7 and 16 respectively and allow references in a transfer order or regulations to be made to a formal document, such as guidance, which can be amended from time to time.

Amendment 36 is a technical amendment substituting the original word “jointly” with the new word “concurrently”. The change is necessary to ensure that certain transport functions being carried out by strategic transport bodies and local authorities can be undertaken concurrently rather than jointly. Amendment 3 would change how mayors for combined authorities should be elected. We have debated this matter at length. We believe that, where we are electing an individual to exercise significant executive power, the voting system for which we have made provision is the right one, and that therefore the amendment should be rejected. Finally, amendments 10, 37 to 43, 45 and 44 are necessary to bring the Bill into line with the arrangement in London. They provide clarity and consistency in respect of mayoral deputies with police and crime commissioner functions.

I hope that hon. Members will accept the Government amendments and reject Opposition amendments and that the House will continue broadly to support the delivery of devolution, on which there is so much consensus and support.

Mr Allen: I beg to ask leave to withdraw the clause.

Clause, by leave, withdrawn.
New Clause 9

Consultation on changes to healthcare provision

'(1) Part 4 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 is amended as follows—

“(1) In section 20 (Interpretation) insert after “for which there is a country council (a)—”—

“(c) combined authorities and each constituent part of a combined authority.”—(Mr Graham Brady.)

This amendment requires that constituent parts of combined authority are consulted on any major healthcare reorganisation in their area in addition to the combined authority being consulted. It also allows constituent parts of a combined authority to refer any such reorganisation to the Secretary of State for Health without such a referral having to be made by the combined authority to which they are part.

Brought up, and read the First time.

Mr Graham Brady: I beg to move, That the clause be read a Second time.

Mr Deputy Speaker (Mr Lindsay Hoyle): With this it will be convenient to discuss the following:

New clause 12—Review of devolution of health services—

'(1) The Secretary of State must, within 15 months of this Act being passed, publish a review of health services devolved under the provisions of this Act.

(2) The review must make an assessment of the extent to which the health services devolved under any of the provisions of this Act have maintained standards and, in particular, of the quality of services and outcomes achieved by those devolved health services over the first 12 months from this Act being passed.

This Clause would require a review, after 12 months of the Bill being passed, of the impact of devolving health services in order to make sure that standards and the quality of services and outcomes have not declined.

Government amendment 34

Amendment 60, in clause 17, page 19, line 30, at end insert—

‘(2C) The Secretary of State may revoke health functions from the relevant local authority under subsection (2A) only following advice from an independent panel, whose membership must include representation from local government and the NHS and which is to be convened as and when necessary.”

This amendment would safeguard the devolution of health functions by ensuring that any revocation of these functions is done under the advice of an independent panel, whose membership includes representatives from local government and the NHS.

Government amendments 35 and 46 to 49.

Mr Brady: It might help if I indicate now that at the appropriate time I shall seek the leave of the House not to press new clause 8 and amendment 57. Ministers should not take that as indicating that I am entirely satisfied with the responses I have received, but I may be able to find other ways of expressing that dissatisfaction.

The immediate reason for tabling new clause 9 and why I am so concerned about this aspect of the Bill is that we already have a live example in Greater Manchester. I shall not go into huge detail, but because of the difficulties relating to the Healthier Together proposals for the reorganisation of hospital services, the matter will be decided by judicial review this week.

The new clause was tabled in the hope that we can frame the legislation in such a way that proper protection can be given to local authorities and local communities to ensure that this sort of development is not necessary in future. Should, furthermore, the judicial review overturn the existing proposals, it is important to ensure that they cannot simply be imposed in a different way.

The crucial problem is that the existing combined authority arrangements have combined the overview and scrutiny functions of individual local authorities. With the potential downgrading of the University hospital of South Manchester, for example, the usual route of going through Trafford’s or Manchester’s overview and scrutiny committee and referring the matter to the Secretary of State, asking for it to be put to an independent reconfiguration panel, was not available because the overview and scrutiny function was exercised not at the individual local authority level but at the combined authority level.

The Minister for Community and Social Care looks confused, but I assure him that when I had discussions with the Secretary of State he advised me that this was the route to be taken. I then took it to Trafford council, which said that it did not have the overview and scrutiny function and that it was exercised at the combined level. That is the nub of the problem. Significant parts of a conurbation such as Greater Manchester, which may in due course become a mayoral authority, might have no recourse, should a significant reorganisation of health services be proposed that was evidently not in the interest of the local community.

It is a simple proposition that I make in new clause 9. The Minister and I have had some extremely constructive conversations prior to this point, and I hope that he will reassure me that some measure will be introduced—if not today, via a Government amendment in the House of Lords—given that changes to these aspects of the Bill might be made through Government amendment 34. There is, I understand, a peg on which to hang that provision. All I am looking for is the simple reassurance that the Government will ensure that there will always be a route for an individual local authority to make the kind of reference that would have saved enormous cost, uncertainty and trouble in Greater Manchester had it been in place as of today. I very much look forward to hearing the Minister’s response and any reassurance that he might give.

Mr Graham Allen: I would like to comment on this group, which includes my own amendment 60. It is relevant to what the hon. Member for Altrincham and Sale West (Mr Brady) has talked about in moving his new clause 9. My anxiety is that the welcome devolution that is taking place—the precedent of devolving health powers to localities is particularly welcome—suggests something of “the Empire striking back”, with the Whitehall Leviathan seeking to place a caveat on the devolution of health powers. What is being set up is the ability of the Secretary of State to revoke health functions from the relevant local authority.

I fear that somebody in the Department of Health might not approve of a devolution proposal within a given area. Let us suppose the cities of Nottingham, or Manchester—or indeed anywhere represented by hon. Members in their places for this evening’s debate—wished to do something innovative and interesting on public
health because it matched the demography in the area. What it might not match, however, is the view of people in the Department of Health. Such people might have a one-size-fits-all masterplan that they would like to impose on everybody.

My difficulty is that if we allow the Secretary of State to pull back to the centre any of these powers, there will be no safeguard in law to prevent that from happening. The Secretary of State could attempt to launch an effort at devolution, but we see again and again what can happen when the dead hand of Whitehall lies upon local government and the charitable and voluntary sectors. A year could be granted to get on with it, with a local authority either allowed to raise its own money or be given some money. If, however, the Department does not like it, it could be pulled up by the roots.

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The Minister for Community and Social Care (Alistair Burt): I should not be, but I am tempted to respond. If that is the hon. Gentleman’s concern, why should the Secretary of State sign the order agreeing the devolution in the first place if it does not fit in with his masterplan? If he is going to take back the powers in due course, why would he give them away in the first place?

Mr Allen: The Secretary of State does have the power to pull back those experiments and those efforts at devolution. That is why I am bringing forward my proposal. If the Secretary of State is not concerned, he would have no worry about the ability of an independent panel to say, “Hang on—give these guys the amount of time they need to experiment” rather than have to deliver to a Whitehall timetable. That amounts to a contradiction in terms: devolution on the one hand, with the Secretary of State pulling things back into the centre on the other hand. My proposal—which I am sure the Minister can understand—is for the establishment of an independent panel, which would not consist of the Secretary of State and his advisers, but would include representatives of local government where the devolution was taking place and representatives of the national health service. That would enable the medical side to be looked at effectively, and separately from the Secretary of State. It would enable the constant process that has driven devolution: the interference of Whitehall, often in the very short term, because someone somewhere in the Department of Health—some unknown person—does not like what is being done in the locality.

Mr Graham Brady: Is not the fundamental point that the Bill that we are about to pass may remain on the statute book for many years? The current Secretary of State may be fully committed to devolving these powers, but a future Secretary of State might wish to suck all of them back to Whitehall.

Mr Allen: That is always a problem, but in that eventuality, if the amendment were passed, an independent panel would keep an eye on it to ensure that, if the Minister were not the one who is in the Chamber now but someone more malign than he, it would be possible for the independent panel to blow the whistle and say, “You have not given people in this particular area—a chance to prove that this part of the devolution of the health service is working effectively. You have a particular view”—perhaps in connection with the need to react to a scandal or a financial problem—“and you are not acting on the basis of the good of the people in the area, but retrieving from them their ability to devolve effectively and use health powers effectively.”

The Minister looks puzzled. I am at a loss to understand why he would not want that safeguard if he were not the Minister involved. If he were a humble Back Bencher like the rest of us—which he was, not so long ago—he might be a little concerned about the fact that someone in the Government might not have people’s best interests at heart because he or she had a bigger, broader plan in mind. That is the opposite of devolution.

Alistair Burt: I am happy to respond to this short debate dealing with new clause 9, tabled by my hon. Friend the Member for Altrincham and Sale West (Mr Brady), amendment 60—to which the hon. Member for Nottingham North (Mr Allen) has just spoken—new clause 12, tabled by the hon. Member for Hemsworth (Jon Trickett), and the Government’s three technical amendments.

New clause 9 would amend secondary legislation to require that each constituent part of a combined authority should be consulted on any major healthcare reorganisation. Each constituent local authority would be able to refer any such reorganisation to the Secretary of State, without such a referral having to be made by the combined authority.

As my hon. Friend knows, proposals for reconfiguration must currently meet the Government’s four tests for service change: support from local GP commissioners, clarity on the clinical evidence base, robust patient and public engagement, and support for patient choice. At present, any local authority has the right and, indeed, the responsibility to raise issues about a reconfiguration. My understanding is that that right remains. I take my hon. Friend’s point about its having been given to the combined authority, but, because I do not know about the relationships between the local authorities in question, I do not know whether the combined authority would at any stage reserve the right back to itself if it wished to do so. In the meantime, however, I have one safeguard, and perhaps another, to mention to him. This also applies to the hon. Member for Nottingham North, because it is part of the same thing.

The Secretary of State is only going to accept a recommendation for devolution if it is in the best interests of health in the area and if it will improve health outcomes. He must do so by order. There is nothing in the Bill that requires an authority to take on a national health service function. Authorities can do so if they wish, but the Secretary of State must be able to see a clear outcome, and it retains his duties and responsibilities for ensuring that the NHS mandate is maintained and that all his statutory duties and responsibilities are observed. The Secretary of State is not going to sign an
order, therefore, if he does not think that the health outcomes for the area will be improved. The Secretary of State is entitled to put in the order what he wishes. That order is then debated in the House and has to be passed as an order.

It would be possible for the Secretary of State to include in the order the fact that the individual authorities that make up a combined authority have the right to make representations to him about any reconfiguration. I can give my hon. Friend the Member for Altrincham and Sale West that assurance, and if we find that the legislation is not as I believe it to be, which is that it has retained that right for the local authority, an order in relation to his local authority will contain that safeguard.

I also offer this to my hon. Friend: if he will consider withdrawing the new clause, we will check, before the matter goes before the House of Lords again, to see whether the legislation is as I believe it is, because if it is, the new clause will not be necessary; but if it is not as I believe it to be, the safeguard—the double assurance—will be included in the order and the present Secretary of State would intend to deliver on it.

Mr Brady: My right hon. Friend is seeking to be very helpful. The difficulty that exists is that the safeguards he proposes apply at the moment of devolution. My concern is that a reconfiguration might happen when a power has been devolved, which might not be in the interests of one of the constituent parts of a conurbation. What can be done at that point is what is crucial.

Alistair Burt: At that point, the order that the Secretary of State has signed to allow the devolution in the first place will allow the authority to make a representation to that effect. The order does not just apply to the moment of devolution; it applies to the substance of the devolution, which is the exercise of the health powers the combined authority will have taken on. In respect of a reconfiguration that takes place under the combined authority, the order will safeguard the right of the local authority individually to make representations to the Secretary of State. It is guaranteed not just at the point of devolution, but in the exercise of powers under devolution.

Mr Brady: Might I press my right hon. Friend a little further? I am avoiding being too specific about the Healthier Together proposals for obvious reasons, but in the event that those proposals were to be set aside this week and new reorganisation proposals were to be brought forward, can he give me an absolute assurance that, either under the existing legislation or measures he would introduce in the House of Lords, the individual local authority would retain the freedom to refer any reorganisation to the Secretary of State? If he can do that, I would be satisfied.

Alistair Burt: I believe that that assurance is present in existing legislation. If it is not, we will make sure in the House of Lords that it is. I would also query why my hon. Friend believes that duties and standards such as those referenced in the first place to the combined authority, because it if wants to retain that right, perhaps it might want to take it back from the combined authority.

Mr Brady: The Minister has to understand that this is endemic in the nature of the process. It will become more and more commonplace as we see more powers being transferred from the local authorities to combined authority level, and the new arrangements will become entrenched. That is why it is so important that we ensure that the safeguards are in place at this point—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order.

Mr Brady: I am trying to assist the Minister, who I think needs just a moment longer.

Mr Deputy Speaker: Unfortunately it is me that makes the decisions—we could do this over two days—but I would have thought the Minister had at least some indication.

Alistair Burt: I rest my case with my hon. Friend: I believe that legislation currently provides the reassurance that he seeks. However, I undertake that, before the matter is concluded in the House of Lords, we will ensure that that assurance is there so that he is covered. He is absolutely right to make sure that his local authority has the opportunity to make representations when it needs to. I am sure that the legislation does that, but we will make doubly certain that it does.

Mr Graham Allen: It may well be that the current legislation covers this eventuality, but the Government’s amendment 34 makes it very clear that local government will not be consulted. If the hon. Member for Altrincham and Sale West (Mr Brady) would like quickly to peruse that amendment, he will see that local authorities will have no say whatever if devolved powers are taken back to the Department.

Alistair Burt: I will happily cover amendment 34 in a moment. Indeed, perhaps I should speak to that amendment before I turn to amendment 60, which has been tabled by the hon. Member for Nottingham North (Mr Allen), just to make it clear what amendment 34 is about.

Amendment 34 mirrors part of amendment 19 and amends clause 17 to provide that the requirements for combined authority and local authority consent do not apply to regulations revoking previous transfers of health service functions under clause 16. Proposed new subsections 1E and 1F, which amendment 19 would add to section 105A to be inserted by clause 7 into the Local Democracy, Economic Development and Construction Act 2009, also have the same effect in relation to health functions transfers under section 105A which are revoked.

This means that in the event that it becomes appropriate to restore NHS functions in a local area to NHS bodies, this can be achieved without the need for consent of the combined authority and local authorities concerned. This reflects the fundamental principles for health devolution, as reflected in clause 18, which builds on an amendment moved by Lord Warner in the other place, that the key responsibilities for the Secretary of State for Health and the NHS remain unchanged in any devolution arrangements. We envisage using the powers to revoke only in those circumstances where it was clear that duties and standards such as those referenced in clause 18 were not being met and that revoking the transfer was the best option to achieve the necessary improvement in performance.
The Secretary of State’s ability to use this power supports the key principle, which this House has already agreed and which the House of Lords was also insistent on, that nothing about devolution settlements will impinge on his duties in respect of the national health service, including the duty to promote a comprehensive health service, to exercise his functions with a view to securing continuous improvement in the quality of services and to have regard to the NHS constitution. The other procedural requirements and preliminary conditions will continue to apply, such as the requirement that the Minister making the regulations must consider that the instrument is likely to lead to an improvement in the exercise of the functions concerned, and that Parliament must approve the secondary legislation.

Let me explain in straightforward terms what this is about. The House has already agreed that it wants to retain the national health service, even if NHS functions are devolved to local authorities. That means that the duties of the Secretary of State in relation to the NHS remain absolute. As I said earlier, if the Secretary of State is to sign off these powers to commission services to a local authority, he has to be sure that doing so is in the best interests of healthcare and that the quality of healthcare will be improved. Otherwise, he just will not do it. There will not be any consent involved, or anything else; he just will not do it. However, if he signs it off, it means that he is satisfied that there will be an improvement in the quality of healthcare. Should that fail—should the NHS functions transferred to a new authority fail—it is the Secretary of State’s duty to take those powers back, because he is responsible for the delivery of NHS standards. If he cannot be satisfied, he is going to have to take these powers back. In the circumstances, it is possible that local authorities might disagree and want to challenge that, but his duties are absolute. That is why the requirement for consent is coming out. We are talking about a circumstance that nobody expects to happen. The Secretary of State is not going to devolve unless he is certain, but if he needs to take powers back to maintain his duties, he must have the power to do so. Even if he has to do so, the matter goes before the House, which makes up its mind on it. That is the basis of Government amendment 34 and the answer to amendment 60.

8.45 pm

Mr Allen: That is exactly the difference between decentralisation and devolution. This proposal is the Secretary of State pushing some power to the locality, purely on the basis that he can suck it back; it is not giving power and, as of right, allowing the local authority to exercise that. There is no way in which the local authority can intervene in this process. It is a bystander, as an agent of central Government.

Mr Deputy Speaker (Mr Lindsay Hoyle): The interventions must be shorter, as I still have to get the Front Bencher in.

Alistair Burt: The hon. Gentleman is coming at this from the wrong point of view. He is coming at it from the point of view that the Secretary of State is deliberately pushing something towards an authority, but he is not—the authorities are asking him for something. He would not be doing that unless authorities came to him and said, “We want to do this.” The Secretary of State would not agree unless he thought it was in the best interests of healthcare, because it is not his personal judgment but his duty. If those functions are not performed properly, his ultimate duty, which the House has already agreed, must be to take the powers back. The hon. Gentleman is approaching it from the point of view that there is something malevolent about the Secretary of State which means he wants to challenge the authority. The duties he has, which are contained in statute and which the House says he must retain when NHS powers are devolved, are what impels the amendment, nothing else.

Mr Allen rose—

Alistair Burt: I will give way one last time, but then I must finish dealing with the rest of the clauses.

Mr Allen: The Secretary of State may be doing the right thing—I am sure he would be, just as I am sure the local authority would think it was doing the right thing—but my amendment 60 and our new clause would allow there to be a local government representative and a medical NHS representative judging who is right in the decision about central power and local power. They, too, would make the right decision.

Alistair Burt: Let me turn to the independent panel idea in amendment 60, which the hon. Gentleman has tabled. The Bill provides an effective framework to support a more devolved, place-based approach to health and social care, while ensuring that there are appropriate safeguards in respect of the NHS and a clear line of accountability back to the Health Secretary. Our objectives for health devolution must be to improve the health and care outcomes for people residing in a particular local area. Clause 18 requires that where health functions are conferred by an order or regulations on a combined authority, provision must be made about standards and duties to be placed on that authority, including standards in the NHS constitution.

The Secretary of State needs to be satisfied that revoking the transfer would lead to an improvement of statutory functions in that local area. He is under the same duties if he revokes as he is when he grants the powers in the first place. The revocation would need to be debated and approved by both Houses of Parliament, and the Secretary of State would be required to make available to Parliament a report concerning his decision, including what representations had been made to him in the process. That demonstrates that the decision to revoke transfer regulations would be taken only as a consequence of in-depth consideration, as well as engagement with local organisations, and with the support of Parliament. For that reason, I resist the requirement to convene a panel to review the decision, which would not only be unnecessary, but could be burdensome and costly, and could lead to delays just at the time when swift action was required to address fundamental performance issues.

The amendment is not necessary. The Secretary of State, in the exercise of his powers, already has to do what the hon. Gentleman is asking, but the need to move sometimes at speed means he needs to retain the powers; this is therefore covered, there is accountability to Parliament and the Secretary of State has to say exactly why he is doing it. It is straightforward: either he...
has the power to deliver his duties, or he does not, and he can do it without convening an independent panel to second-guess him. It is his responsibility, and if he exercises those powers unreasonably, there is judicial review, which means that a local authority is doubly protected.

Mr Allen: If a local authority, which understands its own demography—it knows its people and its inner-city and rural areas—makes a decision on a public health matter, such as fluoridation or free dental checks for three-year-olds, and the centre does not like it, the Minister can pull back that power, which has been given in what is meant to be a devolution Bill.

Alistair Burt: It is not about the centre not liking the decision. The Secretary of State has statutory duties that Parliament has given him. He has to exercise his power both to grant and revoke power based on those duties, not because he likes or does not like a decision. It is that statutory duty for which he is responsible that is so important. The House of Lords pressed that matter, but the House of Commons has accepted it. It is the maintenance of those duties that is so important. Liking or disliking a decision does not come into it.

Let me make further progress on the other amendments that the Government wish to push through. Amendment 35 is a further amendment to clause 18, which applies valuable safeguards to local devolution of health functions, including where certain functions and duties should continue to be held nationally. The clause was inserted in the Bill by an amendment tabled by Lord Warner in the other place and was amended in Committee in the Commons to give further definition and clarity to support its valuable principles. Clause 18 provides that regulatory functions of national bodies held in respect of health services will not be available for transfer to a combined or local authority.

Amendment 35 makes it clear that, in addition to NHS England’s responsibilities for assurance and review of clinical commissioning groups, all its supervisory and oversight functions set out in chapter A2 of part 2 of the National Health Service Act 2006 are out of scope of a transfer order. These include functions relating to CCGs’ institutional and constitutional arrangements, including their establishment.

Briefly, amendments 46, 47, 48 and 49 amend schedule 4, which makes amendments to the 2006 Act to provide a wider menu of flexible, voluntary options for local bodies, including combined authorities, to work with each other and with NHS England in respect of health functions.

One of the amendments introduced by schedule 4 includes provision under proposed new section 13ZA of the 2006 Act for new “devolved arrangements”, whereby NHS England is able to delegate its functions to a group of local commissioners exercising them together, or to make arrangements to exercise its functions jointly with that group. The group of local partners must consist of at least one clinical commissioning group and at least one combined authority or local authority, and the delegates or partners must exercise the function jointly.
Deals permissible under the Bill create the possibility of NHS funding melting into wider regional authority budgets, making ring-fencing or protecting impossible. Given the importance of healthcare spending as an issue, it needs clarity and scrutiny. Devolution to combined authorities under the Bill might actually have a centralising effect for many health and social care functions, taking power away from councils that represent smaller communities and the clinical commissioning groups that represent clinicians. Although that might be desirable in some cases, it is also important to consider how the positive developments brought to health and social care by these bodies can be preserved.

Clauses 7, 16 and 17 allowed the piecemeal transfer of health care commissioning responsibilities from clinical commissioning groups and NHS England to local government. I am concerned about the impact that will have on the NHS, especially as regards local variation in service levels, further allocation of resources and the cross-border impact of decisions. The Opposition believe that there should be a statutory duty on the Secretary of State for Health to secure and provide universal health care and that core national NHS standards should remain in place.

Mr Brady: I want to make it very clear, and this might be helpful to the hon. Lady, that after the Minister’s assurances to me I will seek the leave of the House to withdraw new clause 9. She might, of course, wish to do other things with her new clause.

Liz McInnes: I thank the hon. Gentleman. Gentleman for that intervention.

Although I see a range of possible potential benefits arising from the devolution agenda, particularly the opportunity for greater integration of services between health and social care and bringing public health and other areas under local government control, a number of outstanding questions will need to be resolved, largely focused on resolving the tension between local and national arrangements and the extent to which the “national” in the national health service will be preserved. What we are witnessing is not devolution. The models adopted in the deal so far appear to be closer to delegation than the formal devolution outlined in the Bill.

As the Opposition understand it, there are no plans to use the order-making power created through the Bill to transfer additional health functions to local authorities. Any health-related orders will be used only to enable combined authorities to share the health duty that already sits with local authorities. I seek the Minister’s assurance that the devolution of health service will be reviewed in a year to ensure that standards and quality of services and outcomes have not declined. That is what new clause 12 outlines—it seems an eminently reasonable request given an issue as important as our nation’s health.

Mr Brady: I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

9 pm

Debate interrupted (Programme Order, 14 October).

The Deputy Speaker put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).
Tellers for the Ayes:  
Grahame M. Moriss and  
Angela Rayner

NOES

Blackwood, Nicola  
Bolso, Nick  
Bone, Mr Peter  
Borwick, Victoria  
Bradley, Karen  
Brady, Mr Graham  
Brazier, Mr Julian  
Brine, Steve  
Brokenshire, rh James  
Bruce, Fiona  
Buckland, Robert  
Burns, Conor  
Burns, rh Sir Simon  
Burrowes, Mr Dominic  
Burt, rh Alistair  
Cairns, Alun  
Carmichael, Neil  
Cartridge, James  
Cash, Sir William  
Caulfield, Maria  
Chishti, Rehan  
Chope, Mr Christopher  
Churchill, Jo  
Clark, rh Greg  
Cleverly, James  
Clifton-Brown, Geoffrey  
Coffey, Dr Thérèse  
Collins, Damian  
Colville, Oliver  
Costa, Alberto  
Crabb, rh Stephen  
Crouch, Tracey  
Davies, Byron  
Davies, Charles  
Davies, David T. C.  
Davies, Glyn  
Davies, rh Dr James  
Davies, Mims  
Davies, Philip  
Dinenage, Caroline  
Djanogly, Mr Jonathan  
Donelan, Michelle  
Dorries, Nadine  
Double, Steve  
Dowden, Oliver  
Doyle-Price, Jackie  
Drax, Richard  
Drummond, Mrs Flick  
Duddridge, James  
Duncan, rh Sir Alan  
Duncan Smith, rh Mr Iain  
Dunne, Mr Philip  
Ellis, Michael  
Elphicke, Charlie  
Ernst, George  
Evans, Graham  
Evans, Mr Nigel  
Evannett, rh Mr David  
Fabricant, Michael  
Fallon, rh Michael  
Fernandes, Suella  
Field, rh Mark  
Foster, Kevin  
Fox, rh Dr Liam  
Frazier, Lucy  
Freeman, George  
Freer, Mike  
Fuller, Richard  
Fysh, Marcus  
Gale, Sir Roger  
Garnier, rh Sir Edward  
Garndar, Mark  
Gauke, rh Mr David  
Ghani, Nusrat  
Gibb, Mr Nick  
Gillan, rh Mrs Cheryl  
Glen, John  
Goodwill, Mr Robert  
Graham, Richard  
Grant, Mrs Helen  
Gray, Mr James  
Grayling, rh Chris  
Green, Chris  
Greening, rh Justine  
Grieve, rh Mr Dominic  
Griffiths, Andrew  
Gummer, Ben  
Gyimah, Mr Sam  
Hallon, rh Robert  
Hall, Luke  
Hammond, rh Mr Philip  
Hancox, rh Matthew  
Hands, rh Greg  
Harper, rh Mr Mark  
Harrington, Richard  
Harris, Rebecca  
Hart, Simon  
Haselhurst, rh Sir Alan  
Heald, rh Sir Oliver  
Heappey, James  
Heaton-Harris, Chris  
Heaton-Jones, Peter  
Henderson, Gordon  
Herbert, rh Nick  
Hinds, Damian  
Hoare, Simon  
Holllinrake, Kevin  
Hollowbone, Mr Philip  
Holloway, Mr Adam  
Hopkins, Kris  
Howarth, rh Sir Gerald  
Howell, John  
Howlett, Ben  
Huddleston, Nigel  
Hunt, rh Mr Jeremy  
Jackson, Mr Stewart  
Javid, rh Sajid  
Jayakandara, Mr Ranil  
Jenkins, rh Sir Bernard  
Jenikns, Andrea  
Jenner, Robert  
Johnson, Boris  
Johnson, rh Sir Greg  
Johnson, Gareth  
Johnson, Joseph  
Jones, Andrew  
Jones, rh Mr David  
Jones, Mr Marcus  
Kawczynski, Daniel  
Kennedy, Seema  
Kirby, Simon  
Knight, rh Sir Greg  
Knight, Julian  
Kwarteng, Kwasi  
Latham, Pauline  
Leadsom, Andrea  
Lee, rh Dr Philip  
Lefroy, Jeremy  
Leigh, rh Sir Edward  
Leslie, Charlotte  
Letwin, rh Mr Oliver  
Lewis, rh Dr Julian  
Liddell-Grainger, Mr Ian  
Lidington, rh Mr David  
Lilley, rh Mr Peter  
Lopresti, Jack  
Lord, rh Sir Jonathan  
Loughton, Tim  
Lumley, Karen  
Mackinlay, Craig  
Mackintosh, David  
Mak, rh Mr Alan  
Malthouse, Kit  
Mann, rh Sir Edward  
Mathias, rh Sir Tania  
May, rh Mr Peter  
Maynard, Paul  
McCartney, Karl  
McPartland, Stephen  
Menzies, Mark  
Merriman, Huw  
Metcalf, Stephen  
Miller, rh Mrs Maria  
Milling, Amanda  
Mills, Nigel
Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stewart, Bob
Stewart, Iain
Streeter, Mr Gary
Stride, Mel
Stuart, Graham
Stundy, Julian
Sunak, Rishi
Swaney, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Turner, Mr Andrew
Tyrie, rh Mr Andrew
Vaiyz, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Robin
Warburton, David
Warman, Matt
Watkinson, Dame Angela
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittingdale, rd Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wilson, Sammy
Wood, Mike
Wragg, William
Zahawi, Nadhim

Tellers for the Noes:
George Hollingbery and
Margot James

Amendment 5, page 1, line 11, after “functions” insert “(so far as not falling within paragraph (ba)).”

This amendment is consequential on amendment 4 and removes any overlap between the requirements imposed by new subsection (2) (ba) and subsection (2) (c).

Amendment 6, page 2, line 2, at end insert—
(‘) In this section—
“combined authority” means a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;
“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975.”—(Alistair Burt.)

This amendment defines the phrases “combined authority” and “Minister of the Crown” in clause 1.

Clause 2

POWER TO PROVIDE FOR AN ELECTED MAYOR

Amendment proposed: 58, page 2, line 10, at end insert—
(‘) The transfer of local or public authority functions to combined authorities shall not be dependent on an order being made under subsection (1).”—(Mr Steve Reed.)

This amendment makes clear that devolution deals must not be dependent on a combined authority having a mayor.

Question put, That the amendment be made.

The House divided: Ayes 195, Noes 290.

Division No. 143

[9.14 pm]

AYES

Abbott, Ms Diane
Abrahams, Debbie
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Kevin
Beckett, rh Margaret
Benn, rh Hilary
Berger, Luciana
Betts, Mr Clive
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brady, Mr Graham
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Champion, Sarah
Chapman, Jenny
Chope, Mr Christopher
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Cox, Mr Geoffrey
Coyle, Neil

Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
De Piero, Gloria
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Eagle, Mr saga
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Ellicott, Julian
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Frank
Fierrle, Robert
Fletcher, Colleen
Flint, rh Caroline
Fovargue, Yvonne
Foxcroft, Vicky
Glass, Pat
Glinson, Mary
Goodman, Helen
Green, Kate
Greenwood, Lilian
Griffith, Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hanson, rh Mr David

Question accordingly negatived.
Cities and Local Government Devolution Bill [Lords]

7 DECEMBER 2015

Cities and Local Government Devolution Bill [Lords]

Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Mr Mark
Hepburn, Mr Stephen
Hodgson, Mrs Sharon
Hoey, Kate
Hollern, Kate
Hopkins, Kelvin
Howarth, rh Mr George
Hunter, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Keeley, Barbara
Kendall, Liz
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lavery, Ian
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Lewis, Dr Julian
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Mactaggart, rh Fiona
Madders, Justin
Mamoed, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marrs, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarty, Kerry
McDonagh, Siobhain
McDonald, Andy
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
Meale, Sir Alan
Mears, Ian
Miliband, rh Edward
Morden, Jessica
Murray, Ian
Nuttall, Mr David
Onn, Melanie

Onurah, Chi
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Pugh, Mr Stephen
Qureshi, Yasmin
Reed, Mr Steve
Rees, Christina
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robinson, Mr Geoffrey
Rotheram, Steve
Ryan, rh Joanne
Saville Roberts, Liz
Shah, Naz
Sherriff, Paula
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Spellar, rh Mr John
Stevens, Jo
Streeting, Wes
Stuart, rh Ms Gisela
Tami, Mark
Thomas, Mr Gareth
Thomas-Symonds, Nick
Thornberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, Valerie
Watson, Mr Tom
West, Catherine
Whitehead, Dr Alan
Williams, Mr Mark
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes: Grahame M. Morris and Angela Rayner

Adams, Nigel
Afriyie, Adam
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Boles, Nick
Bone, Mr Peter
Bowick, Victoria
Bottomley, Sir Peter
Bradley, Karen
Brazier, Mr Julian
Brine, Steve
Brookshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Cairns, Alun
Carmichael, Neil
Cartledge, James
Cash, Sir William
Caulfield, Maria
Chishi, Rehan
Churchill, Jo
Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Costa, Alberto
Crabb, rh Stephen
Crouch, Tracey
Davies, Byron
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Dr James
Davies, Mims
Davies, Philip
Dinenage, Caroline
Djanogly, Mr Jonathan
Donelan, Michelle
Dorries, Nadine
Double, Steve
Dowden, Oliver
Duffy-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duncan, rh Sir Alan
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Elliott, Tom
Ellis, Michael
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
Evennett, rh Mr David
Fabricant, Michael
Fallon, rh Michael
Fernandes, Suella
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Marcus
Gale, Sir Roger
Garner, rh Sir Edward
Garner, Mark
Gauke, Mr David
Ghani, Nusrat
Gibb, Mr Nick
Gillian, rh Mrs Cheryl
Glen, John
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Graying, rh Chris
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hale, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hancock, rh Matthew
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haseelhurst, rh Sir Alan
Heald, Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollinrake, Kevin
Hollonbole, Mr Philip
Holloway, Mr Adam
Hollins, Kris
Howarth, Sir Gerald
Howell, John
Hoyle, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Jackson, Mr Stewart
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jennick, Robert
Johnson, Boris
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Kirby, Simon
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Amendment proposed: 2, page 2, line 13, at end insert—

Rutley, David  
Sandbach, Antoinette  
Scully, Paul  
Selous, Andrew  
Shannon, Jim  
Shapps, rh Grant  
Sharma, Alok  
Shebrecroft, Alec  
Simpson, David  
Simpson, rh Mr Keith  
Skidmore, Chris  
Smith, Chloe  
Smith, Henry  
Smith, Julian  
Soames, rh Sir Nicholas  
Solloway, Amanda  
Soupby, rh Anna  
Spearman, rh Mrs Caroline  
Spencer, Mark  
Stephenson, Andrew  
Stewart, Bob  
Stewart, Iain  
Streeter, Mr Gary  
Stride, Mel  
Stuart, Graham  
Sturdy, Julian  
Sunak, Rishi  
Swayne, rh Mr Desmond  
Swire, rh Mr Hugo  
Sym, Mr Robert  
Thomas, Derek  
Throup, Maggie  
Timpson, Edward  
Tolhurst, Kelly  
Tomlinson, Justin  
Tomlinson, Michael  
Tracey, Craig  
Tredinnick, David  
Trevelyan, Mrs Anne-Marie  
Tugendhat, Tom  
Turner, Mr Andrew  
Tyrie, rh Mr Andrew  
Vaiyzy, Mr Edward  
Vara, Mr Shailesh  
Vickers, Martin  
Villiers, rh Mrs Theresa  
Walker, Mr Robin  
Warburton, David  
Warman, Matt  
Watkinson, Dame Angela  
Wharton, James  
Whately, Helen  
Wheeler, Heather  
White, Chris  
Whittingdale, rh Mr John  
Wiggin, Bill  
Williams, Craig  
Williamson, rh Gavin  
Wilson, Mr Rob  
Wilson, Sammy  
Wollaston, Dr Sarah  
Wood, Mike  
Zahawi, Nadhim  

(Poll) in the case of an order made in relation to an existing mayoral combined authority, the mayor of the authority.

This amendment provides that an order making provision for a function only by the mayor, requires the consent of the mayor of that combined authority.

(2A) An order under subsection (1) may not be made unless the proposition that the combined authority have a mayor is approved by a referendum of the electorate of that combined authority.

(2B) The Secretary of State shall, by regulations, establish the procedures to be followed in conducting a referendum under subsection 2A.

(2C) Before making a regulation under subsection 2B, the Secretary of State must consult the Electoral Commission.”—(William Wragg.)

The intention of this amendment is that elected mayors will be introduced only if that proposal has been approved by a referendum of the residents of the combined authority. The rule for the conduct for such a referendum shall be made by the Secretary of State, in consultation with the Electoral Commission.

Question put and negatived.

Amendments made: 7, page 3, line 1, leave out from “authority,” to end of line 3 and insert

“there are one or more non-consenting constituent councils but the combined authority and at least two constituent councils consent.”

This amendment enables an order to be made providing for there to be a mayor for the area of a combined authority if, in the case of an existing combined authority where there are one or more non-consenting constituent councils, at least two constituent councils consent.

Amendment 8, page 3, line 6, leave out second “the” and insert “each”.

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Amendment 9, page 3, line 8, leave out subsection (5),

“PCC mayor” and insert “mayor for policing and crime”.

This amendment is consequential on amendment 37.

Amendment 11, page 5, line 7, at end insert—

“Secretory of State must consult the Electoral Commission.”—(Alistair Burt.)

This amendment is consequential on amendment 27 (see in particular the new section 106(3D) that is inserted by that amendment).

Clause 4

FUNCTIONS

Amendments made: 10, page 4, line 20, leave out “PCC mayor” and insert “mayor for policing and crime”.

This amendment is consequential on amendment 37.

Amendment 12, page 5, line 7, at end insert—

“() include provision for general functions to be exercisable by the mayor subject to conditions or limitations specified in the order (including, for example, a condition for general functions to be exercisable only with the consent of the appropriate authorities (as defined by section 107B(6)))”.

This amendment provides that an order making provision for a function of a mayoral combined authority to be a general function exercisable only by the mayor may include conditions or limitations, so consent of the consent of the members of the combined authority.

Amendment 12, page 5, line 29, at end insert “, and

() in the case of an order made in relation to an existing mayoral combined authority, the mayor of the authority.”

This amendment provides that an order under section 107D of the Local Democracy, Economic Development and Construction Act 2009 (inserted by clause 4 of the Bill), making provision for a function of an existing mayoral combined authority to be a function exercisable only by the mayor, requires the consent of the mayor of the authority.
Amendment 13, page 5, line 31, leave out “the” and insert “a”.

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Amendment 14, page 6, line 31, at end insert “a”, and (i) in the case of an order made in relation to an existing mayoral combined authority, the mayor of the authority.

This amendment provides that an order providing for the mayor for the area of an existing mayoral combined authority to exercise functions of a police and crime commissioner in relation to that area must have the consent of the mayor of the authority.

Amendment 15, page 7, line 12, leave out “the” and insert “a”.—(Alistair Burt.)

This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

### Clause 7

**Other Public Authority Functions**

Amendments made: 16, page 10, line 6, after “liabilities” insert “(including criminal liabilities)”. This amendment clarifies that criminal liabilities of a public authority can be transferred to a combined authority on the same basis as other liabilities when functions of a public authority are conferred on a combined authority.

Amendment 17, page 10, line 15, at end insert—

“(5A) Subsection (5B) applies where an order under subsection (1) contains a reference to a document specified or described in the order (for example, in imposing a condition by virtue of subsection (2)(a) for an authority to have regard to, or to comply with, a statement of policy or standards set out in the document).

(5B) If it appears to the Secretary of State necessary or expedient for the reference to the document to be construed—

(a) as a reference to that document as amended from time to time, or

(b) as including a reference to a subsequent document that replaces that document,

the order may make express provision to that effect.”

This amendment allows a transfer order conferring public authority functions on a combined authority to include provision referring to a document as amended from time to time, or replaced. This may be necessary when imposing conditions referring to standards or policies which may be updated in light of technological or scientific developments (for example).

Amendment 18, page 10, line 38, leave out from beginning to “and” in line 39 and insert “the appropriate consent is given”.

This amendment provides that the consent requirement for an order under new section 105A is subject to the definition of “the appropriate consent” in new section 105B inserted by amendment 19.

Amendment 19, page 10, line 41, at end insert—

“(1A) For the purposes of subsection (1)(b), the appropriate consent is given to the making of an order under section 105A only if—

(a) in the case of an order in relation to an existing combined authority, each appropriate authority consents;

(b) in any other case, each constituent council consents.

Paragraph (a) is subject to subsections (1B) and (1C).

(1B) Subsection (1C) applies where—

(a) an order under section 105A in relation to an existing combined authority is the first such order to be made in relation to that authority.

(b) the authority is not a mayoral combined authority, and

(c) there are one or more constituent councils who do not consent to the making of the order.

(1C) For the purposes of subsection (1)(b), the appropriate consent is given to the making of the order if the combined authority and at least two constituent councils consent to the making of the order.

(1D) Where an order under section 105A is made by virtue of subsection (1C) of this section, the Secretary of State must make an order under section 106 to remove the area of each non-consenting constituent council from the existing area of the combined authority.

(1E) The requirement in subsection (1)(b) for the appropriate consent to be given to the making of an order under section 105A does not apply where—

(a) the order revokes (in whole or in part), or otherwise amends, a previous order under that section, and

(b) the only purpose of the order is to provide for a health service function of a combined authority to cease to be exercisable by the authority.

(1F) In subsection (1E)(b), “health service function of a combined authority” means a function which—

(a) relates to the health service, as defined by section 275(1) of the National Health Service Act 2006, and

(b) is exercisable by the combined authority by virtue of an order under section 105A.

(1G) The requirement in subsection (1)(b) for the appropriate consent to be given is subject to section 106A.”

This amendment requires each constituent council and the combined authority to consent to orders under new section 105A which do not revoke the transfer of a health service function, and, for non-mayoral combined authorities, enables the removal of constituent councils which do not consent to powers being conferred under section 105A.

Amendment 20, page 11, line 16, at end insert—

“and a “constituent council” is a council within paragraph (a) or (b).”—(Alistair Burt.)

This amendment is consequential on amendment 19 and provides for a definition of “constituent council” for the purposes of new section 105B.

### Clause 9

**Other Public Authority Functions**

Amendments made: 21, page 11, line 34, leave out “so far as the constituent councils consent,” and insert “subject to subsection (10A).”.

This amendment removes the consent requirements in section 74(10) of the Local Government Finance Act 1988 (as inserted by clause 9(1) of the Bill), as they are remodelled by the provisions in amendment 22.

Amendment 22, page 11, line 36, at end insert—

“(10A) Regulations under this section by virtue of subsection (8) that include provision within subsection (10)(b) may be made only with the consent of—

(a) the constituent councils, and

(b) in the case of regulations in relation to an existing combined authority, the combined authority.

(10B) Subsection (10A) is subject to section 106A of the Local Democracy, Economic Development and Construction Act 2009 (which enables regulations to be made without the consent of all the constituent councils in certain circumstances).”

This amendment provides that regulations made by virtue of section 74(8) of the Local Government Finance Act 1988, enabling a combined authority to levy in respect of functions other than transport functions, can only be made with the consent of the constituent councils and the authority, where there is an existing combined authority.
Amendment 23, page 11, line 40, leave out “(10) and” and insert “(8) to”. This amendment is consequential to the changes made by amendments 21 and 22 and provides for a definition of “constituent council”.

Amendment 24, page 12, line 16, at end insert “, and (i) in the case of regulations in relation to an existing combined authority, the combined authority.” This amendment provides that regulations under section 23(5) of the Local Government Act 2003 require the consent of the constituent authorities.

Amendment 25, page 12, line 16, at end insert—

‘(6A) Subsection (6) is subject to section 106A of the Local Democracy, Economic Development and Construction Act 2009 (which enables regulations to be made without the consent of every authority within paragraph (a) and (b) of that subsection in certain circumstances).’—(Alistair Burt.) This amendment is consequential on amendment 27 (see in particular the new section 106A inserted by that amendment).

Clause 10

GENERAL POWER OF COMPETENCE

Amendment made: 26, page 12, line 43, leave out “the” and insert “a”—(Alistair Burt.) This amendment is consequential on amendment 7 and enables more than one non-consenting constituent council to be removed from the existing area of the combined authority.

Clause 14

REQUIREMENTS IN CONNECTION WITH ESTABLISHMENT ETC. OF COMBINED AUTHORITY

Amendments made: 27, page 15, line 33, at end insert—

“(1) In section 104 (constitution and functions of combined authorities: transport), after subsection (9) (inserted by section 8(1) above) insert—

(10) An order under this section may be made in relation to a combined authority only with the consent of—

(a) the constituent councils, and
(b) in the case of an order in relation to an existing combined authority, the combined authority.

(11) In subsection (10) “constituent council” means—

(a) a county council the whole or any part of whose area is within the area or proposed area of the combined authority, or
(b) a district council whose area is within the area or proposed area of the combined authority.

(12) Subsection (10) is subject to section 106A.”

(13) In section 105 (constitution and functions of combined authorities: economic development and regeneration), after subsection (3) insert—

“(3A) An order under this section may be made in relation to a combined authority only with the consent of—

(a) the constituent councils (as defined by section 104(11)), and
(b) in the case of an order in relation to an existing combined authority, the combined authority.

(3B) Subsection (3A) is subject to section 106A.”

(14) In section 106 (changes to boundaries of a combined authority’s area)—

(a) in subsection (2), omit paragraph (b);
(b) omit subsection (3);
(c) after subsection (3) insert—

“(3A) An order under this section adding or removing a local government area to or from an existing area of a combined authority may be made only if—

(a) the relevant council in relation to the local government area consents;
(b) the combined authority consents, and
(c) the mayor for the area of the combined authority (if it is a mayoral combined authority) also consents.

(3B) For the purposes of subsection (3A)(a), the “relevant council” in relation to a local government area is—

(a) if the local government area is the area of a county council, the county council;
(b) if the local government area is the area of a district council whose area does not form part of the area of a county council, the district council;
(c) if the local government area is the area of a district council whose area forms part of the area of a county council, the district council or the county council.

(3C) If there are two relevant councils in relation to a local government area by virtue of subsection (3B)(c), the condition in subsection (3A)(a) for the relevant council to consent is met if—

(a) in the case of an order under subsection (1)(a), either or both of the relevant councils consent;
(b) in the case of an order under subsection (1)(b), both of the relevant councils consent.

(3D) Subsections (2) and (3A) do not apply to an order under subsection (1)(b) that is made as a result of the duty in section 105B(1D) or 107B(4).”

(15) After section 106 insert—

“106A Section 106(1)(a) orders: consent requirements under other powers

(1) Subsection (2) applies where—

(a) the area of a district council is added to the area of a combined authority by an order under section 106(1)(a),
(b) the area of the district council forms part of the area of a county council,
(c) the Secretary of State proposes to exercise a relevant power as a result of, or otherwise in connection with, the making of the order, and
(d) (apart from subsection (2)) the relevant power is exercisable only with the consent of (among other authorities) the county council mentioned in paragraph (b).

(2) The relevant power is exercisable whether or not the county council consents.

(3) Subsection (4) applies where—

(a) the area of a county council is added to the area of a combined authority by an order under section 106(1)(a),
(b) the area of the county council includes the areas of district councils,
(c) the Secretary of State proposes to exercise a relevant power as a result of, or otherwise in connection with, the making of the order, and
(d) (apart from subsection (4)) the relevant power is exercisable only with the consent of (among other authorities) a district council within paragraph (b).

(4) The relevant power is exercisable whether or not the district council consents.

(5) In this section, “relevant power” means a power—

(a) to make an order under section 104, 105 or 105A, or
(b) to make regulations under—

(i) section 74 of the Local Government Finance Act 1988 (by virtue of subsection (8) of that section), or
(ii) section 23(5) of the Local Government Act 2003.”

This amendment requires the consent of the constituent councils and the combined authority to orders made under sections 104 and 105 of the Local Democracy, Economic Development and Construction Act 2009. It also provides that section 106 orders require the consent of the “relevant council”, the combined authority and the mayor (in the case of a mayoral combined authority). The consent requirements are subject to the new section 106A inserted by the amendment.
Amendment 28, page 16, leave out line 25. This amendment is consequential on amendment 27 and removes the consent requirement in relation to orders made under sections 104, 105, 106 and 107 of the Local Democracy, Economic Development and Construction Act 2009 in the proposed amendment to section 113(1)(b) of that Act (as inserted by clause 14(4) of the Bill). The consent requirements are instead dealt with within each section.

Amendment 29, page 16, leave out lines 38 to 42. —(Alistair Burt.)
This amendment is consequential to amendment 28 and removes the definition of “constituent council” at section 113(2A) of the Local Democracy, Economic Development and Construction Act 2009 (as inserted by clause 14(4) of the Bill).

Clause 15
GOVERNANCE ARRANGEMENTS ETC OF LOCAL AUTHORITIES IN ENGLAND
Amendment proposed: 56, page 17, line 23, at end insert—

“(4A) Regulations under this section, so far as including structural or boundary provision in relation to a non-unitary district council area, may be made if at least one relevant local authority consents.

(4B) Local authority in this case is defined as—

(a) a non-unitary district council whose area is, or forms part of, the non-unitary district council area;

(b) a county council whose area includes the whole or part of the non-unitary district council area.

(4C) Relating to 4a and 4b

(a) “non-unitary district council area” means the area or areas of one or more non-unitary district councils;

(b) “non-unitary district council” means a district council for an area for which there is also a county council;

(c) “structural or boundary provision” means provision about the structural or boundary arrangements of local authorities in regulations made by virtue of subsection (1)(c).”—(Martin Vickers.)

The intention of this amendments is to allow the government to make changes to boundaries of local authorities if it has the consent of at least one relevant local authority.

Manuscript amendment made to amendment 56: (a), after subsection (4C), insert—

“(4D) Subsections (4A) to (4C) expire at the end of 31 March 2019 (but without affecting any regulations already made under this section by virtue of subsection (4A)).”—(Alistair Burt.)

This amendment provides for the provisions in subsections (4A) to (4C) of clause 15, allowing structural and boundary provision in relation to a non-unitary district council area if at least one relevant local authority consents, to expire at the end of 31 March 2019.

Amendment 56, as amended, agreed to.

Clause 16
POWER TO TRANSFER ETC. PUBLIC AUTHORITY FUNCTIONS TO CERTAIN LOCAL AUTHORITIES
Amendments made: 30, page 18, line 39, after “liabilities”, insert “(including criminal liabilities)”.

This amendment clarifies that criminal liabilities of a public authority can be transferred to a local authority on the same basis as other liabilities when functions of a public authority are conferred on a local authority.

Amendment 31, page 19, line 2, at end insert—

“(5A) Subsection (5B) applies where regulations under subsection (1) contain a reference to a document specified or described in the regulations (for example, in imposing a condition by virtue of subsection (2)(a) for an authority to have regard to, or to comply with, a statement of policy or standards set out in the document).

(5B) If it appears to the Secretary of State necessary or expedient for the reference to the document to be construed—

(a) as a reference to that document as amended from time to time, or

(b) as including a reference to a subsequent document that replaces that document,

the regulations may make express provision to that effect.”—(Alistair Burt.)

This amendment allows regulations conferring public authority functions on a local authority to include provision referring to a document as amended from time to time, or replaced. This may be necessary when imposing conditions referring to standards or policies which may be updated in light of technological or scientific developments (for example).

Clause 17
SECTION 16: PROCEDURE ETC.
Amendments made: 32, page 19, line 20, after “authority” insert “by whom a function becomes exercisable by virtue of the regulations”. This amendment clarifies that the reference to “relevant local authority” in clause 17(1)/(a) is to the relevant local authority that would exercise a function as a result of regulations under clause 16(1).

Amendment 33, page 19, line 22, after second “the” insert “relevant”.

This amendment clarifies that the local authority mentioned in clause 17(1)/(b) is the relevant local authority.

Amendment 34, page 19, line 30, at end insert—

“(2A) The requirement in subsection (1)(a) for the relevant local authority to consent to the making of regulations under section 16 does not apply where—

(a) the regulations revoke (in whole or in part), or otherwise amend, previous regulations under that section, and

(b) the only purpose of the regulations is to provide for a health service function of the relevant local authority to cease to be exercisable by the authority (which may include provision under subsection (2)(b) in relation to that purpose).

(2B) In subsection (2A)(b), “health service function of a relevant local authority” means a function which—

(a) relates to the health service, as defined by section 275(1) of the National Health Service Act 2006, and

(b) is exercisable by the authority by virtue of regulations under section 16.”—(Alistair Burt.)

This amendment removes the requirement for local authority consent to regulations revoking a transfer of functions to that local authority where the revocation relates only to health service functions. Incidental, supplementary, consequential, transitional, transitory or saving provision may be included in the revoking regulations.

Clause 18
DEVOLVING HEALTH SERVICE FUNCTIONS
Amendment made: 35, page 20, line 43, leave out from “under” to “are” in line 44 and insert “Chapter A2 of Part 2 of the NHS Act 2006 (clinical commissioning groups)”.—(Alistair Burt.)

This amendment ensures that all the functions of the NHS Commissioning Board in relation to clinical commissioning groups under Chapter A2 of Part 2 of the National Health Service Act 2006 (which includes Schedule 1A to that Act) cannot be transferred to local or combined authorities under clause 16 or section 105A of the Local Democracy, Economic Development and Construction Act 2009.
Clause 21

SUB-NATIONAL TRANSPORT BODIES

Amendment made: 36, page 27, line 42, leave out “jointly” and insert “concurrently”. — (Alistair Burt.)

This amendment would allow regulations under section 1023 of the Local Transport Act 2008 (as inserted by clause 21 of the Bill) to provide for local transport functions to be exercised by a sub-national transport body concurrently with a local authority instead of jointly.

Schedule 2

MAYORS FOR COMBINED AUTHORITY AREAS: POLICE AND CRIME COMMISSIONER FUNCTIONS

Amendments made: 37, page 42, line 29, leave out “PCC mayor” and insert “mayor for policing and crime”.

This amendment, together with amendments 10, 38 to 43 and 45 make minor drafting changes so that a deputy mayor appointed in respect of police and crime commissioner functions under paragraph 3 of new Schedule 5C is to be known as the “deputy mayor for policing and crime” (rather than “deputy PCC mayor”).

Amendment 38, page 42, line 30, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 39, page 42, line 36, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 40, page 42, line 43, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 41, page 43, line 9, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 42, page 43, line 11, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 43, page 43, line 14, leave out “PCC mayor” and insert “mayor for policing and crime”.

Amendment 44, page 43, line 28, at end insert—

“(4) The Secretary of State may by order provide for a police and crime panel to have oversight functions in relation to any general functions of the mayor that are the subject of arrangements under section 107D(3)(c)(ii) (power to arrange for general functions to be exercisable by deputy mayor for policing and crime).

(2) If it appears to the Secretary of State expedient for the police and crime panel also to have oversight functions in relation to other general functions of the mayor that are related to general functions in respect of which an order is made under sub-paragraph (1), the Secretary of State may by order provide for the panel to have oversight functions in relation to those other general functions.

(3) An order under this paragraph may disapply, or otherwise modify, the application of paragraph 1(3) of Schedule 5A so far as relating to general functions of the mayor in respect of which a police and crime panel has oversight functions.

(4) In this paragraph—

“oversight functions”, in relation to general functions of the mayor, are functions that are of a corresponding or similar kind to those that a police and crime panel has in relation to PCC functions of the mayor;

“police and crime panel” means a panel established by virtue of an order under paragraph 4.”

Schedule 4

AMENDMENTS OF THE NATIONAL HEALTH SERVICE ACT 2006

Amendments made: 46, page 50, line 3, leave out “a function” and insert “one or more functions”.

This amendment makes a minor and technical revision to subsection (1) in section 13ZA to be inserted into the National Health Service Act 2006, to ensure it is clear that “devolved arrangements” as provided for in that section may relate to one or more functions.

Amendment 47, page 50, line 14, after “arrangements” insert “in relation to any functions”.

This amendment makes a minor and technical revision to subsection (1) in section 13ZA to ensure consistent language in this subsection with subsection (1).

Amendment 48, page 50, line 14, leave out “the function” and insert “such functions”.

This amendment makes a further minor and technical revision to subsection (3) in section 13ZA to ensure consistent language in this subsection with subsection (1).

Amendment 49, page 50, line 35, leave out “each eligible body” and insert “at least one clinical commissioning group”. — (Alistair Burt.)

This amends the requirements for membership of a joint committee exercising functions under devolved arrangements as provided for in section 13ZA to be inserted into the National Health Service Act 2006, so that the requirement in subsection (7)(b) in section 13ZA is met if at least one clinical commissioning group is a member.

Schedule 5

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: 50, page 55, line 34, at end insert—

“(8A) The Local Government Finance Act 1988 is amended as follows.

8B In section 74 (levies), omit subsection (9).”

This amendment is consequential on amendment 23.

Amendment 51, page 56, line 29, at end insert—


11A (1) Section 65 of the Environment Act 1995 (National Park authorities: general purposes and powers) is amended as follows.

(2) In subsection (5), after paragraph (b) insert—

“Paragraph (b) is subject to subsection (6A).”

(3) After subsection (6) insert—

“(6A) Subsection (5)(b) does not apply in relation to a National Park authority for a National Park in England (see instead section 65A for general powers of such authorities).”

This amendment contains consequential amendments of section 65 of the Environment Act 1995 as a result of NC7."
Amendment 52, page 57, line 16, leave out lines 16 to 18 and insert—

“(2A) But section 85 of that Act, in its application to a combined authority by virtue of subsection (2), is subject to subsections (2AA) and (2AB).

(2AA) If the area of the combined authority includes the area of the whole of a county that comprises the areas of one or more district councils, the representative councils for the purposes of section 85(1)(c) of that Act (as applied to a combined authority) are either the county council or the council for each of the districts (as determined by or in accordance with the order).

(2AB) In relation to a mayoral combined authority, section 85(4) of that Act is not to be taken as preventing the mayor from being a voting member of the authority.”

This amendment identifies representative councils which are required to appoint elected members as a member of the combined authority for the purposes of section 85(1)(c) of the Local Transport Act 2008, as applied by section 104 of the Local Democracy, Economic Development and Construction Act 2009.

Amendment 53, page 57, line 27, leave out paragraph (b).

This amendment is consequential on amendment 27.

Amendment 54, page 58, line 9, at end insert—

“(20A) In section 113 (requirements in connection with changes to existing combined arrangements), after subsection (3) insert—

(4) This section does not apply to an order under section 106(1)(b) that is made as a result of the duty in section 105B(1D) or 107B(4).”

This amendment disapplies the requirements imposed by section 113 of the Local Democracy, Economic Development and Construction Act 2009 in relation to orders under section 106(1)(b) of that Act, removing a local government area from an existing area of a combined authority, if made as a result of the duty to make such an order under section 105B(1D) or section 107B(4) of that Act.

Amendment 55, page 58, line 21, at end insert—

“(22A) In section 115 (transfer of property, rights and liabilities), in subsection (1) after “liabilities” insert “(including criminal liabilities)”.”

(—Alastair Burt.)

This amendment clarifies that criminal liabilities can be transferred on the same basis as other liabilities in connection with an order made under section 115 of the Local Democracy, Economic Development and Construction Act 2009.

Third Reading

9.27 pm

The Secretary of State for Communities and Local Government (Greg Clark): I beg to move, That the Bill be now read the Third time.

I would like to thank—[Interruption.]

Madam Deputy Speaker (Natascha Engel): Order. The Secretary of State is moving the Third Reading.

Greg Clark: I thank all hon. Members from both sides of the House who have contributed to the development of the Bill, particularly those who participated in the extensive scrutiny on the Floor of the House both in Committee and on Report. The House will observe that we have followed the principle of listening to the views of Members, both in Committee and on Report. We made several improvements to the Bill after having heard serious representations from those across the House. I want to put on the record my thanks to my officials and to the Clerks, who have guided us adroitly through every clause.

I also want to thank councillors of every party and business leaders from across the country who have helped to give this Bill the momentum it deserves by embracing the localism agenda that began in the last Parliament. Important though the Bill is, it is worth noting that it is not the only means by which devolution is being advanced. For example, the Chancellor’s announcement that 100% of business rates would be retained by local government, rather than sent to the Treasury, is a significant step forward for the greater independence of local government.

I want the Bill to commence several things. I want it to allow the often latent potential for economic growth across all parts of the country to be better unleashed. The Bill and the process that we have introduced have brought businesses right across the country into close collaboration with their local authority leaders. The degree of enthusiasm for this has been gratifying.

The Bill allows reform where civic leaders and councillors desire it. It is a Bill that proceeds from the bottom up, rather than the top down. That makes it a novel Bill in the history of legislation concerning local government that this House has considered. It is a Bill that does something that previous Governments have baulked at, which is to transfer deliberately powers that Ministers and Governments have held and exercised in Westminster and Whitehall to authorities across the land. The insight of the Bill is that those objectives can be achieved together if local people are given their voice and allowed to set their arrangements in their own way.

The breakthrough is the recognition that not all places need to be the same. One of the glories of this House is that we know that each of our constituencies is very different from the others. No two places are the same. A world in which policy is identical in every part of the country is a world in which policy is not well set for particular parts of the country. Each place has a different history, different strengths and different capacities.

In the past, proceeding at the speed of the slowest has hampered efforts to devolve. Therefore, the approach that we have taken has been to invite every part of the country to make its proposals to the Government from the bottom up and to encourage those with the most ambitious proposals to advance them, while encouraging other places to find their feet and take the powers that they want for themselves and their people.

Mr Chope: Will my right hon. Friend give the House an assurance that amendment 56 will not be used by the Government to force change on any local authority?

Greg Clark: I will indeed. My hon. Friend raises an important point. The whole process by which we have operated and negotiated with places has recognised that the best ideas come from local places themselves. Previous local government Bills have attempted, with unhappy consequences, to impose a Government view of how local government should be organised on reluctant local authorities. This Bill does not do that and the amendment that he mentions will not be used for that purpose either. Rather, it will bring local communities and local authorities into a discussion about what is best for their area.

Sir Edward Leigh: The Secretary of State, as usual, is handling difficult issues in a consensual and careful way. As I understand it, he wants to use amendment 56
to encourage a discussion. Discussions are fine, but, for the want of argument, if a county council wanted to use amendment 56 to drive for a unitary authority against the wishes of one or more district council, I take it that the county council could not use it to override the district councils.

**Greg Clark:** All of our negotiations have achieved consensus locally. That is my approach. Amendment 56 allows us to require that those conversations take place. No authority can reasonably refuse even to discuss the potential for reform. That is right. It is reasonable for neighbouring authorities to have conversations about what is the best way to proceed. As my hon. Friend the Minister said, the powers are already there.

In responding to the case that was made in Committee by my hon. Friend the Member for Carlisle (John Stevenson) and that was made again on Report, we thought that it was worth having in the Bill, as a pilot, the ability to, as it were, encourage authorities to have the conversation. Anything that is agreed needs to be agreed by the Secretary of State and by this House. My hon. Friend the Member for Gainsborough (Sir Edward Leigh) can be absolutely sure that, in exercising my authority in this area, I propose to maintain the preference for consensus that I have shown so far.

It is worth reflecting that, in the few years since we started negotiating, first with cities and then with local authorities and their businesses through the growth deals, there has been tremendous enthusiasm across the country. Members have spoken at various points during the debate about how the degree of collaboration and involvement of businesses and local authorities has been very much greater than that experienced in the past. That is absolutely the case. If we are to prosper and succeed as a nation, every part of the nation has to fire on all cylinders. This important Bill will help to drive that forward.

During the debate, many amendments have been made, resulting in the Bill’s improvement. We have accepted a need for various reports on the progress of devolution to come to this House, so they can be debated. I am grateful to my hon. Friend the Member for Altrincham and Sale West (Mr Brady) in particular, as he made a very strong case that Members should be involved in the ongoing scrutiny of agreed deals. I am only too willing to have my feet held to the fire. As the Chairman of the Select Committee, the hon. Member for Sheffield South East (Mr Betts), has observed a number of times during these proceedings, in my earlier incarnation in the Department I published a progress report of all Government Departments on whether we were living up to our commitments on devolution. I fully expect that the scrutiny of the House will be equally exacting when it comes to the receipt of the reports.

It is important that we have devolution right across the country. We started with cities, but the enthusiasm in counties and districts right across the country has been very palpable. When we issued an invitation for places to come forward, 38 places, covering almost all the country, submitted proposals. The Bill enacts some of our manifesto commitments to create a metro mayor for Greater Manchester and to create mayoral authorities for the great cities that have concluded deals with the Government.

In response to proposals, again from the bottom up and starting with Greater Manchester, we have been able to enter into discussions about the devolution of health matters, so that the two sides of the same coin that are health and social care can be better administered locally, jointly between the NHS and local government. I am pleased we have been able to make amendments on those matters.

I am pleased that we have ended the Bill’s proceedings with a degree of consensus between all parties. That was very much our intention from the outset. We started with a degree of discord on Second Reading, but I had high hopes that we would be able to persuade those on the Opposition Front Bench to move away from that. As we have scrutinised the Bill and accepted amendments from all sides of the House, including from the Back Benches, I think we have strengthened the Bill. I am grateful to those on the Opposition Front Bench for having, I think, modified their view. I hope we might even hear a degree of enthusiasm—I will be careful on that; I had better not count my chickens—from them.

This is an important moment. The Bill was in the first Queen’s Speech and one of the first to be introduced in this Session of Parliament. On Second Reading, I said it was an historic Bill that would do something our predecessors have not done and that our successors will look back on. They will see this as a piece of legislation that changed the direction of policy and built up our cities, towns and counties across the country, so that their discretion, power and ability to set their own future becomes much greater than it has been in the past.

**Julian Sturdy:** Like many on the Government Benches, I praise my right hon. Friend for all his work bringing the Bill to the House, but does he accept that some areas might need more time to come to the right devolution deal, rather than rushing a bad deal? Will he assure those areas that they will not be penalised for taking their time over what might be, for certain areas, quite a difficult decision to get the right conclusion?

**Greg Clark:** I can certainly give that assurance to my hon. Friend, who has played an active role in talking to his local authorities and businesses to build a consensus. It is clear that different places will proceed at different paces, as they have done already, but I and my hon. Friends are completely committed to inviting every part of the country to put forward and negotiate a deal that is right for them. We invite all parts of the country to propose that which would make the biggest difference to local areas. To paraphrase Disraeli, the Bill exists to show areas their riches to themselves. We can, with the Bill, unleash the growth, the jobs, the homes and the futures that everyone across the country has a right to hope for, and because of that, I commend it to the House.

9.40 pm

**Jon Trickett:** The Bill is clearly a milestone in the direction of devolution, and we welcome the spirit in which the House has debated it—it was good to take the Committee stage on the Floor of the House. We also thank the civil servants, the staff of the House, the Speaker and Deputy Speakers, who presided over our hearings, and the councillors and Members who participated in our debates.
[Jon Trickett]

It is true that Ministers have sought to be consensual—mainly with their own Back Benchers, rather than with us, but we will draw a veil over that—and we have tried to be positive, but, despite the Bill being a milestone, we feel it has been scarred by timidity, and we are frustrated by the lack of ambition. It appears that much of the Bill was shaped by No. 11, rather than being created in the great cities, counties and villages of England, and it simply does not match up to our devolution achievements in Scotland, Wales and London.

I am sure we all agree that the UK is one of the most centralised countries in the world: 72% of all public expenditure is controlled directly by the Prime Minister and his Ministers, whereas Chancellor Merkel controls less than one fifth of Germany’s total budget. There is a long way to go, yet the Bill does little to challenge this major problem, which we are all trying to grapple with. I think the Minister knows that. Does anyone really think that the Government’s cuts to flood defences would have happened had the budget and decision-making powers for flood control been devolved locally? Of course not. The case against over-centralisation is not made by the Bill, but none the less it remains a milestone in the direction we want to travel.

We have sought to engage with the Government and to improve the Bill by tabling amendments. Our amendments—for example, those decoupling a mayor from the ability to secure devolution, as well as those on finance offering stability to local councils, on multi-year funding and on the provision of greater fiscal autonomy—would have helped make local government more autonomous, more powerful and more relevant to local communities. We pressed the Government more than once on extending the franchise to 16 and 17-year-olds—no doubt, we will return to that in future years—and on Report we sought a debate on the general power of competence. After all, if local government is to govern, it has to have the competence to take action in any area relevant to its community.

We supported the Government on the amendment that gave local district councils the right to become associated with metro mayors in adjacent metropolitan areas. The truth is, however, that every single one of our amendments, which were designed to extend powers to local communities, was rejected by the Government. Not one was accepted—and that is the truth of it.

May I gently inquire—I do not suppose I will get an answer—whatever happened to the Chancellor’s plans to scrap the national Sunday trading laws? They seem to have disappeared. Will we get some kind of assurance to scrap the national Sunday trading laws? They seem...
cut to shreds by the Government, they are still prepared to sit down and work pragmatically with the very same Ministers to negotiate deals on devolution that will be to the benefit of the communities they represent. That says an awful lot for council leaders, and the way in which they have approached the offer that the Government have made to them.

I thank the Secretary of State and Ministers for recognising the concerns that I raised and tabling amendment 27. I shall not go into the details of the Sheffield city region again, but I think that the amendment demonstrates Ministers’ understanding of a wider issue. If more growth, better economic performance and new jobs are to result from these deals, the bodies that we are creating must reflect the real economies of their areas rather than having regard to the old administrative boundaries of regions that existed for many years but did not necessarily reflect those local economies. The fact that Ministers were prepared to recognise that, and to help with the construction of bodies that will indeed reflect the economies of their areas, demonstrates a very important principle.

I think that, at some point, we shall have to return to the House and discuss what we have achieved with devolution, and I think that we shall have to discuss three issues. First, we shall have to discuss the deals that have been agreed, how successful they have been, and what lessons can be learned. Deals in one area can throw up either problems or successes from which other areas will want to learn. We shall need to subject the deals to scrutiny, on the Floor of the House or in the Select Committee, to establish how well they have worked in practice, whether they have achieved the success that we wanted them to achieve, and whether such success can be extended to other areas.

Secondly, I think that the House will want to examine the performance of different Departments—and I noted the Secretary of State’s reference to his previous reports on performance. I suspect that there is still more enthusiasm in some parts of the Government than in others for the whole devolution idea. I am sure that the Secretary of State could not possibly say anything, but he knows exactly what the realities are from his experience of negotiating with his colleagues.

Finally, I think that after, say, two years of the workings of what are rightly disparate deals that reflect the particular needs of particular areas—for that is what the construction of these deals is all about—we shall want to examine the overall constitutional position of central and local government. We shall want to think about what the next stage should be, and about whether general principles that we have learnt from the deals need to be applied more widely. I am thinking particularly of fiscal devolution. If Members look at any of the local government systems in western Europe, they will find that those local authorities have the power not just to spend money that central Governments give them, but much greater power to raise their own revenues. I recognise that the Government have taken an initial step forward with the full localisation of business rates.

We shall obviously want to scrutinise the way in which that is done, but I hope that it is merely the first stage of fiscal devolution, as well as the spending devolution with which this Bill is mainly concerned.

9.52 pm

Mr Chope: I thank my right hon. Friend the Secretary of State for the thoughtful way in which he responded to the concerns that were expressed about amendment 56. I think that what he said will be very helpful in ensuring that the Bill is not just about devolution but evolution, and that changes happen gradually and work with the grain of what the people want locally, rather than being imposed top-down and from the centre.

What concerns people about local government—apart from the level of local taxes—is their wish to have some control over the way in which their own communities develop, and to control planning in particular rather than its being controlled by much more remote communities. For a short time I was a member of the Inner London Education Authority, which purported to make decisions on education matters throughout the inner-London boroughs. Most of its members had never ventured outside their own local authority areas, let alone visited all the other parts of London that were covered by ILEA. The danger with very large authorities is that they can lose touch with the sensitive issues that cause the greatest concern to our constituents and to local residents. I hope that as we evolve different administrative and representational models for local government we will bear in mind the need to retain the very powerful local involvement in planning. I speak on behalf of the people of Christchurch, an ancient borough with a priory church that goes back over 900 years where people enjoy the opportunity to elect their own local mayor. One of the downsides of some of the proposals is that they could result in people losing the power to be able to elect their own local mayor for their council—the person who could speak on behalf of the town. Councillor Spreadbury, who, sadly, died about a year ago, had the privilege of being the mayor of Christchurch in five successive decades, having welcomed Her Majesty in 1966 and then had four successive terms. He was typical of a local person brought up in the area and truly representing what the community felt.

Why not retain the distinctions between the different parts of our country? Why try and merge and homogenise the New Forest with Christchurch or Christchurch with East Dorset? A lot of change could be achieved by allowing back office services to be worked out together and by having single chief executives instead of multiple chief executives, but we must not lose sight of the fact that ultimately local government is for most people the body to which they look to take decisions in the best interests of the local citizens.

Question put and agreed to.

Bill accordingly read the Third time and passed, with amendments.
House of Commons Members’ Fund

Motion made, and Question proposed,

That Mr Richard Harrington be discharged as a Managing Trustee of the House of Commons Members’ Fund and Ian Blackford, Mrs Cheryl Gillan and Sir Alan Meale be appointed as Managing Trustees in pursuance of Section 2 of the House of Commons Members’ Fund Act 1939.—(Chris Grayling.)

9.57 pm

Mr Christopher Chope (Christchurch) (Con): This gives us an opportunity to ask the Leader of the House: whither the House of Commons Members’ Fund and the trustees whom we are appointing this evening? A number of us feel the members’ fund and the statute that set it up has slightly lost touch with today’s reality. I hope my right hon. Friend will be able to say, in a very brief response to this debate, that he is minded to have a look at the future constitution of the members’ fund and whether it might evolve into a House of Commons benevolent fund to look after the dependants of former Members of this House. At the moment, the benevolent fund aspect of the members’ fund plays too small a part and I think there is something to be said for establishing a proper benevolent fund that could then take over some of the responsibilities of the current members’ fund.

9.58 pm

The Leader of the House of Commons (Chris Grayling):

My hon. Friend makes an important point, and this issue is currently being pursued by our hon. Friend the Member for Mole Valley (Sir Paul Beresford). We do have to bear in mind that one of the reasons this support has existed over the years is that for those unfortunate enough to lose their seats in this place at a general election, there can often be an immensely difficult transition. Often it is not as easy as some outside might think for them to move into employment, and of course they may run into difficulties later on in their careers.

This place has had a long and right tradition of paying due attention to, and looking after, those who have served this country and this House but who have ultimately found themselves in need. My hon. Friend’s point about the need for this to be a benevolent fund in the future is well worth serious consideration. I understand the point he is making. We have three excellent appointments in the new trustees who are joining the fund, and they could play an active role in that.

I should also like to pay tribute to my hon. Friend the Member for Watford (Richard Harrington), who has done first-class work in this role and has now moved on, thanks to his recent appointment as the Minister with responsibility for Syrian refugees.

My hon. Friend the Member for Christchurch has made an important point, and I will make sure that his comments are drawn to the attention of the trustees. I encourage him to talk to my hon. Friend the Member for Mole Valley, but I will also ensure that the matter is put on to the agenda of the House of Commons Commission, to be discussed at a meeting in the near future. This is an area in which the House has always done the right thing in the past, and there is good reason for us to carry on doing so in the future.

Question put and agreed to.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 9(6)),

BUSINESS OF THE HOUSE (8 DECEMBER)

That at the sitting on Tuesday 8 December the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of James Brokenshire relating to Cross-Border cooperation to tackle serious and organised crime: Prüm not later than three hours after their commencement; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(Chris Grayling.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)),

POLICE

That the draft Police and Criminal Evidence Act 1984 (Codes of Practice) (Revision of Code E) Order 2015, which was laid before this House on 9 November, be approved.—(George Hollingbery.)

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

CAPITAL MARKETS UNION

That this House takes note of European Union Documents No. 12263/15 and Addenda 1 and 2, a Commission Communication: Action Plan on Building a Capital Markets Union, No. 12601/15 and Addenda 1 and 2, a Commission Proposal for a Regulation laying down common rules on securitisation and creating a European framework for simple, transparent and standardised securitisation and amending Directives 2009/65/EC, 2009/138/EC, 2011/61/EU and Regulations (EC) No. 1060/2009 and (EU) No. 648/2012, and No. 12603/15, a Commission Proposal for a Regulation amending Regulation (EU) No. 575/2013 on prudential requirements for credit institutions and investment firms; also notes that the Government supports the Commission’s efforts to ensure that the Capital Markets Union action plan supports jobs and growth, and in particular that the Government welcomes the focus on helping small and medium-sized enterprises (SMEs) get the funding they need to grow and succeed; and further notes that the Government welcomes the Commission’s proposals on securitisation, which provide a framework for the revitalisation of securitisation markets in a prudent and sound fashion, in order to improve access to finance across the wider economy and help to deliver on the objectives of Capital Markets Union.—(George Hollingbery.)

Question agreed to.
Domestic Oil Purchasing Syndicates

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

10.1 pm

Mr Mark Williams (Ceredigion) (LD): I am grateful for this opportunity to raise the issue of domestic oil purchasing syndicates in my own constituency and in many rural communities throughout the United Kingdom. This is apparently not the most scintillating of titles for a debate, but I believe that the subject is of significance, certainly for my constituents.

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom) indicated assent.

Mr Williams: I am pleased to see that the Minister acknowledges that.

The development of domestic oil purchasing syndicates is an important and growing trend in many areas of the UK. [Interuption.] I welcome the hon. Member for Strangford (Jim Shannon) to his place; I was wondering where he was. Those syndicates are helping many communities to save substantial amounts of money by buying their off-grid fuel collectively. This is also helping to tackle the serious issue of fuel poverty in many parts of the country. That issue is not unique to rural areas, but I want to concentrate on those areas this evening.

When communities organise to combine their orders, whether they are communities of single numbers or hundreds, they can negotiate discounts with suppliers by decreasing the number of vehicles that the supplier needs to send to an area, and guarantee the purchase of all the fuel delivered. So there is a gain not only for our constituents but for the suppliers. These arrangements can help substantially to decrease the cost to each member of the syndicate or club, and help to tackle some of the most pressing problems associated with the cost of fuel. Fuel prices represent a serious problem for many rural communities, including not only the scattered hamlets but the bigger towns of my constituency.

In Wales as a whole, 20% of all households still have no access to gas from the grid and are reliant on more expensive forms of fuel, such as oil and coal, as their main source of heating. I have the privilege of representing Ceredigion, a vast tract of rural west Wales with 700 farms and 147 communities. That gives hon. Members an idea of the kind of rurality I am talking about. Whether they are communities of single numbers or hundreds, they can negotiate discounts with suppliers by decreasing the number of vehicles that the supplier needs to send to an area, and guarantee the purchase of all the fuel delivered. So there is a gain not only for our constituents but for the suppliers. These arrangements can help substantially to decrease the cost to each member of the syndicate or club, and help to tackle some of the most pressing problems associated with the cost of fuel. Fuel prices represent a serious problem for many rural communities, including not only the scattered hamlets but the bigger towns of my constituency.

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Before the Club Cosy project, coverage in Ceredigion was patchy, the number of co-ordinators was small, and there was very little co-ordination between clubs covering different areas of the county to maximise and co-ordinate their purchasing power. Since the project started, the number of co-ordinators has increased, coverage has improved to cover the entire county, co-ordination has improved and the number of syndicate members has more than doubled. Crucially, awareness has been raised, so that people know that if there is a challenge to household budgets, and my goodness there is, there are alternatives that can be pursued. In addition, the project has included specific work with syndicate co-ordinators to target and identify the fuel poor. Co-ordinators are going out into the community, rather than waiting to be asked. We have had targeted roadshows with housing associations, energy advice being offered directly in the home, and work being done specifically with the most vulnerable households through joining a syndicate. The experience from the Club Cosy project has been used to develop a document, which I will send to the Minister, explaining how sustainable models for fuel syndicates can be established, which should be helpful to other parts of Wales and further afield.

There are thousands of fantastic schemes across the country. My right hon. Friend the Member for North Norfolk (Norman Lamb) has told me about the Thinking Fuel project in his constituency, which provides similar help to local communities to improve co-ordination, lower costs and help decrease the number of people living in fuel poverty.

One syndicate in my constituency has recorded savings of anything from £26 to £76 for every 1,000 litres ordered. That is a 10% saving over an 18-month period, making a substantial difference to many households. In many cases, this has helped people on long-term agreements with fuel suppliers to revisit and review their current arrangements, often finding that they have been paying substantially more than they should have been.

There are also other benefits to forming syndicates. A syndicate of just five households in one hamlet can reduce the number of tankers travelling to deliver their fuel from five to one—an obvious, but useful statistic—which is a fact that is not lost on the companies themselves.

We can see benefits to the local economy through the uptake in bulk-buying clubs. In Llanddewi Breifi, orders are placed via the local shop and pub, enhancing their status as real community hubs. In Siop Clwyd, Tre’r Ddol, the syndicate has added value to other services in the community shop, again helping to sustain the local economy, while in Tregaron, £1 charged per order is ploughed back into the community hall fund.

The project funding for Club Cosy has now come to an end, but the legacy is firm and rooted, and I think it will continue to prosper in the future. The principle behind oil syndicates is something that we can all endorse. I am talking about collective action on behalf of customers to realise economies and bring substantial benefits to people through lower fuel bills. These community-spirited individuals often work in disparate and isolated communities, and in the case of Club Cosy, work closely with fuel distributors as well. This is an issue that potentially affects huge numbers of people throughout our country. Unashamedly, I want to use this opportunity to celebrate this great scheme in my constituency in the expectation that others will look closely at what has been done, and follow in its footsteps.

As I mentioned earlier, work was undertaken under the coalition Government to push oil clubs on to the agenda, and some minimal funding was made available. I look forward to hearing from the Minister that that work is continuing, because it is important. The support needs to continue because there are still some big unanswered questions. Connecting communities to the gas network may well negate the need for oil clubs, but fracking may assist in some areas.

The gas network as we know it simply does not allow for the distribution of piped gas in many rural areas. The choice available is an issue. Quite rightly, the Government talk about switching within specific forms of energy, but we do not have the choice in many rural areas. That presents a problem to Governments both at a Westminster and a Welsh level, and to the communities that are struggling to cope with bills.

There are also good and bad negotiators. Some of our fellow citizens, if they are provided with the right information, will be good at arguing their case for switching and for better tariffs. What better way of seeking a cheaper fuel tariff than having someone to take a lead in the negotiations? Again, that is one of the benefits of this scheme.

When I speak to syndicate co-ordinators, one issue keeps cropping up: funding. Funding is available through the Department of Energy and Climate Change for those attempting to save energy and keep their homes warm. Initiatives such as big energy saving week are laudable, but many syndicates find it difficult to access even the most basic core funding. The benefit of having a group of individuals taking the lead on this issue cannot be overstated and funding is therefore important. We need to continue to consider ways of disseminating best practice. Will the Minister look into this issue and ensure that oil syndicates can apply for that support and that those who choose which projects to fund, if funding is available, are particularly aware of the needs of rural communities?

Another important point, which again relates to the issue raised by the hon. Member for Strangford (Jim Shannon), concerns elderly people. Much of the switch agenda is advanced through the internet and through emails, and as I say in any debate that mentions Ceredigion, there are limitations in the broadband roll-out. There is also a demographic divide, as older people are less confident. Again, that points to the benefits of syndicates, as people do the work for their members. Will the Minister detail what action she can promise to help encourage and support the uptake of domestic oil purchasing syndicates more widely?

I am mindful of the time—we waited for this Adjournment debate—but I want to give just one example of a constituent of mine who has benefited from Clwb Clyd,
or Club Cosy. The Club Cosy coach visited my constituent at her home on a social housing estate in Ceredigion, an area where there is a high risk of fuel poverty. She was living in a cold and draughty house and her boiler was using excess amounts of oil owing to a thermostat fault. With high bills, paying for oil was a real worry, eating up a huge amount of her limited budget. Tailored advice was given on draught proofing, joining a syndicate and applying for a credit union fuel account. Her response, besides gratitude, was to become so interested in the fuel syndicate idea that she started one on her own with her neighbours on the social housing estate. She was included in Club Cosy’s networking activities and events, and the club has gone from strength to strength. Many of her neighbours have benefited from her initiative. Yet again, that is a good example of an excellent community project making a difference for a lot of people in my constituency.

I hope that I have proved that what might have seemed at first to be a lofty subject for a debate—development of domestic oil purchasing syndicates—is an issue of great significance for a great number of people in my constituency and elsewhere. I commend the work to the Minister who, I know, is supportive. I look forward to hearing what she has to say.

10.18 pm

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): I congratulate the hon. Member for Ceredigion (Mr Williams). This is an important debate and I am interested to hear about Club Cosy and the initiatives in his constituency. As I am also off-grid, I, too, participate in an oil buying group, which has been of great personal benefit to me.

The debate is a welcome opportunity to discuss the importance of domestic oil purchasing syndicates. My priority is keeping all energy bills low for hard-working families and businesses, as well as keeping the lights on and moving towards a green energy future. Heating oil is a small but significant part of the energy sector. About 1.5 million households are dependent on heating oil to heat their homes and typically they are among the 4 million not connected to the gas grid in the UK. The Office of Fair Trading noted in its off-gas grid market study in 2011 a large variation between the four nations of the UK, with 80% of homes in Northern Ireland off the gas grid compared with 12% in England, 21% in Scotland and 19% in Wales. Proportionally, more off-gas grid households are single occupancy and/or house a person over the age of 60, so the hon. Gentleman is right to point out the effect on elderly people who are also among the fuel-poor.

Last year, nearly 4 billion litres of heating oil, which is primarily used for heating, was delivered into the UK market. As the hon. Gentleman said, heating oil is brought to consumers by a local distributor company from the refiners and importers. Some distributors have their own storage where they can keep a few days’ supply, while those that do not have storage collect oil from a wholesale terminal and deliver it directly to their customers. The price they charge is dependent on how much they had to pay for the oil, the volume required, and the cost of delivery. DECC analysis suggests that on average, at national level crude oil price changes are fully passed through into heating oil prices within a month. At times, the wholesale price for heating oil may also be influenced by local supply and demand issues.

The average cost of heating oil is currently 34.51 pence per litre, which is down 18p from its peak in September 2014. I have been clear to the oil companies that we expect them to continue passing on any future oil price falls, bringing benefits to consumers and the wider economy.

Jim Shannon: It is always a pleasure to hear the Minister reply to a debate. How will her Department focus attention on those in fuel poverty? Many of those people are not elderly, because some people are on benefits and have a low income. How does the Minister hope to focus on those people?

Andrea Leadsom: The hon. Gentleman has raised that issue in a number of debates, and I agree that fuel poverty is a key issue for our energy support. Everything that we do to support fuel, energy efficiency and warm homes will be directed at fuel poverty.

We are keen for people to join an oil-buying group because they can benefit from reduced prices and the ability to negotiate for large volumes, meaning cheaper oil for all those in the group. Action with Communities in Rural England, Citizens Advice, and the Federation of Petroleum Suppliers have produced guidance on best practice for forming and operating oil buying clubs. ACRE is made up of 38 rural community councils across England. Those are charitable local development agencies—generally based at county level—which have a strong history of leading, supporting, and enabling community initiatives to help communities to help themselves. That includes running oil buying clubs.

Citizens Advice has produced guidance for consumers who experience difficulties with their heating oil suppliers, and set out what to do if people are struggling with their bills. It also has a website search function to find oil clubs, although that is not necessarily a comprehensive list. The sector trade association, the Federation of Petroleum Suppliers, has produced separate guidance on oil-buying groups and published a mandatory code of practice for its members, as well as a customer charter to engage with consumers on a fair and consistent basis and implement best practice to raise standards. The hon. Member for Ceredigion mentioned work by the previous coalition Government, and the Cheaper Energy Together scheme through which the Government funded three oil buying clubs. A decent amount of lessons were learned, and informed guidance allowed new clubs to form and meet to the benefit of consumers.

Some suppliers offer a means of spreading the cost, such as the option of paying by monthly direct debit with a fixed-rate payment scheme. That allows customers to know how much they will be paying for oil over the coming year, and to budget accordingly. Some suppliers offer a top-up scheme where, either through telemetry or distributor knowledge, customers’ tanks are filled as required. Through the telemetry system, suppliers are automatically informed when a tank requires filling. As well as reducing the risk of customers running out of oil, that has the advantage of providing alerts for rapid drops in level, such as those that, sadly, are occasionally caused by theft or leakage. Most companies will inform customers of the price prior to filling their tank.

Although in their infancy, pay-as-you-go schemes linked with credit unions seem to have real potential for supporting vulnerable consumers. Such schemes provide flexibility of purchase, and ensure that when customers
need fuel they are able to purchase it. As the Federation of Petroleum Suppliers advises, it is always wise for people to check their fuel price against other retailers on a regular basis, and to ask their suppliers to confirm the price prior to delivery.

The Government are fully committed to reducing energy bills, and energy efficiency is a key part of that. The spending review announced our intentions for a long-term, better focused successor to the energy company obligation from 2017-18 which will run until 2021-22, with a maximum envelope of £640 million per annum, rising with inflation. That will support the insulation of 1 million homes over the course of this Parliament. Officials have engaged with stakeholders to design a successor to ECO, and we will consult on our proposals next year.

We are also committed to helping people move away from dependence on fossil fuels. The renewable heat incentive is the world’s first long-term financial support programme for renewable heat. It provides financial incentives to install renewable heating in place of fossil fuels. The scheme is designed to bridge the gap between the cost of fossil fuel heat sources and of renewable heat alternatives, with financial support for owners of participating installations. As of 31 October 2015, over 43,000 installations have been accredited on the scheme and over 481 GWh of heat has been generated and paid for.

I want to assure the hon. Member for Strangford (Jim Shannon), who made a point about fuel poverty, and the hon. Member for Ceredigion that my priority is keeping bills low for families and businesses while meeting our climate and fuel poverty goals and continuing to keep the lights on. I should like to draw attention to the work of my hon. Friend the Member for Suffolk Coastal (Dr Coffey), who used to chair the all-party group on off-gas grid, and continues to raise the issue in government. I urge Members who are interested in the subject to join that all-party group. I am always keen to hear new ideas on how we can better support those who are off-gas grid.

One way in which individuals can keep their energy bills low is by joining domestic oil syndicates and, as I have said, I have personal experience of how successful such initiatives can be. I urge consumers who belong to those initiatives to buy early, particularly as winter is approaching.

Mr Mark Williams: I am grateful to the Minister for her response and the enthusiasm that she is sharing with us, because this is an important issue. She alluded to something that happened under the coalition Administration. Without wanting to be too nostalgic for those days, may I ask her to reflect on that scheme and the funding for those syndicates? A lot of work to publicise syndicates relies on the third sector. It is something that could captivate people. A lead from Government, with a little money, would go a long way.

Andrea Leadsom: I will certainly take that away and look seriously at what the hon. Gentleman says. Only recently, we conducted a small campaign in social media and in the general media to try to encourage people who are part of oil buying syndicates, and people who are not, to buy early in preparation for the winter and to try to grab prices while they are relatively low.

I hope that this debate has been helpful to the hon. Gentleman—and to the hon. Member for Strangford—and I sincerely congratulate him on raising it.

Question put and agreed to.

10.28 pm

House adjourned.
House of Commons

Tuesday 8 December 2015

The House met at half-past Eleven o’clock

PRAYERS

[Mp Speaker in the Chair]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—
Torquay Magistrates Court

1. Kevin Foster (Torbay) (Con): What recent progress his Department has made on consulting on the future of Torquay magistrates court.

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): The Courts and Tribunals Service is evaluating all responses to the consultation, and no decisions have been made. An announcement on the future of Torquay magistrates court will be made in due course.

Kevin Foster: I thank the Minister for his answer. At the end of this month, a successful turnaround integrated offender management team that is based at the court building is due to be evicted. Can he confirm that this is not a sign that the decision has already been taken, and that the Government are still considering options to keep justice local in the bay?

Mr Vara: May I first thank my hon. Friend for the submission that he made to the consultation? I can confirm that no decisions have been taken. Moreover, the arrangement for the turnaround IOM team to use the building was always due to come to an end this month. I understand that alternative arrangements have been made for it to continue to provide its very valuable services locally.

Parole Hearings: Victim Statements

2. Tom Pursglove (Corby) (Con): What steps he is taking to promote the use of victim statements in parole hearings.

The Minister for Policing, Crime and Criminal Justice (Mike Penning): The Conservative election manifesto included a commitment to introduce a new victims law enshrining the rights of victims, including the right to a personal statement before the Parole Board decides on a prisoner’s release. We will publish details in due course. I recognise and passionately believe in the importance of giving victims a voice.

Tom Pursglove: Anne Forbes, whose son Iain was brutally murdered by five men in Corby in 1993, has this year alone had to go through the ordeal of reading out three of these victim statements. This has taken its toll not only on her family but on her health. Will the Minister meet me and Mrs Forbes to discuss the role of victim statements and how they can work better for victims and their families?

Mike Penning: The whole idea of a victim statement is for the victim to feel that they are part of the process, and not for it to be a burden on them. Naturally I will meet my hon. Friend and Mrs Forbes to see how her experiences, and other victims’ experiences, can improve the situation for them. I look forward to the meeting.

Nick Smith (Blaenau Gwent) (Lab): The average time taken from charging to Crown court trial is close to a year. That is lamentable for victims. What is the Minister going to do to bring this time down substantially?

Mike Penning: I fully agree that the length of time between charging and the case coming to court needs to be improved for victims, and that their whole experience needs to be improved within the criminal justice system. The Justice Secretary has already announced measures to speed up the process, and more will be coming forward shortly.

Mr Philip Hollobone (Kettering) (Con): Victims always remain victims, whereas criminals eventually serve their sentence in full, so will the Minister ensure that especially in cases of violent crimes, parole is very rarely given?

Mike Penning: That is obviously a matter for the Parole Board, but my hon. Friend is absolutely right. Victims are victims for life; it is something they have to live with for the rest of their life. That is why the support that the Government intend to continue to give to victims is very important.

Conor McGinn (St Helens North) (Lab): My constituent Marie McCourt’s daughter Helen was murdered in 1988 and her body has never been found. Her killer received a life sentence, but despite still refusing to reveal the whereabouts of her remains, he is being considered for parole. Will the Minister look at the guidelines to ensure that this man and others like him are never released until they have given information about the location of their victims’ remains?

Mike Penning: Naturally I cannot give a commitment on any individual case, but I would like to meet the hon. Gentleman’s constituent if possible to make sure that we can help her and her close family as much as possible. It is imperative that where victims feel that they want to, and that they have the courage to do so, their statements are taken into account by the Parole Board.

Graham Jones (Hyndburn) (Lab): The victims can sometimes be the wider community. When are the wider community going to get a say on parole hearings—for instance, on violent crimes that might afflicting a whole community? When are the community going to get a say alongside pre-sentence reports on some of these individuals, so that they are represented and their
voice is heard regarding the criminal actions of those individuals and the impact they have on a wider number of people?

Mike Penning: The hon. Gentleman raises a very important point. We have to be really careful, though, that we do not take away from the individual victims the feeling that they are part of the process, which is something that all Governments have tried to address for many years. We are committed to doing that. We also have to be really careful that we do not create a vigilante situation, but I understand the hon. Gentleman’s point. We have to make sure that the criminal justice system works for everybody.

Custodial Sentences: Women

3. Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): What steps is he taking to reduce the number of custodial sentences given to women.

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): Crime is falling and the female prison population is now consistently under 4,900 for the first time in a decade. Last year, over 70% of women successfully completed their sentence in the community. However, we want to do more, so in partnership with the Government Equalities Office we are making available a £200,000 grant fund to support local areas to pilot the development of multi-agency approaches to female offending.

Drew Hendry: I thank the Minister for that answer, but the number of women in prisons across the UK has doubled since 2000. Many are mothers serving six-month sentences or less for minor offences, and that causes irreparable damage to family life. Will the Minister follow the example of the SNP Scottish Government in working harder to reduce the number of women in prison and give community sentences where possible?

Caroline Dinenage: The hon. Gentleman is absolutely right, and that is what the pilots are about. Female offenders often have very complex needs. They are much more likely to self-harm and to be victims of violence or domestic abuse than their male counterparts. That is why the pilots, which seek to divert women away from a pathway to prison very early on in their offending behaviour, are fantastic. The schemes recognise that sending women to prison can have a devastating effect not only on their lives, but on those of their dependent children.

Philip Davies (Shipley) (Con): Will the Minister confirm that, for every single category of offence, a man is more likely than a woman to be sent to prison, to be sent to prison for longer and to serve more of their sentence in prison? Given this age of gender equality that the Government believe in so much, what possible justification can there be for releasing more women from prison than men, and what assessment has the Minister made of whether or not that breaks discrimination laws?

Caroline Dinenage: I am very happy to have the opportunity to answer that question. Obviously, sentences are based on the individual offence. Male offenders are, and will continue to be, supported through existing processes to address their needs, but let us not forget that our Prison Service and probation service were designed with male offenders in mind, because they make up 95% of their customers.

Ms Margaret Ritchie (South Down) (SDLP): Will the Minister outline what levels of support will be available or are being considered for those women’s dependants, many of whom are quite young children?

Caroline Dinenage: The hon. Lady makes an excellent point. That is why our women’s prisons have made an enormous effort to engage with families and children, and some of them give women the opportunity to hold overnight visits with their young children. That is what the pilots are about: they are about recognising offending behaviour very early on, so that we can bring in third sector organisations and local authorities to divert women from ending up in prison.

Legal Aid

4. Mike Kane (Wythenshawe and Sale East) (Lab): What plans he has to reintroduce the residence test for legal aid.

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): The Government are committed to a two nation justice system, but restricting civil legal aid.

Mike Kane: The Minister was forced to admit last year that there were no precise figures for any savings from this policy area. The policy was also criticised by the Joint Committee on Human Rights and is subject to further legal scrutiny under the Supreme Court. Is it not time that the Minister gave up the ghost on this failed area of policy?

Mr Vara: Given the Court of Appeal judgment on 25 November, when it sided with the Government, we have no intention of giving up on this. It is important to remember that people who seek to have benefit from UK taxpayers should show some connection to this country. It is perfectly reasonable to expect people to have continuous 12-month residency in the UK before they benefit from UK taxpayers’ money for their legal aid.

Gavin Robinson (Belfast East) (DUP): On legal aid and any potential change, has the Minister turned his mind to the disparity involved when one parent abuses the legal aid available to them in order to get an upper hand in contact cases with their children while the other parent has to self-finance?

Mr Vara: There are, of course, rules and regulations as to who qualifies and who does not. I cannot comment on specific individual cases, but the Legal Aid Agency does try to make sure that it is only those who qualify who get the assistance it provides.

Karl Turner (Kingston upon Hull East) (Lab): In June, the Justice Secretary criticised what he called the two nation justice system, but restricting civil legal aid
according to how long an individual has lived in this country clearly widens the gap between those afforded access to justice and those not. The residence test would have denied justice to the family of Jean Charles de Menezes. Does the Minister think that that is right, and if not, will he drop the two nation justice policy of the Justice Secretary’s predecessor?

Mr Vara: The hon. Gentleman needs to appreciate that we have had to take tough measures. It is vital, and the British people in their millions rightfully say that they want overseas people to have some connection with the UK before getting use of the taxes that they pay. The residence test has gone through the court process to the Court of Appeal, and if it goes further, the Government will object and robustly defend our stance on the residence test.

Criminal Courts Charge

5. Tulip Siddiq (Hampstead and Kilburn) (Lab): If he will make an assessment of the effect of the criminal courts charge on access to justice; and if he will make a statement. [902597]

The Lord Chancellor and Secretary of State for Justice (Michael Gove): Last week, I announced that the Ministry of Justice will review the entire structure and purpose of the financial penalties and orders handed down by courts to offenders, with a view to considering options for simplification and improvement. The Government have listened carefully to the concerns raised about the criminal courts charge, and in the light of those concerns, I decided to pause the imposition of the charge while the wider review is carried out.

Tulip Siddiq: May I take the opportunity to congratulate the Secretary of State on scrapping yet another proposal put forward by his predecessor, but may I also remind him that he was Chief Whip at the time and voted for the policy? Individuals have incurred high levels of personal debt, which they are unlikely to be able to pay back, because of this cost. Bearing that in mind, will the Secretary of State review and waive the outstanding personal debt, which they are unlikely to be able to pay back, because of this cost. Bearing that in mind, will the Secretary of State review and waive the outstanding personal debt, which they are unlikely to be able to pay back, because of this cost.

Michael Gove: Yes; I hesitate to say what the mark would be. We moved as expeditiously as possible to suspend the charge. The best legal advice available to the Department suggested that this was the most effective way of relieving one’s own reputation by trashing one’s predecessor. Will he now clean up the mess his Government have made, rather than walk away from it? Will the charges already imposed be remitted? Will the magistrates of the obligation to impose it.

Mr Vara: What plans does the Secretary of State give those people in the meantime?

Michael Gove: Yes; I hesitate to say what the mark would be. We moved as expeditiously as possible to suspend the charge. The best legal advice available to the Department suggested that this was the most effective way of relieving one’s own reputation by trashing one’s predecessor. Will he now clean up the mess his Government have made, rather than walk away from it? Will the charges already imposed be remitted? Will the magistrates of the obligation to impose it.

HM Courts and Tribunals Service

6. Huw Irranca-Davies (Ogmore) (Lab): What plans he has to reform HM Courts and Tribunals Service. [902598]

10. Henry Smith (Crawley) (Con): What plans he has to modernise the courts and tribunals system. [902602]
17. **Alex Chalk** (Cheltenham) (Con): What plans he has to modernise the courts and tribunals system.

**The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara):** I am delighted that we have secured over £700 million of funding to invest in our courts and tribunals. We have worked closely with the senior judiciary to develop a plan to reform our courts system so that it delivers swifter and fairer justice for everyone in England and Wales at a lower cost.

**Huw Irranca-Davies:** My constituents in Ogmore face the closure of two local courts: one at Pontypridd in the neighbouring constituency and one in Bridgend. How does the Minister respond to the president of the Law Society, Jonathan Smithers, when he warns that:

"Combined with the further planned increases in court fees and reductions in eligibility for legal aid, many of the proposed closures will serve to deepen the inequalities in the justice system between those who can and cannot afford to pay."

**Mr Vara:** It is important in the 21st century that we recognise that a third of the 460 court and tribunal buildings are utilised at a rate of less than 50%. Many of the buildings are not fit for purpose, are listed or are not in compliance with equalities legislation. There is a host of problems and the cost of running the buildings is phenomenal. We need a reformed, up-to-date and modern courts system, and I assure the hon. Gentleman that it will provide access to justice for all.

**Henry Smith:** I thank the Minister for his answer. Does he agree that it is high time, as we are in the 21st century, that we updated outdated court practices, with particular regard to the way in which those with learning disabilities are treated in the system?

**Mr Vara:** Absolutely. As a consequence of the £700 million investment that we received in the spending review, we have a once-in-a-generation opportunity to create a modern, user-focused and efficient Courts and Tribunals Service. Reform of the service is crucial to enable much more efficient access to justice for everyone, including people with learning difficulties. In the one nation Britain that we seek, we want to ensure that everyone has access to all the public facilities on offer.

**Alex Chalk:** As part of the Government’s welcome courts modernisation plans, Cheltenham magistrates court can expect to hear cases from across Gloucestershire, not just from Cheltenham. What measures will be taken to ensure that such courts have the physical and staffing resources they need to deal with the increased case load?

**Mr Vara:** It is already the case that all magistrates court work is Gloucestershire that requires custodial facilities is heard at Cheltenham magistrates court. Should more work be moved to Cheltenham following the outcome of the consultation, the Courts and Tribunals Service will continue to assess the resources that are available at the court to ensure that they meet operational requirements. I should, however, emphasise that no decisions have yet been taken regarding magistrates courts in Gloucestershire.

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**Andrew Gwynne** (Denton and Reddish) (Lab): My constituents in Stockport would probably understand where the Minister is coming from, were their courthouse not down for closure. It is one of the busiest in Greater Manchester, was refurbished as recently as 2010 and has specialist facilities for witness support and protection. Is this not a short-sighted move by the Ministry of Justice? Will he now save Stockport courthouse?

**Mr Vara:** There is nothing short-sighted about having a consultation, the purpose of which is to allow people such as the hon. Gentleman and his constituents to have their say and try to persuade us that, all things considered, the court should be retained. As I said, no decisions have been taken and we are carefully considering all the submissions.

**Mr Dennis Skinner** (Bolsover) (Lab): I listen to Tory MPs and Ministers talking constantly about localism. How can this be a form of localism, when people are having to travel 50 or 60 miles to get justice, instead of going to the local court? It is nothing but hypocrisy.

**Mr Vara:** I have the utmost respect for the hon. Gentleman, but may I gently bring him into the 21st century, which he may not be familiar with? We will ensure that with modern technology such as video-conferencing and telephone facilities, people will have access to justice without having to go to court. Access to justice does not mean simply attending a court and the physical building that it represents.

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22. **Mary Robinson** (Cheadle) (Con): I understand the rationale behind court modernisation, as it will help to create a more streamlined and responsive justice system while generating substantial savings for the taxpayer, and I am grateful to the Minister for meeting me to discuss the proposed closure of Stockport court, which is a mutual interest. Following our conversations, will he provide an update on that court’s future, and say whether the proposals that I presented to him, which would mean that that court remained viable, have been considered?

**Mr Vara:** My hon. Friend is right to say that we have met. With this proposed closure of 91 courts, I have tried to make myself available to as many colleagues as possible—as far as I am aware, I have met every person who wanted a meeting. I am seriously considering my hon. Friend’s proposals, and I am grateful to her for submitting them.

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**Prisons’ Engagement with Employers**

7. **Andrew Stephenson** (Pendle) (Con): What steps his Department is taking to improve prisons’ engagement with employers; and if he will make a statement.

**Mr Vara:** I am delighted that we have secured over £700 million of funding to invest in our courts and tribunals. We have worked closely with the senior judiciary to develop a plan to reform our courts system so that it delivers swifter and fairer justice for everyone in England and Wales at a lower cost.

8. **Sir David Amess** (Southend West) (Con): What steps his Department is taking to improve prisons’ engagement with employers; and if he will make a statement.

9. **Rebecca Harris** (Castle Point) (Con): What steps his Department is taking to improve the employment prospects of prisoners.
The Lord Chancellor and Secretary of State for Justice (Michael Gove): The investment in prison reform announced by my right hon. Friend the Chancellor of the Exchequer in the spending review is designed to make it easier to get prisoners learning and working. As a result, I recently met the Employers’ Forum for Reducing Re-offending to discuss how we can improve employment opportunities for ex-offenders.

Andrew Stephenson: New Call Telecom in Pendle is working with Spacious Place, a social enterprise, to help young offenders at Forest Bank prison with training and employment opportunities. Will my right hon. Friend join me in welcoming New Call Telecom’s work to improve rehabilitation and get young offenders back into society and into employment?

Michael Gove: I wholeheartedly welcome its work, and I commend its efforts to other companies. About 20% of companies employ ex-offenders, but as many as 90% of companies have expressed an interest in doing so. I suspect that the example set by the employer in my hon. Friend’s constituency will inspire more companies to support ex-offenders into work.

Sir David Amess: Given that prison is an expensive option, does my right hon. Friend agree that it makes moral sense to give people who wish to turn their lives around the opportunity to work? Does he also agree that that makes sound business sense, because those people are often hard-working and very loyal employees?

Michael Gove: My hon. Friend makes a powerful point. It is economically sensible to ensure that ex-offenders are in work—about 22% of those in receipt of out-of-work benefits are ex-offenders—and it makes moral sense to give people dignity and a chance to redeem themselves by contributing economically to society.

Rebecca Harris: My right hon. Friend will be aware of my interest in the work of the Cascade Foundation, which was founded by my constituent Jackie Hewitt-Main, and does amazing work in educating and rehabilitating offenders with learning needs. Will he meet me and the Cascade Foundation so that it can share some of its observations about ways we could further improve and streamline rehabilitation through education in prison and on release?

Michael Gove: I would be delighted to meet my hon. Friend and her constituent. Many outstanding firms, from Cisco Systems to Greggs the bakers, Halfords and DHL, are doing more and more to employ offenders, and we must reduce the bureaucratic burdens standing in their way.

Nick Thomas-Symonds (Torfaen) (Lab): When I sat on the Justice Committee earlier this summer, I visited Holloway prison and saw how release on temporary licence allowed women to carry out jobs that led to employment on the outside, and to stability. That worked extremely well in Holloway because the transport links are so good, but how can the Secretary of State ensure that such facilities are consistently good across all women’s prisons in the UK?

Michael Gove: I am grateful to the hon. Gentleman for that point. I would like to see an expansion of release on temporary licence across the prison estate, not just in women’s prisons. We must ensure an appropriate assessment of the risk posed by releasing offenders in such a way, but we must also reinforce the initiative of prison governors who want people out there working and accustoming themselves to life on the outside.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I beg the Secretary of State not to forget what has worked in the past? Will he look at the experience of British Gas, Ford and a cluster of companies in the very famous Reading prison, which I believe is due for closure, working with young offenders? The employment rate was amazingly successful. Let us make sure that that model is not forgotten.

Michael Gove: I am grateful to the hon. Gentleman for making that point. In my constituency, HMP Coldingley works with a group of disparate employers to provide offenders with the chance to contribute again. He makes a very important point.

Tom Elliott (Fermanagh and South Tyrone) (UUP): What specific measures are being put in place to reduce the bureaucracy that companies have to overcome to employ offenders?

Michael Gove: The first thing we need to do is give governors a greater sense of freedom so that they are able to invite employers in, ensure they can make use of prisoners while they are still on the prison estate and employ them through the gate. Specific reforms we hope to bring forward in the new year will give more governors precisely that freedom and flexibility.

21. [902615] Nigel Huddleston (Mid Worcestershire) (Con): Does the Secretary of State agree that the key to improving employment in prisons is giving more power and control to governors over what goes on in their prisons, including the accountability and control to ensure that the quality is appropriate?

Michael Gove: I absolutely agree. I think many Members will be aware of the Clink Restaurant social enterprise. A visionary prison governor at High Down in Surrey and a successor of great governors at HMP Brixton have helped it to expand. One of the most impressive prisons I have visited, HMP Parc in Bridgend, is also part of this initiative—all because of great governors leading institutions that we can learn from.

Military Veterans

8. Graham Evans (Weaver Vale) (Con): What support his Department provides to military veterans in prison.

The Minister for Policing, Crime and Criminal Justice (Mike Penning): The Government are determined to help all offenders, including ex-service personnel who enter the criminal justice system, to turn their lives around and move away from crime. I was surprised, when I took over as Veterans Minister, to learn that we
were not asking prisoners when they came in whether they had served in Her Majesty’s armed forces. We are now doing that when they enter the criminal justice system, so we know better how to help them.

Graham Evans: The vast majority of military personnel successfully transition back into civilian life, having left the armed forces. However, veterans represent the largest single cohort in our prisons. Will my right hon. Friend join me in praising the excellent work of Care After Combat, whose Phoenix project aims to reduce reoffending rates by mentoring veterans both in prison and on release?

Mike Penning: I would like to take this opportunity to praise all those in the voluntary sector who help in the criminal justice system for the work they do, particularly for veterans. The Phoenix project, piloted in February last year by Care After Combat, seems to be very successful. We look forward to seeing exactly what is going on, but it was successful in getting £1 million from the LIBOR fund in the autumn statement and I wish it every success.

Mr David Hanson (Delyn) (Lab): With the Ministry of Defence, will the Minister look at what the stresses are when members of the military leave the armed forces, so we can help to reduce reoffending in the first place, rather than just dealing with it in prison? Will he undertake this important task to identify those causes?

Mike Penning: The right hon. Gentleman makes a very good and important point. As someone who served in the armed forces but left fairly early on—I did not do 22 years—I found that the support was very minimal. We need to make sure that we support our heroes, who have fought for us, in a way that keeps them out of the criminal justice system and gives them the help they need.

Danny Kinahan (South Antrim) (UUP): On a similar note, will the Secretary of State for Justice work with the Secretary of State for Defence and the Ministry of Defence to review the transition process, so that we really understand why so many veterans are going to prison?

Mike Penning: The Government brought in the Act establishing the military covenant to deal with exactly this sort of situation. I have the honour and privilege of sitting on the Prime Minister’s military covenant committee, where such discussions take place regularly.

Prison Initiatives and Programmes

9. Charlotte Leslie (Bristol North West) (Con): What assessment he has made of the potential merits of increasing the use of sport-based initiatives in (a) rehabilitation and (b) counter-extremism programmes in prisons.

[902601]

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): We are interested in developing and testing sports-based initiatives as part of our approach to rehabilitation, and remain committed to using evidence to drive better outcomes and value for money. In October this year, we part-funded an initiative called the National Alliance of Sport for the Desistance of Crime, which will provide further evidence for whether and how sport may assist desistance.

Charlotte Leslie: The often troubled young men and women who, instead of having their anger and drive directed elsewhere, fall prey to manipulative and destructive extremist ideology are to be pitied. Is the Minister aware of the success of boxing in rehabilitation and helping to prevent extremism, including in prisons such as HMP Doncaster, and will he consider piloting non-contact boxing schemes in more prisons and for more categories of offender?

Andrew Selous: My hon. Friend, who has been persistent on this issue, is right that there is promising evidence for the positive influence of sport in rehabilitation. Across prisons in England and Wales, we have 183 different sports-based interventions, although not all of them are available in all prisons. The National Alliance of Sport for the Desistance of Crime will go further in this area, but I would be happy to meet her to talk further about the initiatives she mentions.

Keith Vaz (Leicester East) (Lab): I am not convinced that teaching potential jihadists boxing or table tennis will form an essential part of a de-radicalisation programme, but I am ready to be convinced on the pilot. Does the Minister agree that one way to do this is to appoint an extremism officer to monitor radicalisation in prison and ensure that people are de-radicalised when they leave prison?

Andrew Selous: We will of course proceed according to the evidence from the initiative we have just launched. The right hon. Gentleman will also know that the Secretary of State has launched an independent review of extremism across the prisons estate. Yesterday, I met the excellent former governor who is conducting the review, and we will report in due course.

Jenny Chapman (Darlington) (Lab): I am afraid there is an ever-widening chasm between what the Secretary of State and the Minister say about what is happening in our prisons and the reality. I do not doubt that the Minister is sincere in his belief that improvements are being made, but, given that in most prisons exercise in the fresh air, which the hon. Member for Bristol North West (Charlotte Leslie) so wishes to see, is limited to just 30 minutes a day and purposeful activity outcomes are currently at the lowest level inspectors have ever recorded, owing to understaffing, how can he suggest that there is anything other than a crisis in our jails?

Andrew Selous: I genuinely respect the hon. Lady’s experience in this area, but we have been extremely successful in getting a lot more prison officers on to the landings up and down the country. In the year to 30 September, we saw a net increase of 540 prison officers, meaning less restrictive regimes and more activities. The good news is that we will carry on recruiting at that number up to the end of March next year, when we are seeking an additional 1,700 to 2,000 prison officers.
Legal Representation: Children

11. Anna Turley (Redcar) (Lab/Co-op): What assessment he has made of the ease of access for children to appropriate legal representation. [902603]

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): The Government believe it is important for children and young people to have access to justice. That is why we have made sure that legal aid funding is available for the highest priority cases, including many that are of relevance to children.

Anna Turley: The director of the Youth Justice Legal Centre has said that many children are more reliant on the advice and support of their security guard than on their solicitor or legal team. What other steps are the Government taking to ensure that children and young people have access to proper support so that they can participate in a process that could affect the rest of their lives?

Caroline Dinenage: We are monitoring closely the impact of any changes—we keep this constantly under review—and we would be very concerned if there was any evidence that vulnerable children were not getting the help they needed.

Legal Aid

14. Mims Davies (Eastleigh) (Con): What plans he has to reform legal aid; and if he will make a statement. [902606]

The Parliamentary Under-Secretary of State for Justice (Mr Shasilesh Vara): In the past five years, we have taken action to put the country’s finances back on track, while protecting legal aid for those who need it the most. Legal aid remains a vital part of our justice system, and we must ensure that it is sustainable and fair for those who need it and those who provide legal services, and fair for the taxpayer. I am pleased that the recent spending review led to no further reductions in criminal legal aid.

Mims Davies: All victims of domestic violence must be fully supported in freeing their lives from this menace. Does the Minister agree that it is vital to maintain full access to justice for victims of domestic violence all the way through the legal system?

Mr Vara: Yes, I do agree with my hon. Friend. Friend, and we have made sure that legal aid remains available for victims of domestic violence who need it. We have also made recent changes making it easier to obtain legal aid in cases where domestic violence is a factor, and we have made sure that once legal aid is granted, no further applications need be made for the duration of the case.

Christian Matheson (City of Chester) (Lab): Chester is a city for the legal industry and the legal sector. I am told that numerous criminal legal aid solicitors have been forced out of business or forced to amalgamate with large national firms, while barristers on the Chester circuit are being forced to subsidise access to justice in legal aid cases because they are not getting paid enough through the current legal aid system. Will the Minister review his changes to legal aid, and perhaps deal with them in the same way as the criminal courts charge—by reversing the disastrous changes made in the first place?

Mr Vara: We have a legal aid budget of £1.6 billion, which is one of the largest in the world. By comparison with other common law jurisdictions such as Australia, Northern Ireland and Canada, we have double the expenditure per inhabitant. We have started a process and we will see it through. I can assure the hon. Gentleman that those in need of legal aid will be able to have it where it is necessary.

EU Convention on Human Rights

15. Neil Carmichael (Stroud) (Con): What the Government’s policy is on the UK remaining party to the European Convention on Human Rights. [902608]

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): We cannot rule out ever withdrawing from the ECHR, but our proposals for a Bill of Rights are focused on remaining within the convention, which contains a common-sense list of rights.

Neil Carmichael: Does the Minister agree that a constitutional court could have primacy over decisions in Strasbourg and that such a possibility should be at the heart of any further consultations?

Mr Raab: My hon. Friend makes a powerful point. We respect the fact that the convention includes a common-sense list of rights, and we want to ensure that we have the proper interpretation of those rights. We also want to ensure that we have a Supreme Court that remains supreme. It should be said that where the goalposts of human rights shift, it should be elected Members here that have the last word.

Joanna Cherry (Edinburgh South West) (SNP): It was reported last week that the long-awaited consultation on the Government’s plans to scrap the Human Rights Act would not be published until the new year. Will the Secretary of State confirm when he intends to bring forward a British Bill of Rights, and will he commit to ensuring a full consultation on these proposals and that adequate time will be given to consider and answer any responses to the consultation?

Mr Raab: We have made it clear that the proposals will be brought forward in the new year for full consultation. One area that we want to look at a bit further is the impact of the jurisprudence of the Court of Justice in Luxembourg as well as the Court of Justice in Strasbourg. I can reassure the hon. and learned Lady that we will take the Scottish view very seriously. I have already met the Scottish Justice Minister, Alex Neil, and a range of Scottish practitioners and non-governmental organisations. I look forward to continuing that consultation.

Joanna Cherry: In June the Secretary of State assured this House that, in his view, human rights were a reserved matter. Last week, however, he told the House of Lords Constitutional Affairs Committee that legislation regarding human rights is neither reserved nor devolved. Does he therefore now accept that any legislation
repudiating the Human Rights Act and introducing a British Bill of Rights will require the consent of the Scottish Parliament? Is he aware that there is no question of such consent being given?

**Mr Raab:** As we have said many times before, revising the Human Rights Act can only be done by the UK Government, but implementation of many human rights issues is already devolved. I have to say that the SNP’s policy on this issue is rather “cake and eat it”. SNP Members suggest that Westminster is attacking Scottish human rights, but the SNP continues to agree that it does not want to give prisoners the vote. After the Scotland Bill becomes law, the Scottish Parliament will be able to decide who votes in Scottish elections, so the only way that the SNP will be able to maintain the bar on prisoner voting in Scottish elections is by relying on Westminster legislation. Can the hon. and learned Lady confirm that that is her intention?

**Mr Speaker:** Order. The hon. and learned Lady has no responsibility to confirm anything. The Minister is a dextrous fellow, engaging in a certain amount of rhetorical pyrotechnics, but I do not think we need a treatise on Scottish National party policy on these important matters on this occasion. He should keep it for the long winter evenings that lie ahead.

**Mr Bone (Wellingborough) (Con):** The Government’s policy of bringing in a British Bill of Rights will, I am sure, be welcomed across the House. Will the Minister confirm that rather than rushing through the proposal, we should get it right and bring it forward when everyone has had their say and it can stand the test of time?

**Mr Raab:** My hon. Friend is absolutely right. We make no apology for thinking through tricky constitutional issues. If only the last Labour Government had done the same—but we were saddled with the Human Rights Act 1998. Tony Blair claimed that he had secured an opt-out from the charter of fundamental rights of the European Union, only to find that it leaked like a sieve. It may take a little longer to clear up the constitutional mess, but that is what we intend to do.

**Mr Speaker:** I call Daniel Zeichner.

**Daniel Zeichner (Cambridge) (Lab):**

**Mr Speaker:** Order. I do apologise. I think we nearly missed the hon. Member for Caerphilly (Wayne David). We must hear from the hon. Gentleman first; let’s hear the feller.

**Wayne David (Caerphilly) (Lab):** You are very kind, Mr Speaker. Thank you very much. May I return to the issue of Scotland and human rights? Clarity on that issue is now extremely important. The Deputy Leader of the House said that human rights were “reserved for the UK Parliament and not a devolved matter.”—[Official Report, 15 June 2015; Vol. 597, c. 132.]

Will the Minister say quite clearly that she was wrong?

**Mr Raab:** I have made the position very clear; we have consistently made it very clear. Only the UK Government can revise the Human Rights Act, but the implementation of human rights issues in many areas is already devolved.

**Civil Court Fees**

16. **Daniel Zeichner (Cambridge) (Lab):** What assessment has he made of the effect on court users of recent changes in civil court fees.

**The Parliamentary Under-Secretary of State for Justice (Mr Shashi**

**Vara):** The Government are monitoring data on case loads and fee income from the civil courts, but it is too early to draw any firm conclusions. We will continue to keep the impact of fee changes under review. We recognise that fee increases are not popular, but at every stage we have sought to protect the most vulnerable by ensuring that they will not have to pay new and higher fees. In the current financial climate, it is only right that we are considering every option to raise fees to meet the budgetary challenges that we face.

**Daniel Zeichner:** In March 2015, the court issue fee for a £200,000 claim was raised by more than 600%, from £1,500 to £10,000. Does the Minister appreciate the impact of that on small start-up companies, of which there are many in my constituency, and will he assure those companies that there will be no further rise after the current consultation?

**Mr Vara:** It is important for the hon. Gentleman to recognise that the court system needs to be properly funded. However, we have a very effective remission system, and those who cannot afford the fees do not have to pay them. He should also bear in mind that court fees amount to a tiny fraction of the total amount of legal fees that are incurred.

**Topical Questions**

**T1. Valerie Vaz (Walsall South) (Lab):** If he will make a statement on his departmental responsibilities.

**The Lord Chancellor and Secretary of State for Justice (Michael Gove):** With your permission, Mr Speaker, let me say that I hope the whole House agrees that we are all in the debt of the dedicated prison officers and prison staff who will be working on Christmas day and over the Christmas season. In that spirit, let me also congratulate the newly elected leader of the Prison Officers Association, Mr Mike Rolfe. My Department looks forward to working with him to improve the situation of all prison officers. They do an invaluable job, and we should support them in every way we can.

**Valerie Vaz:** I associate myself with the Justice Secretary’s remarks. Secure colleges, criminal court charges, court fine enforcement and Saudi Arabian contracts—£40.7 million has been wasted so far. Will the Justice Secretary reveal to the House the full costs of those policy changes, and will he tell us which Minister is responsible for that waste of public money?

**Michael Gove:** The hon. Lady started very well, in a bipartisan way. The point about each of the policies that she mentioned is that we made those decisions in both the national interest and the taxpayer’s interest.

**T3. Mr Nigel Evans (Ribble Valley) (Con):** The Parliamentary Under-Secretary of State for Justice: The hon. Member for Caerphilly (Wayne David) gave an example of the lack of clarity on Scotland and human rights. Does the Secretary reflect on the fact that Scottish human rights are a fact of life in Scotland and one that he should acknowledge in his views?

**Mr Vara:** As we have said many times before, revising the Human Rights Act can only be done by the UK Government, but implementation of many human rights issues is already devolved. I have to say that the SNP’s policy on this issue is rather “cake and eat it”. SNP Members suggest that Westminster is attacking Scottish human rights, but the SNP continues to agree that it does not want to give prisoners the vote. After the Scotland Bill becomes law, the Scottish Parliament will be able to decide who votes in Scottish elections, so the only way that the SNP will be able to maintain the bar on prisoner voting in Scottish elections is by relying on Westminster legislation. Can the hon. and learned Lady confirm that that is her intention?
involved in the conducting of an investigation, following allegations, in the full glare of publicity, and then the closing of the case because no further action has been taken. That is quite apart from the appalling collusion of the BBC and the police over the investigation of Cliff Richard. Have the Government given any consideration to turning the clock back, so that such investigations can be conducted with no publicity until the person concerned has been charged?

Michael Gove: I absolutely take account of my hon. Friend’s point. The Government’s position is that, in general, there should be a right to anonymity before the point of charge, but the decision to release the name or details of a suspect in an investigation is an operational one for the police to make. Ministers should not interfere in the operational independence of the police, but I think that the case made by my hon. Friend and others is important. It is vital for us to recognise that the right to be regarded as innocent should be respected by everyone involved in the administration of justice.

Andy Slaughter (Hammersmith) (Lab): Working Links, which runs three community rehabilitation companies in Wales and the west of England, is announcing redundancies of up to 44% of staff—some 600 jobs. If these redundancies go ahead, what will the Secretary of State do to ensure that standards of service and the safety of the public are maintained?

Michael Gove: The transforming rehabilitation reforms, which were introduced in the last Parliament by my predecessor, have enhanced the quality of probation support that offenders enjoy, and we needed to make sure the improvements that have been made are built on. Each of the individual community rehabilitation companies will make their own decisions about the mix and qualifications of staff required in order to enhance that service, but these transforming rehabilitation reforms are welcome and are in the interests of offenders and of community safety.

Andy Slaughter: The Lord Chancellor will have seen the reports today of the outrageous treatment of Andrew Waters, whose right to a private life under article 8 of the European convention on human rights was breached by East Kent Hospitals University NHS Foundation Trust, which placed a “do not resuscitate” order on him, listing his Down’s syndrome and learning difficulties among the reasons. Given that these are exactly the rights the Government wish to opt out of, is it not time, in the week we celebrate international Human Rights Day, for the Lord Chancellor to do another of his famed U-turns and keep the Human Rights Act?

Michael Gove: The case the hon. Gentleman raises is indeed very serious, and I cannot imagine any human rights legislation, or indeed any legal architecture that any of the parties in this House would subscribe to, which would in any way countenance the sort of behaviour he has described.

T5. [902587] Craig Tracey (North Warwickshire) (Con): A recent report revealed there had been nearly 400 illegal Traveller encampments across Warwickshire in the last three years, including four in Alveston and Bedworth in my constituency this summer alone, and these are costing the taxpayer hundreds of thousands of pounds. The previous Justice Secretary pledged to address this issue, so will my right hon. Friend meet me to discuss what progress has been made, and how the rights of local businesses and residents can always be put first?

The Minister for Policing, Crime and Criminal Justice (Mike Penning): These illegal encampments cause real worry to communities, and I fully understand where my hon. Friend is coming from. I am more than happy to meet him, but I should also say the police and local authorities have substantial powers already. He might look at what happened in Harlow, where we had a very similar situation that has been completely resolved, because there was some backbone in the local government, which actually brought in orders, with the help of the police.

Michael Gove: I take account of the hon. Gentleman’s point. In the circumstances, we have to let the judgment of those courts rest, but I invite every single magistrate who felt, for whatever reason, that they could not sit on the bench as a result of that policy to reconsider and revisit their decision.

T2. [902584] Kevin Brennan (Cardiff West) (Lab): Many magistrates resigned over the fees that the Secretary of State has now reversed his decision on, partly because they felt people were pleading guilty when they were innocent, as the fees would be excessive. In taking his decision, what estimate did the Secretary of State make of how many innocent people pleaded guilty during that time?

Kevin Brennan: I very much agree with my hon. Friend’s point. The Government’s position is that, in general, there should be a right to anonymity before the point of charge, but the decision to release the name or details of a suspect in an investigation is an operational one for the police to make. Ministers should not interfere in the operational independence of the police, but I think that the case made by my hon. Friend and others is important. It is vital for us to recognise that the right to be regarded as innocent should be respected by everyone involved in the administration of justice.

T6. [902588] Huw Irranca-Davies (Ogmore) (Lab): Many magnates resigned over the fees that the Secretary of State has now reversed his decision on, partly because they felt people were pleading guilty when they were innocent, as the fees would be excessive. In taking his decision, what estimate did the Secretary of State make of how many innocent people pleaded guilty during that time?

Kevin Brennan: I very much agree with my hon. Friend’s point. The Government’s position is that, in general, there should be a right to anonymity before the point of charge, but the decision to release the name or details of a suspect in an investigation is an operational one for the police to make. Ministers should not interfere in the operational independence of the police, but I think that the case made by my hon. Friend and others is important. It is vital for us to recognise that the right to be regarded as innocent should be respected by everyone involved in the administration of justice.
phones. That is how the world is progressing, and we have to ensure that we keep pace with it. We will keep the majority of the court building for those serious cases that require it, but we also need to recognise that modern technology requires different forms of communication, and that access to justice is not what it used to be in the past.

**Robert Neill** (Bromley and Chislehurst) (Con): The Lord Chancellor’s speech to the Magistrates Association last week was very welcome on a number of counts, particularly his reference to the success of problem-solving courts in New York, such as that at Red Hook, which the Justice Committee has looked at in the past. Will he give us further details of his discussions with the Lord Chief Justice and the judiciary on how we can take that process forward? [Interruption.]

**Mr Speaker:** Order. There was rather too little regard being paid to the fact that we were listening to a question from the Chair of the Justice Committee, a point of which I hope hon. Members will take proper note in future.

**Michael Gove:** There is broad bipartisan support for the idea of problem-solving courts. Lord Woolf, when he was Lord Chief Justice, and DavidBlankett, when he was Home Secretary, both agreed that it was important to explore the potential of problem-solving courts, not just to keep our streets safe but to ensure that offenders changed their lives. I had the great privilege of meeting Judge Alex Calabrese last night. He has been very successful in this area, and I know that the Justice Committee has highlighted his work in America. We will make an announcement shortly on the joint work that the current Lord Chief Justice and I will take forward in this area.

**T8. [902590] Helen Hayes** (Dulwich and West Norwood) (Lab): The Government’s own figures reveal that the number of serious crimes committed by violent and sex offenders who are being monitored after leaving prison has risen by more than 28%, and that some 222 offenders under supervision in the community were charged with crimes including murder and manslaughter and with sexual offences in 2014-15. The National Association of Probation Officers has said that this is partly due to the privatisation of probation, which means that the exchange of information between agencies is not quick enough. What urgent steps is the Minister taking to address this issue?

**Andrew Selous:** The hon. Lady is absolutely right to suggest that serious offences are a very serious matter from which we must learn every possible lesson to ensure that there is no repeat, but I do not agree that the transforming rehabilitation reforms are in any way responsible for a degradation of the probation service. I remind her that 45,000 criminals now receive probation supervision who did not get it before, because the last Government brought in probation for those who are sent to prison for less than a year.

**T9. [902591] Graham Jones** (Hyndburn) (Lab): Has the Minister read the recent “Locked out” report from Barnardo’s, which claims that changes to the incentives and earned privileges scheme mean that a child’s right to see their father is being withheld in order to enforce discipline? Does he think that this is good for the 200,000 children who have a parent in jail?

**Andrew Selous:** I am grateful to the hon. Gentleman for raising this issue. I have met representatives of Barnardo’s on a number of occasions, and I pay tribute to the work that they do in this area. The Secretary of State and I place the highest importance on maintaining the family links of prisoners, and we will continue to look at this policy and at all policies that affect strengthening prisoners’ family relationships.

**Suella Fernandes** (Fareham) (Con): On 27 November, a transgender prisoner killed herself while serving in a male jail. What are the Government planning to do to address the concern about another tragic death in this vulnerable group of people?

**The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage):** We take every death in custody very seriously. The management and care of transgender people in prison is complex, and the Government take it very seriously. The National Offender Management Service is undertaking a review of the relevant Prison Service instruction to ensure that it provides an appropriate balance between the needs of the individual, and the responsibility to manage the risk and safeguard all prisoners. I can announce today that the review will be widened to consider what improvements we can make across prisons, probation and youth justice regarding the future shape of services for trans prisoners and offenders. The review will engage with relevant stakeholders, and Peter Dawson from the Prison Reform Trust and Dr Jay Stewart from Gendered Intelligence will act as independent advisers to the review, which we expect to conclude next year.

**Mr Speaker:** I say in a very kindly way to the Minister, whom I much esteem, that sometimes Ministers, who of course are ultimately responsible, must trim the officialese that is penned for them by others. The hon. Lady is her own best judge in these important matters, and I know she is perfectly capable of doing that herself.

**Andrew Selous:** I had the pleasure of visiting Wrexham a couple of weeks ago, and I can tell the House that the prison is progressing well, and it has excellent work facilities. I am aware of the point the right hon. Gentleman was making about the family links of prisoners, but I assure him that the National Offender Management Service will consider what improvements it can make across prisons, probation and youth justice in relation to the exchange of information between agencies.
raises, and we will continue negotiations with the Welsh Government on the issue. That is all I can say to him at this time.

Lucy Frazer (South East Cambridgeshire) (Con): Our courts system not only provides effective justice to us domestically, but is the forum of choice for much foreign litigation. When considering the civil courts charge, will the Secretary of State ensure that our courts remain not only effective places for the resolution of domestic litigation, but at the forefront of international dispute resolution?

Mr Vara: My hon. and learned Friend makes a good point, but I think she also ought to bear in mind that the reason why people come to Britain for their litigation is not because of the fees, but because of the expertise we offer, the impartiality of our judges and the fact that UK law is used by a large part of the world as well.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): How is the transforming rehabilitation programme in Wales likely to achieve its targets if the only CRC—community rehabilitation company—is to base its operations in Middlesbrough and make 200 staff redundant?

Andrew Selous: These reforms give us the opportunity to bring down reoffending rates, which have been stubbornly high for a very long time. We are tracking the performance of the CRCs very closely and we will continue to do so, and in time I think we will see significant results from these reforms.

Kit Malthouse (North West Hampshire) (Con): I recently wrote to the Lord Chancellor and received an uncharacteristically non-committal reply, unbelievable though that may seem. I therefore ask him again: does he believe the maximum tariff for child cruelty, which is set at 10 years, is too low, and will he use the upcoming criminal justice Bill to raise it to 14 years?

Michael Gove: Normally I like to give my hon. Friend satisfaction, but on this occasion I am afraid I will have to maintain the enigmatic prevarication that characterised my previous communication with him.

Neil Gray (Airdrie and Shotts) (SNP): I hope the Secretary of State will be aware of the High Court ruling of 26 November on the legality of the benefit cap when applied to disabled people and their carers. What advice will the Justice Secretary give the Secretary of State for Work and Pensions in the light of that ruling?

Michael Gove: I will discuss the matter with my right hon. Friend the Secretary of State later today.
NEW MEMBER
The following Member took and subscribed the Oath required by law:
James McMahon, for Oldham West and Royton.

BILL PRESENTED
Fracking (Measurement and Regulation of Impacts) (Air, Water and Greenhouse Gas Emissions) Bill

Presentation and First Reading (Standing Order No. 57)
Geraint Davies, supported by Mike Weir, Jonathan Edwards, Kate Osamor, Tulip Siddiq, Neil Coyle, Caroline Lucas, Chris Evans, Dawn Butler, Mr Mark Williams, Dr Rupa Huq and John McNally presented a Bill to require the Secretary of State to measure and regulate the impact of unconventional gas extraction on air and water quality and on greenhouse gas emissions; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 29 January 2016; and to be printed (Bill 105).

Asylum (Unaccompanied Children Displaced by Conflict)

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

12.36 pm
Tim Farron (Westmorland and Lonsdale) (LD): I beg to move,
That leave be given to bring in a Bill to make provision about the award of asylum seeker status in the United Kingdom to certain unaccompanied children from Syria, Iraq, Afghanistan, and Eritrea displaced by conflict and present within the European Union; and for connected purposes.

Just over three months ago, the tragic death of a little boy and his brother exposed the world to a refugee crisis that Governments, including our own, had been doing their best to avoid. That three-year-old boy was Alan Kurdi and his brother was Galip. Both were Syrian refugees travelling with their parents to seek safety and sanctuary in Europe.

The latest figures for the United Nations High Commissioner for Refugees show that more than 900,000 people have made similar journeys, over sea, to Europe this year and that 23% of them were children. That is more than 200,000 children who have fled their homes in search of a new life in this year alone.

Many of those children have travelled with their families, as Alan and Galip had before they drowned, but tens and thousands of children travel alone, without parents or relatives, and make their way to Europe in the toughest of circumstances. It is that particularly vulnerable group that my Bill addresses.

Over the past few years, Save the Children and other charities have been working across Europe, particularly in Italy and Greece, doing what they can to support unaccompanied children who have made lengthy journeys to seek safety in Europe. Children in this situation become separated from their relatives for a number of reasons. Some have lost family members in their countries of origin, or those closest to them have been victims of violence, leaving the children with little choice but to flee, and to flee alone. Others have lost their family members en route through illness or drowning.

In their desperation, these children put themselves in the hands of people smugglers and criminal gangs to facilitate their journeys. Save the Children in Greece and Italy has spoken to many children about the abuse, exploitation, and physical and sexual violence that they have experienced during their long travels to Europe. Those journeys can last months or even years. Once they arrive in Europe, they are still not safe. There are serious concerns, which have been echoed by Europol’s Chief of Staff Brian Donald, that vulnerable, underage refugees are being preyed on by organised criminal gangs intent on forcing them into prostitution and slave labour. Mr Donald also warned that there is a “tremendous amount of crossover” between those smuggling refugees across borders and the gangs trafficking people for exploitation in the sex trade or as forced labour.

When we start to look at the data from last year, the grim truth becomes apparent. According to the Italian Ministry of labour and welfare, of the 13,000 unaccompanied children who were registered there in 2014, almost 4,000 disappeared after arriving. That is
4,000 children who are without official protection of any kind. They have no access to education, welfare, healthcare or a safe home. We do not yet have comparable numbers for 2015, but given the rise in refugees this year, we can expect a much higher number of disappeared children.

This is not a far-off problem to be dealt with by distant Governments. It is here in Europe on our own shores. It is our responsibility to protect all refugees, and none more so than orphaned children with no other hope. It is shameful that this Government have so far ignored these children, and it is time that they did the right thing and helped them.

Three thousand children is just a small part of the overall number, certainly small enough for our local authorities to handle, given the appropriate resources and support, but it will make all the difference to the lives of every one of these desperate youngsters who deserve our help. It amounts to just five children per parliamentary constituency and is less than a third of the number of children taken in during the kindertransport, a programme very similar to this proposal. There is no doubt that it was right to take in those Jewish children in the 1930s, and with the same morals at the core of what it means to be British, there is no doubt that these children are also deserving of our help.

This is not the first time that I have called for this in Parliament, so I can perhaps predict what response this Bill might receive from the Government. They will tell us that they would not want to risk separating children from their families, and that there are some concerns that the proposed programme would do that. That argument is simply not true. Of course all efforts should be made to ensure that children remain with, or are reunited with, their families. However, for the children in this programme, reunification with parents or their primary caregivers is simply not possible. These are children who have been registered by the UN Refugee Agency in Europe as unaccompanied, have no family with them and no known family to be sent back to. From talking to civil society groups, I know that there are enough families willing to foster an unaccompanied child. For example, Home for Good has registered 10,000 prospective adoptive families. Although they will not be ready to step up immediately, if the Government support local authorities and agencies to provide the requisite training, the UK will be well equipped to support these children.

It could not be clearer that these children deserve our support and our help. And any suggestion that they do not is nothing to do with their own safety. It is solely to do with the inability of our Government to act on the values that they claim to uphold—values that include helping seekers of sanctuary and protecting the young.

It is time for the UK to stand up and be a leader. Instead of waiting for something high profile to happen before doing the minimum, as we saw after the tragic death of Alan Kurdi, the Government have the chance now to acknowledge a problem, acknowledge the desperate need of these children, and actually do something about it.

The UK could make a significant difference by working with UN agencies and civil society to put in place a relocation scheme for unaccompanied children in Europe. Under specific criteria and safeguards, relocation is one of the few viable long-term solutions for the protection of the most vulnerable unaccompanied children in Europe. If the UK were to initiate this programme, other EU countries would follow, and many thousands of children would reach the safety and security they so desperately deserve. Given the opportunity, British people have shown again and again throughout history our generosity of spirit, especially in response to refugees. There is no question but that this generosity of spirit still exists in our country today; it just needs our Government to do the right thing, and facilitate it for the 21st century.

Question put and agreed to.

Ordered.

That Tim Farron, Mr Alistair Carmichael, Mr Nick Clegg, Norman Lamb, Greg Mulholland, John Pugh, Mr Mark Williams, Yvette Cooper, Stephen Gethins, Ms Margaret Ritchie, Caroline Lucas and Liz Saville Roberts present the Bill.

Tim Farron accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 11 March, and to be printed (Bill 104).

EUROPEAN UNION REFERENDUM BILL
(PROGRAMME) (NO. 3)

Motion made, and Question put forthwith (Standing Order No. 83A(7)).

That the following provisions shall apply to the European Union Referendum Bill for the purpose of supplementing the Orders of 9 June 2015 (European Union Referendum Bill (Programme)) and 7 September 2015 (European Union Referendum Bill (Programme) (No. 2)).

Consideration of Lords Amendments

(1) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion three hours after their commencement at today's sitting.

(2) The proceedings shall be taken in the order shown in the first column of the following Table.

(3) The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

<table>
<thead>
<tr>
<th>Lords Amendments</th>
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<td>No. 1</td>
<td>One hour after the commencement of proceedings on consideration of Lords amendments</td>
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<td>Nos. 5, 6, 2 to 4 and 7 to 46</td>
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Subsequent stages

(4) Any further Message from the Lords may be considered forthwith without any Question being put.

(5) The proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement.—(Jackie Doyle-Price.)

Question agreed to.
European Union Referendum Bill

Consideration of Lords amendments.

Mr Speaker: I must draw the House’s attention to the fact that Lords amendment 1 engages financial privilege. Lords amendment 1 is the first amendment to be taken, and to move the Government motion to disagree I call the Minister, eager and expectant.

Clause 2

ENTITLEMENT TO VOTE IN THE REFERENDUM

12.45 pm

The Parliamentary Secretary, Cabinet Office (John Penrose): I beg to move, That this House disagrees with Lords amendment 1.

Since this House gave the Bill its Third Reading in September it has been thoroughly and extensively scrutinised by the Lords, and I should begin by paying tribute to them for their diligent and considered approach. For the most part, their scrutiny has been fruitful, and the Bill returns to the Commons improved in a great many ways. However, on one issue the Lords made a decision that differs fundamentally from the view of the Government and, indeed, of this House. The Lords amendment would lower the voting age for the referendum to 16. This topic has been debated and divided on repeatedly since the general election in May. This House has twice rejected a lower voting age in the Bill, and did so for a third time yesterday, with a healthy majority in the Commons.

Other colleagues wish to speak, so I shall be brief. In short, the Government are not at all sure that it is right for young people of the age of 16 to have the right to vote in the referendum. The voting age for UK parliamentary elections is set at 18, as it is in most other democracies in Europe and around the world. The age of majority is a complex issue.

Patrick Grady (Glasgow North) (SNP): The Scottish Parliament has lowered the voting age, so how does the Minister justify that position to my constituents who turn 16 in the next month? They will be able to vote in Scottish Parliament elections in 2016 and council elections in 2017, but they will be denied a vote in the referendum.

John Penrose: The hon. Gentleman will be aware that the franchise for Scottish parliamentary elections is rightly devolved and is a matter for Holyrood. This decision is to be taken in the House across the UK as a whole: it is not a devolved matter but a reserved one. While it is entirely open to the Holyrood Parliament to make decisions on its franchise—and we all honour its ability to do so—it is an inevitable result of devolution that there are different views in different parts of the country, locally nationally, if I can use that phrase, on different franchises.

Stephen Timms (East Ham) (Lab): Notwithstanding the answer that the Minister has just given, does he not accept that the participation of 16 and 17-year-olds in the referendum in Scotland went well and that voters behaved responsibly? We ought to take advantage of the interest of 16 and 17-year-olds and their knowledge of these matters to support the coming EU referendum as well.

John Penrose: That is an entirely justifiable point, and it is noticeable that the Scottish referendum resulted in an upwelling of democratic engagement, not just by 16 and 17-year-olds but right across the age spectrum. I do not think that democratic engagement and involvement are the only tests that we should apply, but they are a factor that may weigh on other people’s minds—the right hon. Gentleman is exactly right. I do not think that that is enough on its own to justify changing the franchise either in the Bill or in other measures.

Several hon. Members rose—

John Penrose: Let me make some progress and perhaps I can explain a little more.

As hon. Members will appreciate, a patchwork of restrictions applies to young people from the age of 16 all the way up to 21. There is no clear point at which a person becomes an adult, but it is at 18 that society usually draws the line. Even at 18 there are things young people cannot do. They must wait until 21 to adopt a child, supervise a learner driver, or drive a bus. In general, although I accept that this is not perfect, more things require parental consent for people under 18 than for people over 18. Joining the Army, getting married or having a drink in a pub at 16 need parental consent and approval. The vast majority of other decisions, where the consequences demand a careful, responsibly considered view, from serving on a jury to being tried as an adult, to holding a tenancy or mortgage, or buying a house all happen at 18. The Labour Government even raised the age for using a sunbed from 16 to 18. It surely cannot be right to argue that someone aged 16 cannot be trusted to decide on the risks of getting a tan, but can be trusted to choose who should govern the country.

Owen Thompson (Midlothian) (SNP): There is no defined age at which it would be reasonable for someone to be able to vote, but my hon. Friend the Member for Glasgow North (Patrick Grady) made the point that in Scotland people aged 16 were given a vote and they will have a vote in the future. Accepting that there is different decision making in the two places, how does the Minister explain to that young person that it is utterly legitimate for them to vote in Scottish Parliament and local government elections and in a referendum, but not in the EU referendum?

John Penrose: My answer to such a hypothetical voter in Scotland is the same as I gave earlier—a consequence of devolution is that the Holyrood Parliament is allowed and perfectly entitled to take its decisions on devolved matters. The Holyrood franchise is a devolved matter, but the EU referendum franchise and the general election franchise are a reserved matter for the entire country to decide and will cover the entire country as a result.

Andrew Gwynne (Denton and Reddish) (Lab): Does the hon. Gentleman accept that the European Union referendum is a once in a generation opportunity, and that for young people the outcome will have a direct impact on their rights as European Union citizens to live, work and study in other EU member states?
Mr Alistair Carmichael (Orkney and Shetland) (LD) rose—

John Penrose: I will give way once more, then I must make progress.

Mr Carmichael: The Minister is being generous in giving way. May I caution him, though, against invoking the somewhat patrician instincts of the Labour Government with regard to the use of sunbeds as a reason for denying 16-year-olds the vote now? He has given us the full list of links, but surely the one link that matters because it comes to the heart of what it is to be represented in this place is that at 16 people pay their taxes.

John Penrose: That idea has a long and distinguished history. People were throwing tea into the harbour in Boston, saying “No taxation without representation” a long time ago. However, the argument has grown weaker over time for a number of reasons. First, the number of 16 and 17-year-olds who now pay income tax, though not zero, is a great deal lower than it used to be, partly at least because this Government and the previous one raised the threshold for income tax and also raised the school and training leaving age, so the number of people involved in paying income tax is significantly lower than it used to be. Secondly, there are now many more indirect taxes, so any six-year-old who buys whatever it may be will be paying VAT, among other things. Therefore the advent of indirect taxes rather weakens the logical foundations of that argument, one which I used to cleave to myself. I found myself in slightly uncomfortable positions as a result, because I realised that it was an eroded position.

Even if we were convinced that lowering the voting age was the right thing to do, this Bill would not be the place to do it, for two reasons. First, changing the voting age should not be applied to a single vote, even—or perhaps especially—if it is as important as this referendum. It is something that should be considered for all elections collectively and in the round, not piecemeal on an ad hoc case-by-case basis. Given the understandable sensitivity surrounding the EU referendum, making such a fundamental change to the franchise for this vote alone would inevitably and perhaps justifiably lead to accusations of trying to fix the franchise in favour of either the “remain” or the “leave” campaign. That is why we have chosen to stick with the tried and tested proven general election franchise. If it is good enough for choosing the Government of this country, surely it is good enough for the referendum too, and we should not juggle around with it for a one-off tactical advantage either way.

Stephen Timms: On that specific point, as far as I know nobody has made any such complaint about the result of the Scottish referendum. I do not understand why the Minister feels that if it was done in this case, that criticism would be made.

John Penrose: I am sure the right hon. Gentleman has in his own party people who are concerned and who will be on one side of the issue or the other during the referendum campaign. Equally, my party has, so I want both sides. There are huge sensitivities, even if they are not being voiced especially loudly at present, which need to be understood and honoured. We must make sure that this is seen as a studiously fair referendum which will therefore settle the issue for a very long time to come.

It is worth pointing out that young people themselves, the very people whose enfranchisement we are debating today, are not at all sure that that would be a good idea. The most recent polls show that although there is a reasonable majority of 16-year-olds in favour of this change, 17-year-olds do not support it overall, and just 36% of 18-year-olds are in favour. What that says about 18-year-olds’ opinion of their younger selves two years earlier I shall leave others to conclude. There is a solid majority against the change among all other adults over 18.

Peter Grant (Glenrothes) (SNP) rose—

John Penrose: I will give way once more, then I will try to finish the point.

Peter Grant: I am grateful to the Minister for giving way even though he said he could not. Does he agree that in the run-up to the Scottish independence referendum, young people below the age of 18 were very much in favour of extending the franchise to under-18s. After the referendum they and almost everyone else in Scotland, including the leader of his own party in Scotland, very nearly unanimously agreed that it was the right thing to do: the doubters have been persuaded.

John Penrose: I hope I can come on to that point in the next part of my remarks. The hon. Gentleman is right. There is a solid majority across the country against this change among all adults, as well as among 18-year-olds and, to a lesser extent, 17-year-olds. That shows that this is not some great progressive cause where an oppressed minority is waiting to be liberated by enlightened public support; quite the opposite. The risk is that for those watching our debate outside the Chamber, it will seem like a Westminster bubble issue, a trendy obsession for an out of touch political class, rather than a burning social crusade with widespread democratic support. Even worse, there may be a suspicion that some are supporting the proposition because they feel that they could gain some tawdry tactical party political advantage from it for one side or the other. None of these reasons would strengthen or help us as we decide on an issue as important for our country’s future as whether we stay in the EU or leave. We should have no part in such suspicions.

Finally, I want to touch on the financial implications. Mr Speaker has certified that this Bill engages the Commons financial privilege because extending the franchise to 16 and 17-year-olds for the referendum would cost extra. Cost is far from the only reason the Government disagree with the amendment but, for procedural reasons, the House is not able both to waive privilege and to disagree with the amendment, so I want to be clear. The Government disagree on principled as well as financial grounds with the proposal to lower the voting age.
Mr Alistair Carmichael: Will the Minister give way?

John Penrose: Once more, then I will stop and let others have a go.

Mr Carmichael: This is probably the most novel aspect of our debate today. It is, of course, for the Speaker to certify whether financial privilege is invoked or not, but it is for the Government to decide whether they are to take advantage of that. The Government did not take advantage of that in relation to the 2014 Wales Bill for exactly the same issue. What is different now?

John Penrose: I think I have just addressed that point. We cannot waive privilege and disagree with the amendment for other reasons. We therefore need to engage financial privilege, but I am taking the opportunity of this speech and this debate to make sure that those other issues are given an airing as well. I hasten to add that there is nothing new in this. There is a long-established precedent in this House. I shall leave it to the procedural experts to lecture us all on the historical antecedents of financial privilege. We are not creating any sort of unusual precedent here.

I have not sought to repeat or rebut every argument. As I said, the subject has been debated many times in the Chamber already. I have, I hope, given everybody a taste of the issues and stated the Government’s position. The House has expressed its view on this matter many times, and I ask us all to repeat that once more.

Mr Pat McFadden (Wolverhampton South East) (Lab): I rise to oppose the Government’s proposal to reject Lords amendment 1 and to support the amendment passed by their lordships which extends the franchise for the European referendum to 16 and 17-year-olds. There is an ongoing, more general debate about franchise extension, but today I want to concentrate on the case for extending the franchise to younger voters for this particular referendum. Constitutional referendums are not like general elections, which come about every five years, or local elections, which come about every year. It is 40 years since this issue was voted on in this country. Major constitutional referendums are a once-in-a-generation choice, perhaps a once in a lifetime choice, about the country’s future direction. Our contention is very simple: it is that the young people of this country deserve a say in the decision that will chart our country’s future.

1 pm

There are basically two points to be made: the argument for young people to have a vote, and the practicalities of implementing that decision.

Mrs Anne Main (St Albans) (Con): Why did the right hon. Gentleman’s party not choose to move this amendment before their lordships decided to impose it on us?

Mr McFadden: We moved it both in Committee and on Report, so I think that the hon. Lady’s memory fails her on this occasion.

On the first point about younger people having the vote, every British citizen, by virtue of the passport that they hold, has the right, as my hon. Friend the Member for Denton and Reddish (Andrew Gwynne) said, to live, work and study anywhere in the European Union.

That right has opened up opportunities for millions, and it is used by the many British people who live and work elsewhere in the European Union. Those driving the argument that the UK should leave the EU have at the heart of their proposal the idea that the free movement of people should be stopped and withdrawn. Whatever they are for—it is often not easy to figure that out—they are certainly against that. However, if we do withdraw and go down that road, then reciprocal action will be taken against British citizens. Therefore, the rights, opportunities and futures of our young people are on the ballot paper.

Geraint Davies (Swansea West) (Lab/Co-op): In my constituency, people aged 15, 16 and 17 are telling me that they will vote in the next general election, that it is very important to them whether we are in or out of Europe, and that they want this vote because it determines their future. Next door in Gower, where the majority is only 27 votes, people are telling me that if their MP does not vote for them to have a vote, they will vote against him, so this will have a far-reaching impact on the general election as well.

Mr McFadden: I entirely agree that young people have an interest in this issue, for the reasons I have been setting out.

The argument is not only about the legal rights that we hold. This referendum, one way or another, will affect future trade patterns in our country. It will have an impact on investment, on funding for our universities, on our farmers, on regional spending, and on very many other areas of national life. It will say a huge amount about how we view ourselves and how the rest of the world views us. This is very much about the United Kingdom’s future, and we believe that young people, including young people aged 16 and 17 at the time of voting, should have a say in that future.

Then there is the question of practicalities. We already know from the experience of last year’s referendum on Scottish independence that 16 and 17-year-olds can successfully take part in a national poll. Young people there were able to engage in discussion and debate and to exercise their democratic choice in the same way as anyone else. Arguments about their lack of capacity to understand or engage were proven not to be the case. The post-referendum report by the Electoral Commission said:

“109,593 16 and 17 year olds in Scotland were registered to vote at the referendum and 75% of those surveyed after the poll said they had voted.”

Importantly, it continued:

“97% of those 16-17 year olds who reported having voted said that they would vote again in future elections and referendums.”

So we know that young people can take part and that, given the chance, many of them will do so; the issue is whether the Government will give them that chance.

This should not be a partisan choice. There is nothing intrinsically Conservative, Labour or nationalist about extending the franchise. The leader of the Scottish Conservatives has described herself as a

“fully-paid-up member of the ‘votes at 16’ club”.

Some Conservative Members, as far as I recall, supported this proposal when we debated it in Committee and on Report, yet Ministers are still standing in the way.
The Government have said that extending the franchise in this way will cost £6 million, which has been enough to define the proposal as engaging the financial privileges of this House. But of course Ministers could ask this House to waive our privileges and accept the amendment. That is what has happened many times in the past when the Government have supported amendments. It could also happen now, and it is a course of action that we would support. In the end, this is not about the proposal being unaffordable; it is about the Government not wanting to do it. According to the autumn statement, total public spending in the next financial year is estimated to be £773 billion—£773,000 million, and the Government want to deny young people a vote for the sake of six of them. They would not even have to spend that amount every year; after all, this is a once-in-a-generation choice.

Let us be clear what this is about. Let us not make a constitutional crisis over a small amount of money or use an argument about what is, in the end, a straightforward policy choice in the Government’s wider campaign to neuter the House of Lords. The issue is this: do we believe that 16 and 17-year-olds should have the vote in this referendum because they have a right to have a say in the future direction of our country? We do, and that is why we support the amendment that was added by their lordships and will vote for it when the House divides.

Mrs Main: I rise to support the Government in this matter. I do not think it is reasonable that their lordships should decide to open the chequebook of this House for whatever amount. I am surprised that the right hon. Member for Wolverhampton South East (Mr McFadden) seemed to think that this is a fiddling amount of money of no consequence. I think he is missing the point somewhat. It is important that the will of this House is seen to be done, and the will of this House, as we have debated many times, is not to extend the franchise to 16 and 17-year-olds.

I listen with interest to the regular contributions of Scottish Members who say, “We gave young people the vote in the referendum on whether Scotland should be independent, but this House is not giving them the vote in the wider referendum on the EU. If it’s good enough for Scotland, how do we explain to them that they cannot have it in this situation?” I remind Scottish Members that they cannot have it both ways. What they choose to do in Scotland is up to them, but they cannot then use it as a wonderful precedent to insist that we operate in the same way. Something that has just been done in Scotland with which I fundamentally disagree is the provision in the Children and Young People (Scotland) Act 2014 whereby every young person under the age of 18 must have a “state guardian” appointed who will be expected to assess a child’s wellbeing under eight key indicators, including their being safe, healthy, included and respected.

Peter Grant: Will the hon. Lady give way?

Mrs Main: In a moment. Let me just expand on this point. On the one hand, Scottish Members of Parliament seem to make their presence felt in this place; I am sure that is their objective and the whole point of their being here.

Ian Murray (Edinburgh South) (Lab) rose—

Mrs Main: I will finish this point and then give way. On the other hand, I sometimes think that they take up a huge proportion of time in debates that concern the whole House, so I will not keep giving way every time I say the word “Scotland” to somebody who jumps up and down about the matter, if they will forgive me.

Ian Murray: I want to make two points. First, it is a point of principle that 16 and 17-year-olds should get the vote. Secondly, when the hon. Lady refers to Scottish Members, I think she means SNP Members.

Mrs Main: I am more than happy to say that I meant SNP Members. It seems that whenever the word “Scotland” is mentioned in this place, an SNP Member feels that he or she must stand up and speak on behalf of the whole of Scotland. The Holyrood Parliament has introduced things in Scotland that I would not support in this House. I do not want to jump up and down and argue that everything should be transported across the border. The SNP’s argument that this House should automatically follow its lead in the Scottish referendum is bogsus.

Mr Alistair Carmichael: Surely the distinction is that it was this House that gave the Scottish Parliament the power to extend the franchise to 16 and 17-year-olds in the Scottish independence referendum. We gave it that power knowing exactly how it was going to be used. We may not have made the change ourselves, but, as the hon. Lady’s noble Friend Lord Dobbs puts it, we acquiesced in it. What is the difference now?

Mrs Main: The majority of Members in this House do not support extending the franchise, as has been shown in numerous votes. As my hon. Friend the Minister has said, if every 16, 17 and 18-year-old is allowed to do one thing, there is no obvious logical extension that allows them to do something else. We accept that some bizarre rules apply. On voting, however, many of us believe that it is a step too far to extend the franchise to 16 and 17-year-olds while at the same time exempting them from other things. I have not heard an SNP Member arguing for 16-year-olds to be Members of Parliament. For me, that is the logical extension of extending the voting franchise to them. I do not believe that a 16-year-old would have the experience, life skills or maturity to represent a constituency.

Philip Davies (Shipley) (Con): On the matter of logic, does my hon. Friend agree that many of the Opposition Members who are arguing for this change are the same people who only a few years ago increased the smoking age from 16 to 18? If they think that 16-year-olds are not capable of making a decision as simple as whether or not to smoke, how on earth can they think that they are capable or mature enough to make a decision on the EU referendum or on how to vote in a general election?

Mrs Main: My hon. Friend makes a key point. Indeed, I wrote that exact thing in the notes I made before the debate.

Many of us accept that there are anomalies. The right hon. Member for Wolverhampton South East said that this is a once-in-a-generation vote. I have never voted on it, so I accept that: as someone in her late 50s, my time has come and I am looking forward to voting in the EU referendum. However, if the logic of the argument...
[Mrs Main]  
is to be based on this being a once-in-a-generation vote, what about 15 and 14-year-olds? Where do we stop? This House has accepted that there must be an age limit for voting in UK parliamentary elections. That age is 18, and therefore those young people below that age will live with the consequences.

Kate Hoey (Vauxhall) (Lab): Does the hon. Lady accept that the proposal would be a huge change and that it therefore should not be made for just one type of vote, namely the referendum? If we are going to do it, we should consider it properly and address all the anomalies. It is ridiculous that 16-year-olds would be able to vote but not buy a cigarette. We should look at the issue as a whole and get it introduced for a general election, if that is what Parliament wants.

Mrs Main: The hon. Lady, who is well versed in these matters, is absolutely right. Indeed, my hon. Friend the Minister alluded to that point.

The SNP may well feel that it had it just right in Scotland, but it was its privilege to do that. I fundamentally disagree with the SNP argument that we should explain to the young people of Scotland why they cannot do it again. Frankly, that is ridiculous and bogus. This House has voted on numerous occasions that this Parliament does not wish to extend the franchise. The back-door method of using their lordships’ overwhelming majority to outvote this place is a very dangerous precedent to follow. To simply tack on such a fundamental change—as the hon. Member for Vauxhall (Kate Hoey) has so wisely referred to it—is not the way to do it.

1.15 pm

There is a £6 million bill associated with the proposal and I object to their lordships simply writing a blank cheque. Perhaps, like the right hon. Member for Wolverhampton South East, they do not care where the money comes from. The main principle for the many Government Members who have voted against extending the franchise is that this is not the way to do it. I agree with the hon. Lady: if we were to do it for the referendum, we would then inevitably have to lower the age for major nationwide UK elections. We should consider all the eventualities of extending the vote, including extending to 16-year-olds the right to represent a constituency, but, given the short amount of time available today, we are not in a position to do so or, therefore, to accept the Lords amendment. I hope the House rejects it.

Stephen Gethins (North East Fife) (SNP): Thank you, Madam Deputy Speaker, for giving me the opportunity to talk as a Scottish MP about giving Scottish teenagers the vote in the European referendum.

It is something of an irony that it is the unelected upper Chamber that sent the issue back to this House. If Government Members are unhappy about that, we have a very simple solution: they should scrap the upper Chamber. In this instance, however, I am glad that the other place has given us the opportunity to debate this. When we previously debated the issue back in June, a number of Members, particularly Conservative Members, said that at some point the time would come but that now was not the time. I hope they took the opportunity to reconsider their position over the summer.

This is a question of democracy. The Minister said that this is a Westminster bubble issue, but I do not understand how giving more people the vote and the opportunity to participate in the democratic process is a Westminster bubble issue—in fact, it is quite the opposite. Those who will be 16 on the day of the European referendum will, I am afraid, have to live with the decision for longer than most of us in this Chamber. As we have noted, 16 and 17-year-olds can pay tax and get married, although I concede to the Minister that they cannot drive a bus.

On a more sober point, a 2010 Demos report showed that some of the first troops to lose their lives in the conflict in Iraq were too young to have cast their vote. This House recently voted on a similar issue, so it is worth reflecting on that.

Mr Andrew Turner (Isle of Wight) (Con): Will the hon. Gentleman assist me by explaining why 15 is not the right age?

Stephen Gethins: We think that 16 is the right age, and that is why we have drawn from the experience of the Scottish independence referendum. It is a good age for participation and people pay tax at that age, although the Minister talked about six-year-olds paying tax. We think 16 is a good age to start voting.

The question of participation should always be high on the agenda of this House. We should always look at different ways to encourage more people to be involved in the democratic process. Evidence suggests that the earlier we involve young people, the more likely they are to stay involved. As the Electoral Reform Society has found, if people vote early, they vote often. Conservative Members might not like that very much, but we think it is positive.

Mr Stewart Jackson (Peterborough) (Con): Will the hon. Gentleman give way?

Stephen Gethins: Not at the moment. The United Kingdom has a tale of two legislatures. On 18 June—the very day that this House struck down amendments to give 16 and 17-year-olds the vote—the Scottish Parliament, which is clearly the wiser institution, passed the Scottish Elections (Reduction in Voting Age) Bill to extend the franchise to Holyrood elections. And you know what? It was passed unanimously. As the right hon. Member for Wolverhampton South East (Mr McFadden) pointed out, the leader of the Scottish Conservatives has said that she is a “fully-paid-up member of the ‘votes at 16’ club now”.

I welcome that, along with the fact that Labour and the Liberal Democrats are now for votes at 16. In a rare show of unity—I hope I am not jinxing this—the most recent former leader of the UK Labour party, its Scottish leader and its current leader all appear to back votes at 16. I hope that I have not spoken too soon.

Patrick Grady: Given the comments made about the views of 16 and 17-year-olds on this issue, is my hon. Friend aware that both the Scottish and the UK Youth Parliaments have endorsed votes at 16?
Stephen Gethins: My hon. Friend makes a very good point. The Electoral Reform Society has said that the “UK Government should follow Holyrood’s example” for the EU referendum and all other elections. SNP Members have a little bit of experience of referendums, and we should follow the gold standard set by the Scottish independence referendum. It is a shame that the issue of EU nationals has not come back to the House, but we are able to debate the vote for 16 and 17-year-olds. It is a shame that people from other European countries—EU nationals make such a huge contribution—will not be able to vote.

It is easy to see why politicians from across the spectrum—Conservatives, Labour, Liberal Democrats—have been won over by votes for 16-year-olds. In the independence referendum, turnout among 16 and 17-year-olds was 75%, and 97% of them said that they would contribute by voting again. They accessed more information and were much better at accessing information than any other age group, which makes all of us much more accountable.

Mr Jackson rose—

Stephen Gethins: On that point, I will gladly give way.

Mr Jackson: One wonders what we ever did before the SNP arrived with its 56 seats in this Parliament, but obviously we struggled on manfully. The hon. Gentleman will know that the franchise was extended to 18-year-olds in 1969. Since then, very rarely has turnout among 18 to 24-year-olds gone above 50%, although for the over-70s the percentage figure is in the high 70s. With more information available—we have never had so much information about policy and politics—why does he think that young people across the UK are so disengaged?

Stephen Gethins: The hon. Gentleman is not of course the only person who is delighted to see so many new SNP Members bringing their wisdom to this Chamber. We refer to the independence referendum because we have the facts and the evidence to show that if we include 16 and 17-year-olds in the European referendum, they become more valued and engaged, and there is increased representation. They become part of the fabric of democratic society and adopt responsibilities, which enriches our whole community. We should go ahead with it.

Geraint Davies: The SNP spokesman’s point was that if we give 16-year-olds the right to vote, they become more valued and engaged, and there is increased representation. They become part of the fabric of democratic society and adopt responsibilities, which enriches our whole community. We should go ahead with it.

James Cleverly: Part of my speech will address the very point that the hon. Gentleman makes. If he will indulge me, I will not concertina in that part of my speech in response to his intervention. However, I will come back to it, and if he is not satisfied by the rest of my speech, I invite him to intervene again later.

I want to return to what happens in Scotland. There is one long-standing difference between what 16-year-olds can do in Scotland and what they can do in the rest of the United Kingdom. Gretna Green is famous because it is the first place where runaway lovers can take advantage of the different attitude towards the age of marriage. To say that because something happens in Scotland it must therefore happen in the rest of the United Kingdom is a hollow argument.

Carol Monaghan (Glasgow North West) (SNP): Will the hon. Gentleman give way?

James Cleverly: I will give way in a moment.

I advise SNP Members to be a little careful about what they wish for. If their position is that any devolved power they exercise must then, by extension, be absorbed by the rest of the UK, that will create a lot of friction and disharmony as people in rest of the United Kingdom—

Stephen Gethins rose—

James Cleverly: At least let me get to the end of my point.

Those people will feel aggrieved at the automatic assumption that devolved decisions made in Scotland are therefore going to wash across to the rest of the United Kingdom.
Carol Monaghan rose—

Stephen Gethins rose—

James Cleverly: I give way to the hon. Lady.

Carol Monaghan: The hon. Gentleman is somewhat missing the point. My hon. Friend the Member for North East Fife (Stephen Gethins) talked about the engagement of 16 and 17-year-olds. We have found in Scotland—the evidence backs this up—that by giving the franchise to 16 and 17-year-olds, they remain engaged in the political process beyond the age of 16 or 17. Although the rest of the UK may have had low numbers voting in Westminster elections, we have had much higher numbers—above 70%—in Scotland.

James Cleverly: I assume that the hon. Lady misunderstood the type of engagement I was talking about when I referred to Gretna Green. I will come on to her point later.

The hon. Member for Vauxhall (Kate Hoey) made a very important point about the natural implication of extending the voting rights in the European referendum to other elections. In a previous life, I was the youth ambassador for the Mayor of London. I spent a huge amount of time dealing with young people across London, so I know that there are many very well-informed, engaged, articulate, thoughtful people aged 16 and 17. There are also some very well-informed, articulate, engaged 15-year-olds. Frankly, there are some 40-year-olds I would not trust to tie their own shoelaces.

1.30 pm

We must recognise that, to a degree, the voting age is an arbitrary distinction, but there must be a line in the sand. A number of people have asked, “If 16, why not 15, and if 15, why not 14?” My two boys are the sons of a politician. We speak much about politics at home and they listen to the news. They are 11 and 13 years of age and I would suggest that they are better informed about UK and global politics than many people twice or thrice their age. So why not give them the vote?

That brings me to the second argument, which is that the referendum is about their future. However, it is myHon. Gentleman might be surprised to know that I certainly do not support votes at 16. Over some years as the Chair of the Children, Schools and Families Committee, what worried me was the increasing pressure on childhood in our country. It worries me that people will be adults at 16. The implications of that have never been seriously looked at by my party. There has never been any investigation of the impact of bringing down the voting age to 16 on children and childhood. The Opposition, including the SNP, have never done a proper evaluation of the impact on children and on the protection of children, which should be our top priority.

James Cleverly: That leads me neatly on to my closing remarks.

There is a natural extension of this proposal. People say that this is a one-off and that there will be no extension, but we have just heard a number of speeches and interventions from SNP Members saying that they gave votes to 16-year-olds in the Scottish referendum and that they then gave votes to 16-year-olds at Holyrood elections. They suggest that this is the most natural evolution of the democratic process. They are making exactly the point that the hon. Member for Huddersfield (Mr Sheerman) warns against. This proposal will unlock the floodgates for the change of the mandate to 16 at many other elections.

By mandating that 16 and 17-year-olds are to remain in education, society has made an explicit comment that we do not feel that they are fully formed. If we did, we would not suggest that they had to stay in education, we would not suggest that they could not book their own sunbed and we would not suggest that they should not even be allowed to buy their own sparklers on Guy Fawkes night.

It is a ridiculous notion that in a one-hour debate, tagged on to the European Union Referendum Bill, we should make a decision as fundamental as changing the electoral mandate. I strongly urge all Members of the House across the parties to support the Government’s position and reject the Lords amendment.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. As Members can see, quite a few people still want to speak. The debate must finish at quarter to 2. If Members keep their contributions as short as possible, hopefully we will get everybody in.

Vicky Foxcroft (Lewisham, Deptford) (Lab): Thank you, Madam Deputy Speaker.

"Our young people are no longer children, and they resent being treated as such. Our view is that, if we entrust them with responsibility, they will act responsibly."


Those are not my words, but the words of the late Lord Stonham during the debate that led to the voting age being reduced from 21 to 18. That was in 1969. The world has changed since then and so must we.

This debate is about enfranchising young people in one of the biggest decisions that will affect their lives. I want us to go further. One of my first acts as an MP was to introduce a private Member’s Bill on this issue. The Representation of the People (Young Persons’ Enfranchisement and Education) Bill would give 16 and 17-year-olds the vote, while increasing political education. It is now unlikely to be debated and voted on. I sincerely hope that the Government will see sense today and support the Lords amendment. I have spoken with many Government Members who agree with me on this issue.

1.30 pm

The European question is, quite simply, one of the biggest decisions we face. Do we want to live in a country that has strong links with its neighbours and that leads on issues such as roaming charges, health and safety, employment rights, food standards and climate change, or do we want to be more cut off from the world, existing purely to become a smaller and smaller influence on the world stage? Those arguments are for another day but, whatever the result, one thing is certain: it will have a long-lasting impact on this country.

The in and out campaigns have been launched and people up and down the country have started talking about this issue. However, there is one group who are...
talking about it, but who are being silenced. It is that group we are here to talk about today.

The Prime Minister is spending close to £1 billion directly on empowering young people aged 16 and 17 through the National Citizen Service. Like many Members, I took part in that over the summer as a dragon, judging community projects that young people had designed. The National Citizen Service teaches young people about community engagement and encourages them to play a role as active citizens in their communities. Can the Prime Minister not see how ridiculous it therefore is to refuse 16 and 17-year-olds their say at the ballot box?

The case has been made time and again for why 16 and 17-year-olds should be given the vote, but I ask Members to indulge me. Sixteen and 17-year-olds can consent to medical treatment, consent to sexual relationships, get married, join the Army, Navy or Air Force, change their name, receive tax credits, receive welfare benefits, join a trade union and join a co-operative society. They can even do what many young entrepreneurs do and what London’s own Jamal Edwards did aged 16 and become the director of a company. Sixteen-year-olds who are in work are even required to pay income tax and national insurance.

As my hon. Friend the Member for Rotherham (Sarah Champion) pointed out in a Westminster Hall debate last year, there is something fundamentally wrong about “taxation without representation”. Indeed, it was the cause of the American revolution. How long will it be before young people start to rise up? The last thing we need is more young people becoming militants. Many of my colleagues have called for more momentum on this issue. These are people, they have voices, they have opinions and they want to be heard.

Yesterday, I spoke to a year 12 politics class at Hatcham college in my constituency. I asked if there was anything they wanted me to contribute to this debate. They were amazing, articulate and inspired young people. One of the things that they asked me was what my view was on the abolition of the House of Lords. Had they asked me that two months ago, I would have given a very different answer to the one I gave. It is because of the fantastic work of the other place that we are here today.

I asked the class to tell me their thoughts on votes at 16. A young lad called Malaki told me that he felt unrepresented. He explained that there are 1.5 million 16 and 17-year-olds throughout the UK who have no say. He went on to explain that voter turnout among 18 to 24-year-olds was just above 40%. He told me we needed the voices of 16 and 17-year-olds to be added to that figure to make sure that young people are truly represented. I checked those statistics with the House of Commons Library and he was bang on. If the Scottish referendum is anything to go by, we could see 75% of 16 and 17-year-olds voting in the EU referendum.

Malaki added that the number of MPs who have been in full-time education in the last decade can be counted on one hand. He did not pass comment on the intellect of Members, but he did say that we could not understand what things were like from the learner’s point of view.

Fabian pointed out that people can influence what happens about their own tuition fees only if they are lucky enough to turn 18 at the right time. Lizzie told me that her brother went on a march against increases to tuition fees. He was told that he should not go because he was not at uni, but he said that taking direct action was his only option. Charlie told me that there was a need for young people to be represented, and I will conclude with Owen who said four little words to me: “It just makes sense”—and indeed it does.

Mr Jackson: I will speak briefly to support the Government in rejecting the Lords amendment. It is not unusual to be patronised by the Scottish National party, but I notice that the right hon. Member for Gordon (Alex Salmond) is not in his place. I heard a rumour that he was unveiling a statue of himself made from chocolate so that he can first admire it and then eat it.

I am not opposing the amendment because I am against the substance of the debate. In fact, I am a floating voter on this issue, and over the past year or so I have begun to consider the experience of younger people. However, we need a proper debate and legislative framework, rather than have this tacked on to a Bill about an EU referendum.

James Cartlidge (South Suffolk) (Con): I strongly agree with my hon. Friend. I support lowering the voting age in principle, but when we want to make major constitutional changes we do not just have a vote in the Commons, we consult the public. The same should apply to this issue. We should have a national consultation, with all the other stuff that goes with that.

Mr Jackson: I agree with my hon. Friend. At the moment we have a gold standard template for the franchise that we measure at the general election. Over the years we have made changes to that franchise, most recently in 1969 and before that in 1924 and 1928, when we rightly enfranchised women as a result of the campaign by the suffragettes, which we celebrated only a few years ago. We accept all that, but let us have a wide-ranging public debate, not just through the prism of the Scottish referendum but across the whole country, because people have differing views.

Not for the first time, the hon. Member for Vauxhall (Kate Hoey) put her finger on the nub of the issue: this measure must not be tacked on; it must be seen within the context of all the other age restrictions, and of whether young people are well-formed and ready to take big civic decisions when voting. I say to the hon. Member for Lewisham, Deptford (Vicky Foxcroft) that I find it inconceivable that turnout would rise from about 45% to 75% just because 16 and 17-year-olds were included. Those figures do not stack up.

Patrick Grady rose—

Stephen Gethins rose—

Mr Jackson: I cannot take any interventions from my Caledonian friends.

In conclusion, it is a constitutional outrage that the superannuated, unelected, unaccountable panjandrums in the House of Lords have told us what the elected House should be doing even though we have a settled view on this. They should learn their place. They must be subservient to the elected House, and it is high time that we had House of Lords reform.
Mr Alistair Carmichael: After my experience in the previous Parliament, the irony of hearing Conservative Members arguing for reform of the House of Lords is never lost on me. In the brief time available, the point I am making is that there is a fundamental inconsistency in the Government’s position. In the previous Parliament the Prime Minister gave power to the Scottish Parliament to extend the franchise for the Scottish independence referendum to 16 and 17-year-olds. We knew what they were going to do with it and, as Lord Dobbs put it in the other place, the Prime Minister acquiesced in it, and he did so for a number of reasons. He did it because it was the most important vote that we would ever face, because it was to be a once-in-a-generation decision, and because referendums are different. That is exactly the situation that confronts the House today.

On financial privilege, it appears that having lost the argument, the Government now want to play their trump card or pull out a joker to thwart a very laudable argument, the Government now want to play their

Stephen Kinnock (Aberavon) (Lab): In the 20 seconds that remain to me—[Interruption.] It is now 19 and counting, so I will not take any interventions. I wish to argue that this measure makes sense. We need to trust our young people and empower them. Let us give them this vote and this chance.

Question put, That this House disagrees with Lords amendment 1.

The House divided: Ayes 303, Noes 253.

Division No. 144] [1.45 pm

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Bellingham, Mr Henry
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Bolsover, Nick
Bone, Mr Peter
Borwick, Victoria
Brabb, rh Stephen
Crouch, Tracey
Davies, Chris
Davies, David T. C.
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Donaldson, rh Mr Jeffrey M.
Donelan, Michelle
Double, Steve
Doye-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Duncan, rh Sir Alan
Duncan Smith, rh Mr lain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
Evennett, rh Mr David
Fabricant, Michael
Fallon, rh Michael
Fernandes, Suella
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Frazier, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Marcus
Garnier, rh Sir Edward
Garnier, Mark
Gauke, Mr David
Ghani, Nusrat
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goldsmith, Zac
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Chris
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halton, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matthew
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollond, rh Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Jennick, Robert
Johnson, Boris
Johnson, Gareth
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Knight, rh Sir Greg
Knight, Julian
Latham, Pauline
Leadsom, Andrea
Lee, Dr Philip
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lopresti, Jack
Loughton, Tim
Lumley, Karen
Mackinlay, Craig
Mackintosh, David
Main, Mrs Anne
Mak, Mr Alan
Malthouse, Kit
Mann, Scott
Mathias, Dr Tania
Maynard, Paul
McCafferty, Karl
McCaul, rh Mr Patrick
McFarland, Stephen
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mowat, David
Mundell, rh David
Murray, Mrs Sheryl
Murrison, Dr Andrew
Neill, Robert
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Opperman, Guy
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Phillips, Stephen
Philip, Chris
Pickles, rh Sir Eric
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pritchard, Mark
Purvis, Nick
Quin, Jeremy
Quince, Will
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosenman, Andrew
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Sheerman, Mr Barry
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Solloway, Amanda
Soubry, rh Anna
Spelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stephenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Neil
Sturdy, Julian
Sunak, Rishi
Swaney, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Turner, Mr Andrew
Tyrie, rh Mr Andrew
Vaizey, Mr Edward
Vara, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Warburton, David
Warman, Matt
Watkinson, Dame Angela
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Ayes:
Sarah Newton and
Simon Kirby

Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmichael, rh Mr Alistair
Carmichael, Neil
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Cherry, Joanna
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowen, Ronnie
Cox, Jo
Coyle, Neil
Crausby, Mr David
Crawley, Angela
Creagh, Mary
Creasy, Stella
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
Day, Martyn
De Piero, Gloria
Docherty, Martin John
Donaldson, Stuart Blair
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Dugher, Michael
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Elfery, Clive
Elliot, Julie
Elliot, Tom
Ellman, Mrs Louise
Eterson, Bill
Evans, Chris
Farnell, Paul
Farron, Tim
Fellows, Marion
Field, rh Frank
Fiellio, Robert
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Gethins, Stephen
Gibson, Patricia
Glass, Pat
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia

Gwynne, Andrew
Haigh, Louise
Hanson, rh Mr David
Harris, Carolyn
Hayes, Helen
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hillier, Meg
Hodgson, Mrs Sharon
Hollem, Kate
Hopkins, Kelvin
Hosie, Stewart
Howarth, rh Mr George
Hunt, Tristram
Huq, Dr Rupa
Huissain, Iram
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Susan Elan
Kane, Mike
Keeley, Barbara
Kendall, Liz
Kerevan, George
Kinaan, Danny
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lammy, rh Mr David
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCabe, Steve
McCaig, Callum
McCarty, Kerry
McCartney, Jason
McDonagh, Siobhan
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
Meałe, Sir Alan
Mearns, Ian
Miliband, rh Edward
Monaghan, Carol
Monaghan, Dr Paul
DUTY TO PUBLISH INFORMATION ON OUTCOME OF NEGOTIATIONS BETWEEN MEMBER STATES

1.57 pm

Sir William Cash (Stone) (Con): I beg to move amendment (a) to Lords amendment 5.

Mr Speaker: With this it will be convenient to discuss the following:

Lords amendment 6, and amendment (a) thereto.

Lords amendments 2 to 4 and 7 to 12.

Lords amendment 13, and amendment (a) thereto.

Lords amendments 14 to 46.

Sir William Cash: I tabled amendment (a) to Lords amendment 5 because amendments were moved in the House of Lords, not the House of Commons, and accepted by the Government in respect of, in Lords amendment 5, a duty to publish information on the outcome of negotiations between member states and, in Lords amendment 6, a duty to publish information about membership of the European Union. That might sound all very well and good, but the problem is that they contain a whole raft of question marks that I want to raise today.

I will just give a brief outline of Lords amendment 5. On the outcome of negotiations, the Secretary of State will be under an obligation to publish a report, “alone or with other material”—we do not know what “other material” would involve—containing:

“a statement setting out what has been agreed by member States following negotiations”.

We have just seen the letter from Mr Tusk on the current state of the EU’s assessment of the negotiations and I do not think it makes for very pretty reading for the Government. In fact, I would go further than that. I find this quite astonishing, but the apparent point of the letter was to satisfy, and provide a solution for, the Prime Minister. I thought the real objective here was to satisfy the United Kingdom, in particular its voters. That, after all, is what the referendum is all about. It is not about what the Government think. Parliament is handing over the entire exercise to the voter, which is only proper and for which I have campaigned for 25 years.

2 pm

In addition, Lords amendment 5 imposes a duty to publish, “the opinion of the Government of the United Kingdom on what has been agreed”.

From what we can gather, the Government’s opinion will be that we should remain in, so, not unnaturally, those of us with a different position—I say candidly that I am campaigning to leave the EU, but I need to be impartial and fair in my assessments—are deeply concerned about the “other material” might contain and what the Government’s opinion in the report will be.

The second amendment (a) is to Lords amendment 6, which places the Secretary of State under a legal obligation to publish a report—again with other material of which we know nothing—relating to, “information about rights, and obligations, that arise under European Union law as a result of the United Kingdom’s membership of the European Union”.

I have been a member of the European Scrutiny Committee, or its predecessor, for 30 years. There is such a vast accumulation of rights and obligations that I wonder whether it is conceivable that the information could ever be made available in the concise form that such a report would presuppose. In fact, it includes everything arising under sections 2 and 3 of the European Communities Act 1972, which has a massive effect on voters’ daily lives.

The report must also include, “examples of countries that do not have membership of the European Union but do have other arrangements with the European Union (describing, in the case of each country given as an example, those arrangements).”

This brings to mind the question of Norway, which the Prime Minister raised in EU negotiations and his speech the other day. For me and most of my colleagues, the Norway option has never been on the table because we
do not approve of the EEA arrangements. There are other permutations, certainly, but I do not intend to go into them today.

The amendments place on the Government an obligation to deliver reports. The essence of both my amendments is simple. The Electoral Commission, which has important duties relating to all referendum and election matters, has made clear its view of what happened in the House of Lords. We would have loved to debate this properly in the House of Commons, but we now have limited time, so I will keep my remarks brief. The fact is, however, that these massive reports are bound to have a huge effect on public opinion, so it is essential that they be impartial and accurate. The commission has stated, and has repeated to me in an email today:

“However, any provision in legislation for this should ensure that voters can have confidence in the accuracy and impartiality of the information. There should also be sufficient balance given to the consequences of both a majority vote to remain a member of the European Union and a majority vote to leave the European Union.”

I could not agree more. It is clear there has to be a balance. The problem is that everything emanating from the Government—all the speeches and arguments—inclines towards the notion that EU reform would satisfy the requirements set out. The European Scrutiny Committee has taken expert evidence and will publish a report very soon on the outcome of the negotiations thus far. I will not go anything away, if I say there are some big question marks over what has been achieved under the renegotiations. There is time to go, however, and I realise that the reports would have to be published,

“before the beginning of...the period of 10 weeks ending with the date of the referendum”.

We will have 10 weeks to evaluate reports that will have enormous persuasive significance.

**Mrs Main:** How does my hon. Friend envisage the reports being scrutinised, and who does he think will sign them off before they are published?

**Sir William Cash:** I am confident that the European Scrutiny Committee will be looking at this carefully. During our examination of the renegotiations, we have been exercised by the desire to ensure that the Government do not just come forward with a final offer. The Minister knows what I mean. We do not want to be bounced by a final offer; we want to assess the negotiations as they progress. That is what we are doing, and what we will continue to do, because that is what our Standing Orders require us to do on behalf of the House of Commons. I am grateful to my hon. Friend for her intervention because it is important that the House not be bounced.

I spoke to, and received a note from, the Electoral Commission today. It regards the provision of the impartiality we would expect as beyond its own functions, which is extremely regrettable because it should have an opportunity to comment. My Committee will consider this matter carefully—the Minister knows what that means—and it is my clear assessment that any such report, if he could not guarantee it met the highest standards of impartiality and accuracy, would effectively mislead the British people. That is the test. If he tells me something along those lines, I will be prepared—

**Damian Green (Ashford) (Con)** rose—

**Sir William Cash:** I am happy to give way to my right hon. Friend, as soon as I have finished my point.

It is important, if the voter is to make a balanced choice, that due accuracy and impartiality be implicit in any such report.

**Damian Green:** I am slightly puzzled. My hon. Friend is rightly demanding accuracy in the Government’s analysis, but he is also demanding impartiality. Does he mean, and is it the purport of his amendments, that the Government should not express an opinion on the most important issue facing the country for perhaps the next 40 years? I assume not, as that would clearly be absurd. Is he saying, therefore, that if the Government produce an accurate report and then reach a conclusion with which he disagrees, it could not, in itself, be impartial? There is a difference between accuracy and impartiality.

**Sir William Cash:** I will leave aside my own opinions on this point. As my right hon. Friend knows, I have strong views, which I will develop during the campaign, about why we should leave, but we already know from speeches made by the Prime Minister and other Ministers that there is a presupposition that a reformed Union is the way to go. The test to be applied is whether the reforms amount to much, which I do not think they will, and meet the test of changing our relationship with the EU, which is also relevant. On these questions there will be much debate, but anybody with a fraction of judgment, in respect of this huge landscape and the trust to be placed in the voter to make the right decision, will have to consider whether there is any significant bias in the reports. We have already been through the whole of the purdah debate, which was about using the civil service machinery. If I may say so, I think we won that one. There should not be a back door to achieving the same objectives relating to a report of this kind.

On that note, I give notice that I propose to withdraw my amendment. I want to know from the Minister whether or not he is prepared to accept my point about impartiality and accuracy. He knows perfectly well what I mean, and he is more than capable of giving us a decent answer.

**Mr McFadden:** I shall speak briefly, particularly now that the hon. Member for Stone (Sir William Cash) has indicated that he will withdraw his amendment.

Lords amendments 5 and 6 quite closely reflect amendments that Opposition Members tabled in Committee and on Report. Amendment 5 calls for information and a report on the Government’s renegotiation process, while amendment 6 calls for a report on the rights and obligations entailed in membership of the European Union and invites the Government to outline the rights and obligations of certain countries that have relationships with the EU, perhaps through the EEA agreement, but are not members of it.

I refer Members to the recent Policy Network pamphlet on these issues, entitled “What does ‘out’ look like?”, which I think would make a great Christmas present for the Minister and for anyone considering these issues. I have some copies available if the Minister would like to see them. This is not the same as the purdah issue. We are talking about something that is 10 weeks out and we
are not in the absolute heat of the campaign. We are not talking about a leaflet that is to be distributed to every household in the country or anything like that. What we are calling for is for the Government to publish information on both aspects—the renegotiation and what “out” might look like. That should give the public the best information possible on a very important decision.

The Government and the Prime Minister have placed great emphasis on the renegotiation itself, and we have seen the exchange of letters between the Prime Minister and the President of the European Council, who published his initial reply yesterday. We know there will be some discussion of these issues at the European Council next week, but probably not a conclusion until the European Council in February next year.

It remains to be seen what the outcome of these renegotiations is going to be. We had some indication in the letter from the President of the European Council yesterday. Many Opposition Members do not place the same weight on this renegotiation as the Prime Minister does, because we think there is a broader case for membership beyond the four points that the Prime Minister outlined in his letter of last month to the President of the European Council. It is obviously also the case that many Government Back Benchers place no weight at all on the renegotiation, because there is nothing in it that could get them to change their minds about the outcome of the referendum. I believe it was the hon. Member for Harwich and North Essex (Mr Jenkin) who asked during questions on a statement after he had seen the contents of the Prime Minister's letter, “Is that it?”

Mrs Main: I understand that last point, but it is all part of the debate. What is being asked and the response to what is being asked are all part of the calculations being made by many people who may be considering what “in” looks like, as well as what “out” looks like. If the negotiations are not treated with the respect and gravity they deserve, even though they may be quite modest, that sends a big message to those of us who have concerns about our ongoing membership.

Mr McFadden: I thank the hon. Lady for her intervention, but different people will look at the renegotiation in different ways. The point I am making is that there is a broader case about membership of the EU that goes well beyond the four items listed in the Prime Minister’s letter and the four cases in President Tusk’s reply. If, for the hon. Lady and for some voters, it is all about those four points, that is a fair judgment for them to make, but what I am saying is that for most Opposition Members there is a broader case for membership outwith the renegotiations. I would venture to suggest that when it comes to the referendum and voters actually casting their vote on whether we should remain in the EU or leave it, it will not in the end be the finer points of the renegotiation that are in their minds. It will be the broader case either for in or out. That is what people will vote on.

2.15 pm

Amendment 5 deals with the report that we would like to see published on these negotiations, and amendment 6 deals with the broader issues on what being “in” and “out” might look like. This cannot be a complete exercise. If the country votes to leave the EU, there would be a process of extracting ourselves from it, and no one can say with absolute certainty what the outcome would be like. However, we have examples of countries that trade with the single market, but are not members of the EU—one thinks of Norway and Switzerland. I do not want to go into the detail on those today, but those examples are out there and we can already see what the obligations on those states are, even though they are not members of the EU and do not have representation in the European Council, the European Parliament or indeed in other decision-making bodies.

John Redwood (Wokingham) (Con): It seems to me that the Opposition are yet again falling into the trap of thinking that it is possible to trade with the EU only if we have a special arrangement with it, like Norway or Switzerland. Yet all the world’s countries trade with the EU, and the very badly drafted Lords amendment invites comment on all those different arrangements, many of which have no special deal at all.

Mr McFadden: I am not saying that the Norway example is the only one out there. There are others, but Norway is a real live example, which I think is relevant to our debate. Moreover, some in the campaign to leave the EU have drawn attention to it as a model, while others have drawn attention to Switzerland as a model. It would be good to understand from the Leave campaign exactly what model they seek to support. It is right that in advance of the referendum, the Government should publish as much information as possible so that the voters are clear about what is involved.

The amendment proposed by the hon. Member for Stone calls on the Electoral Commission to be the marker, as it were, of the Government’s homework, but the Electoral Commission has said clearly that it does not want to do that. It accepts that there is an appetite for more detailed information, but it states that “we would not have the capabilities to do so...nor the required expertise to judge a report to Parliament”. That is very clear.

Damian Green: I want to give the right hon. Gentleman another chance to plug his pamphlet. In it, he sets out the various options that would be available to this country. In the context of the Government providing information, this is quite a difficult ask. It is inevitably hypothetical; nobody can know what the divorce settlement would be. The Government would certainly not know. What the amendments are effectively asking the Government to do is to stick a finger in the air and see which way the wind is blowing. It is quite difficult to call that “information”.

Mr McFadden: I respect the right hon. Gentleman’s views on this matter, but I am afraid I disagree with him. The amendments are not asking the Government to stick a finger in the air and speculate on what the UK’s arrangements would be after withdrawal. Amendment 6(b) shows that this is about “examples of countries that do not have membership of the European Union but do have other arrangements with the European Union”. 
That is not speculation; those examples already exist. We can study the obligations on countries subject to these arrangements. They have been there for some time and have negotiated specific details with the European Union. That is not a matter for speculation; it is out there for us all to see.

I am pleased that the Government have, in effect, accepted requests that we made in Committee and on Report in the House of Commons. It is important for voters to be clear about the renegotiation, clear about the results of that renegotiation, clear about what being in the European Union is like and what it requires, and as clear as possible about what being out might look like. A referendum is a choice between two futures, not an opinion poll on only one future, and that is why the amendments are important. It is right for us to have access to reports of this kind, and it is right for the maximum amount of information to be made available to the public on what will be a crucial choice for the country.

John Redwood: I put my name to the amendments tabled by my hon. Friend the Member for Stone (Sir William Cash) because I thought that Lords amendments 5 and 6 were ill considered and unwise, and that we needed to debate them for that reason.

Lords amendment 5 is easy to deal with and I have no particular problem with it, because it states the obvious—namely that, when the negotiations have been completed, the British people should share their view of the outcome of those negotiations with Parliament and the people. Well, of course they will: it will happen naturally. There will be a statement, and I dare say there will be a written text as well. I therefore think that the amendment is an unnecessary addition to what was a simpler Bill before their lordships got hold of it.

Lords amendment 6 is far more worrying, because it is so sloppily drafted and because it leads to all sorts of arguments that are properly arguments for a referendum campaign rather than for good legislation to set up the referendum. The first part of the amendment says that the Government must publish information about the “rights, and obligations, that arise under European Union law” from our current membership. As has already been remarked, if that were done properly it would result in a very long book, given that we are now subject to so many legal restrictions and obligations as a result of an extremely voluminous consolidated treaty and thousands of directives. I think that to fulfil that remit properly, the Government would have to set out all the directives, and explain to the British people why there are now very large areas of law and public practice that we in the House of Commons are not free to determine as we see fit and as the people wish. While that might be a useful thing to do, I fear that the Government might fall short because they might not wish to give a comprehensive list of our obligations, and it is not good law to invite people to do things that they do not really intend to do.

I look forward to hearing the Minister clarify whether he will be publishing a full list of the thousands of legal restraints that now operate on this Parliament in preventing us from carrying out the wish of the British people, and also on the British people, who must obey these laws as they are translated into British law, or else obey the directly acting laws. Of course, all these laws, and our own laws, can be construed by European justice through the European Court of Justice, which, rather than this court of Parliament, is now the true sovereign in our country because we have submitted ourselves to the ultimate judgment of the European Court.

Sir William Cash: Does my right hon. Friend attach the importance that I attach—and the Electoral Commission itself has attached—to the fact that the reports proposed by Lords amendments 5 and 6 should be produced on the basis of both impartiality and accuracy? We remember the review of competences: it was a whitewash. If these reports were anything like that, we would be significantly misleading the public, would we not?

John Redwood: Indeed. That is why I share my hon. Friend’s concern about Lords amendment 6, and fear that the Government might fall short of the full remit. Will they spell it out to people that we cannot control our own borders, our own welfare system, our own energy system and energy pricing, our own market regulations, our own corporation tax or our own value added tax, because all those matters have been transferred to the superior power of the European Union? That should be the very substance of the referendum debate about whether we wish to restore the full sovereignty of Parliament for the British people, or whether we wish to continue on the wild ride to political union that the EU has in mind, which will mean that even more powers are taken away.

The second part of Lords amendment 6 states that the Government must set out “examples of countries that do not have membership of the European Union but do have other arrangements with the European Union (describing, in the case of each country given as an example, those arrangements).” I have not read or heard anything so woolly for a long time. The amendment refers to all the countries that are not in the European Union but have some kind of arrangement with the European Union without even specifying a trade arrangement, although the Opposition seem to think that it relates to trade.

The Opposition try to perpetuate the myth that our businesses and people would be able to trade with the rest of the European Union only if we resubmitted ourselves to some of the powers of that Union through some kind of arrangement like those entered into by Norway and Switzerland. Have they not heard that America is a mighty trading partner of the European Union that does not have one of these special trading arrangements, and certainly does not pay a contribution to the European Union in order to sell goods and services to it—nor does China, nor does India, nor does Canada, and nor does Australia—have they not heard that some individual countries have free trade agreements with the European Union which are arguably better than the arrangement that we have as members of the EU, because they do not have to pay anything like the very large levies and contributions that we must pay for the privilege of trading from within the internal market?

Mrs Main: My right hon. Friend is making a powerful point. On the basis of what he has said, the debate will be about how “arrangements” will be defined in the report, and, indeed, that could potentially be open to challenge.
John Redwood: That is another reason why I am very worried for the Government. I do not wish them to get into legal trouble over this sloppy drafting.

Those of us who have decided that we wish to leave the European Union have been invited to predict what the Leave campaign will announce when it is finally recognised and officially up and running. I think it would be pretty safe to say that we will not want to recommend either the Norwegian or the Swiss model, because, in our view, the United Kingdom is a far bigger country with a different set of relationships around the world, and one that will have senior membership of the world’s main bodies including the World Trade Organisation. We therefore think that there will be a British solution to our relationship with the European Union, which will not, for example, include paying any contributions to that Union in the way that we currently have to.

Peter Grant: The right hon. Gentleman has given examples of a number of countries that he would not want Britain to be like in the event of an EU exit. Will he give an indication of the countries that he would like us to resemble more? That might help the Government to decide which countries we should be compared to in the information that they publish. It is easy to say who we are not going to be like: will the right hon. Gentleman tell us who he thinks we should be like?

John Redwood: I have already done that. When the hon. Gentleman studies the report of the debate—if he is still interested—he will see that I have dealt with exactly that point with great clarity.

There will be a British answer, but it will be closer to the answer of those countries that trade very successfully with the European Union without accepting the need to pay money into the EU by way of special contribution, and without having to accept great legal impositions. Of course, anyone who trades with the European Union must meet its standards in respect of the goods and services that it wishes to buy, just as when we trade with the United States of America, we must accept its standards for the goods that we wish to sell to it. However, that does not mean having to enter into a common Government arrangement of any kind, and it does not mean having to pay special taxes in order to trade, because most of the world trades perfectly successfully with the European Union countries without having to do any such thing.

I hope that the Minister will appreciate that those of us who are on the Leave side have read the words that the Lords have actually written, rather than the words that the Opposition wish the Lords had written, and have noted their vagueness. It would, I think, be extremely foolish to specify the Norwegian example—which is not an example that anyone I know wishes to copy—rather than considering some of the larger countries, Commonwealth countries and others that have perfectly good trading arrangements. It would also be wrong of the Government, in answering this exam question, to confine themselves to the issue of trade, given that trade is mentioned nowhere in the draft law that is before us. We do need to consider the political arrangements that we have with EU countries, through NATO and so forth; we need to consider such matters as pipeline agreements, aviation agreements, and all those other arrangements that are clearly covered by this sloppily drafted piece of law.

My final worry with this clause is its asymmetry. The Opposition have shown us how they wish it to be asymmetric. They wish the leave side in the referendum to hypothesise about what our relationship with the EU will look like in two or three years’ time, whereas they do not seem to think it is incumbent upon the “stay in” side to similarly hypothesise. I would not mind betting that there will be even more change if we stay in, because if we vote to stay in, the rest of the EU will take that as an excuse to demand that the UK conform to many more parts of the Union than we are currently prepared to.

We know from the Five Presidents’ Report of the EU published this summer that as soon as our referendum is out of the way by 2017, they wish to press on with their move to capital markets union, full banking union and, above all, political union. We on the Leave side will be asking those who want to stay in to describe to us how Britain would relate to the political union and the very much stronger union generally which the euro members envisage. We should be in no doubt that the euro members wish to use the institutions of the EU as a whole for their own purposes, and it would be very difficult for Britain to be alongside but only half in—in the EU but not in the euro.

I would therefore like to see a symmetrical request. It is important to spell out what staying in looks like, as I believe that staying in is a wild ride to political union. That may not be possible for the Minister’s liking when dealing with this clause and whether we leave it as it is, but I can assure him that it will be a very important part of the referendum campaign from the leave side.

Peter Grant: I welcome the fact that the hon. Member for Stone (Sir William Cash) is inclined not to press at least one of his amendments. It seems to me that there is, and will be, a need for information about the likely consequences of an in vote and of an out vote. I do not think it is right that that should be left entirely to individual campaigns, because we already know that there are arguments about who runs the campaigns and how they are going to be funded, and by definition they will tell at best one half of the story. It is perfectly in order for the UK Government to publish appropriate information that sets out the background to the referendum. A survey done about a month ago indicated that the EU member state whose citizens are worst informed about what the EU actually means is the EU member state whose citizens are going to have a vote as to whether or not they are going to leave. We cannot allow that to continue; we cannot allow the referendum to come upon us with a significant number of our citizens not really understanding what they are voting for, not because they cannot predict what the future might be if we leave, and not because they cannot predict what the future might be if we stay, but because they do not actually know what the present is. Too many people do not understand what the EU does for good or for bad right now. If we simply leave this to partisan partial campaigns, people are going to end up confused rather than better informed. Incidentally, it is one reason why this might be the time to extend the franchise, because we think that 16 and 17-year-olds do not understand it, but that their lack of understanding probably puts them less far behind adults than in most other election campaigns. That vote has been and gone, however, so we will leave it at that.
I do find it a bit surprising and ironic—I will not go as far as to say hypocritical—that, as we saw when the Bill went through its earlier stages, so many Conservatives express the concern that during a referendum campaign a Government might publish information that was a wee bit one-sided. Most Members would not have received what a number of SNP Members received shortly before the referendum last year, which was a glossy full-colour booklet published by Her Majesty’s Government making sure that we understood the wonderful benefits that accrued to us from membership of the United Kingdom. The UK Government recently advertised for a post, in the Department for International Development of all places, whose main job would be to persuade the Scots how lucky we were to be part of the Union. As long as that kind of stuff goes on, I do not think that we need to take any lessons from anybody on the Government Benches about the dangers of letting Governments get involved in a partial way in a referendum campaign.

Mr Bernard Jenkin (Harwich and North Essex) (Con): The Committee I chaired in the last Parliament, the Public Administration Committee, conducted an inquiry into civil service impartiality in referendums in respect of the Scottish referendum. It is one thing if there is a Government in Edinburgh on one side of the argument and a Government in London on the other, each publishing arguments for and against a particular proposition, but where will the balance be in this referendum, given that there is only one United Kingdom Government who will only be on one side of the argument?

Peter Grant: It is perfectly in order for the UK Government to take an impartial, neutral stance once we get closer to the referendum. We do not know what stance they will take. There is a question as to whether it was appropriate for somebody else’s Government to interfere in our referendum, but I know that that is not an argument we will win just now. However, that degree of interference probably contributed to the fact that on most days these Benches are significantly more crowded than they were before. If the Government do not produce information, as opposed to campaigning opinion, about how the EU works now, who will produce it? If we are starting from the position of significant ignorance, or in some cases very small number of issues on which we disagree.

The point about broadcasters is that if they are found to be in breach of the requirement of impartiality, a sanction is available and there are ways in which they can be held to account—and certainly the BBC feels as if it is being very severely held to account by any number of Committees in this place just now.

Sir William Cash: I was not referring to the impartiality of broadcasters in this context; I was referring to the fact that under the designated arrangements each side will have the right to issue broadcasts and provide information by way of literature. That is what I was concentrating on.

Peter Grant: I apologise for misunderstanding the hon. Gentleman’s comments.

My essential point is that I do not think it is enough to leave it to campaign groups to provide information. The purpose of campaign groups is to persuade people to vote for the cause that they are promoting. They will provide information that supports their cause. They will choose not to provide or emphasise information that does not support it. That is what we all did in order to get elected, and as long as it does not involve deliberately making untrue statements or trying to mislead people, that is part of the democratic process; it is part of politics. It is up to the electorate to judge whose arguments they believe, but if the electorate are starting from a position of significant ignorance, or in some cases significant misperception and misunderstanding of what the EU is all about, there is a danger that they will not be in a position to exercise that judgment at a critical time.

Mr Jim Cunningham (Coventry South) (Lab): There is another issue when we talk about broadcasting and information being put in the public domain: how it is funded and whether there will be a balance in funding. That has been a big issue in past referendums, particularly the one in 1975.

Peter Grant: My own personal views about how political campaigns and parties are funded probably would not get a huge amount of support here, but that might be something for a ten-minute rule Bill some time over the next four and a half years. The hon. Gentleman makes a valid point. It is important that nobody has the opportunity to buy a referendum any more than anyone should be given the right to buy electoral success. I certainly would not want to see us going the way of America where people need billions of dollars behind them before they can even stand for election.

We are still not addressing the fundamental problem that, no matter how well or badly funded the individual campaigns are, if we are starting from the position of having the least well-informed electorate in Europe on this important issue, someone is going to have to provide the necessary information to bring people up to a better
level of understanding of, for example, what “ever closer union” means and does not mean—because it does not mean what it keeps being presented as meaning, even by the Prime Minister.

People need to understand which aspects of immigration to the UK the European Union is involved in and which aspects it is not involved in. They need to understand which aspects of our welcoming of refugees, or our failure to welcome them, involve a European Union decision, and which aspects come under the auspices of the United Nations, for example. These are massively important issues, and the debate in this Chamber over the last months has not always helped to increase public understanding and appreciation of what the European Union does and does not do.

If there are concerns that the Government might not be impartial, or that they might be over-enthusiastic towards one side or the other, I would be quite happy for the Electoral Commission to publish guidance and to require the Government and everyone else to comply with it. It would be inappropriate to ask the Electoral Commission to scrutinise, veto or censor Government documents in the first place, but it would be perfectly in order for it to issue guidance on the conduct of the referendum, including on the kind of information that could and should be funded and published by the Government.

I find myself in the strange position of almost telling Government Back Benchers that they are wrong because the amendment seems to be based on an unwillingness to trust Her Majesty’s Government. I am not the biggest fan of this Government, and I am not the biggest believer that we can trust them, but if they cannot be trusted to present a fair case to the public in this matter, we are in trouble. The media will not present such a case; the print media absolutely will not do so. The political campaigns will not do so because it is not their job to be impartial. It is their job to be partisan, although perhaps not in a party political sense, on the issues that they are campaigning on.

I welcome the fact, if it is confirmed, that the hon. Member for Stone is to withdraw his amendment (a) to Lords amendment 5. I hope that he will not press his amendment to Lords amendment 6 as well. There is a crying need for reliable, well-researched information to be put into the public domain. Let us not forget that, a few yards from here, we have one of the most highly regarded research facilities anywhere in the world. It is highly regarded not only for the quality of its research and the speed with which it is done but, most importantly, for its impartiality. If we cannot rely on the research facilities within this House to provide reliable, well-documented information, who can we rely on?

Mr Jenkin: I point out to the hon. Member for Glenrothes (Peter Grant) that, whether he thinks it an irony, an accident or something more sinister, it is the people who are in favour of Britain remaining in the European Union who are championing Lords amendment 6, while those who support the leave campaign regard it as a bit of a Trojan horse that would enable the publication of a lot of subjective judgments loaded in favour of one side and not the other.

I referred to the report published at the end of the last Parliament by the Public Administration Committee entitled “Lessons for Civil Service impartiality from the Scottish independence referendum.” The reasoning behind the report was to look at the question of impartiality. There is a rather modern, corrosive view that the concept of impartiality, when applied to civil servants, means simply that they should be prepared to work for whichever party happens to be in office, that by so doing they are therefore impartial and that their conduct can then be quite partial and loaded under the Armstrong doctrine, which states that they have to support the Government of the day. Actually, I think most people in this country regard impartiality as a rather more imprecise quality, with a higher moral tone. They see it as having something to do with objectivity, with balance and with not being compromised into becoming a mere cheerleader for one point of view or another.

2.45 pm

I should like to address the amendments to Lords amendments 5 and 6, tabled by my hon. Friend the Member for Stone (Sir William Cash), to which I have added my name. I do not regard the proposed duty “to publish information on the outcome of negotiations” to be at all unreasonable. In fact, it would be rather odd if the Government did not publish such information. The advantage of having this obligation in the Bill is that the Government will have to publish it 10 weeks before the date of the referendum. That will mean that it will be properly scrutinised, rather than bounced on to the electorate at the last minute. I would say in response to my right hon. Friend the Member for Ashford (Damian Green) that it is perfectly reasonable for the Government to express their own opinion in such a document on the outcome of their own negotiations, as they would in any White Paper. It would be a good thing to have this provision in the Bill.

Sir William Cash: My hon. Friend should bear in mind that the White Paper that led to the European Communities Act 1972, which went through by only six votes in this House, contained a very precise promise that the use of the veto in our national interest would never be abandoned, because to abandon it would be to endanger the very fabric of the European Community itself. Is that not an example of how unreliable White Papers and other Government reports can be?

Mr Jenkin: Indeed, but it is unavoidable that the Government are going to produce information of this kind.

The second duty, in Lords amendment 6, is not something that I expected to see. The Lords amendment asks the Government to produce judgments and opinions on a vast topic, using examples that, by their very nature, will be subjective. I am not at all surprised that the Electoral Commission has decided that it would be far beyond its competence to make a judgment about what such a document might be. The Government have accepted this amendment, but if they are to justify retaining it—as I expect them to do—they will have to answer some questions about it.

What do the Government mean by the word “publish” in the amendment? It would be one thing to place a learned, detailed and technical paper in the Library of 

the House of Commons in order to present the depth of analysis that the hon. Member for Glenrothes believes would be justified, but would the Government produce such a subjective document in a form that could be circulated to every household? How would we feel about that, 10 weeks before a referendum? It is reasonable for the Government to explain the outcome of their negotiations, but it would not be reasonable for them to use public money to present their entire world view on European Union membership as part of a campaign to remain in the EU.

Mrs Main: Is my hon. Friend clear about what is meant by the Government’s response? Does it refer to a response achieved through collective responsibility? What would happen if there were dissenting members of the Government who did not agree with that response?

Mr Jenkin: That is a good question. We all expect that, before long, there will be agreement among Ministers that some will not be toeing the Government line on this question. It is too big a question for it to be otherwise. The reason that we have referendums is that the questions split parties. We could not have a general election on a question that split the parties on both sides of the House. It would be impossible to decide on the issue in that way.

It would be absurd to have a referendum and then try to corral all the Ministers into one point of view. The precedent in 1975 was that collective responsibility was abandoned, although that does not mean there is not still a Government view—there is a Government view and a dissenting view. That is how it will work in this case, assuming that a vast number of Ministers do not leave the Government’s view too isolated to be any longer credible as being that of a Government.

Simon Hoare (North Dorset) (Con): Does my hon. Friend not agree that the country at large still has trust in “the Government”—in the governance of this country—whether or not we think it is right to hold that view? Our electorate would therefore find it strange if, during a referendum campaign, they could not point to what the Government’s view was. The Government of the day would continue after the referendum, and people will want to know what the Government, whether collective or otherwise, think about the issue.

Mr Jenkin: I am grateful to my hon. Friend for his intervention. I have already said that the first publication is perfectly justified, as the Government are entitled to intervene. I have already said that the first publication is perfectly justified, as the Government are entitled to intervene. I have already said that the first publication is perfectly justified, as the Government are entitled to intervene.

My hon. Friend is right to say that people trust what the Government say, which is exactly why what they say should be curtailed and limited. It has a disproportionate effect on the voters. There is absolutely no doubt about that. If a leader of a party says something, that has less of an effect than if the Prime Minister says something. That is why we have a purdah period, and the House has forced the Government to accept that there will be a proper purdah period. Otherwise, if we have what we had in 1975, whereby the Government can carry on regardless, being the Government and yet expressing partisan views on one side of the argument and not the other, an unfair referendum would be created. That is why all referendums throughout the world have systems to try to contain what Governments do during the final phases of the referendum, in order to try to create some fairness.

Mr Steve Baker (Wycombe) (Con): I wonder whether my hon. Friend has seen, as I have, the poster produced by the pro-EU BSE—Britain Stronger in Europe—campaign which co-opts the President of the Bank of England under the headline “Think UK’s economy is stronger in Europe”. BSE has also co-opted the President of the United States and the Prime Minister of India. Does my hon. Friend share my concern that it appears that the campaign to remain in is willing to co-opt public officials, who ought not to be dragged into one side of such a campaign?

Mr Jenkin: I have to be mindful about whether that is taking us beyond the scope of what we are discussing, but it reminds me of a very controversial element of the Government’s conduct of the Scottish referendum, and I have some sympathy with arguments that have been made on this point. I refer to the use of a permanent secretary to give a speech on behalf of the Government’s view while this was purporting to be the publication of advice to Ministers. Such advice should never be published.

On any orthodox analysis, the opinions of civil servants in the form of advice to Ministers should never be published, but this was used as part of the propaganda. Many Scottish National party Members would regard that as a gross misuse of civil servants during a referendum period, and we need to try to avoid that.

I leave two questions for the Minister as he responds to this debate on Lords amendments 5 and 6. First, what does “publish” actually mean? What do the Government intend to do by way of the publication of these two reports? Are they just to be White Papers or are they to be propaganda circulated by the Government in some way much more widely? Secondly, how will he ensure that this is done in the highest spirit of impartiality, using that word in the way most people would expect it to be used? How is he going to ensure that these publications are genuinely objective and not just a means of advancing one side of the argument against the other?

Mr George Howarth (Knowsley) (Lab): Does the hon. Gentleman not accept that the Governor of the Bank of England giving advice, for example, with the Monetary Policy Committee on interest rates, is in a very different position from other public officials, because his advice is often made public? It is perfectly clear that if he has any advice on this, it should be a matter of public interest.
Mr Jenkin: The Governor of the Bank of England is a different case. He is not a civil servant, so he is not bound by the civil service code and he does not advise Ministers as private civil servants—he gives his advice very publicly. Although I was prompted by that example, I think it is reasonable for the Governor, judiciously, soberly and carefully to proffer his advice. I think his advice on the currency question in the Scottish referendum was very germane, but I do not think it was necessary for the permanent secretary at the Treasury to give similar advice. On the speech that the Governor made on the European Union, the remarkable thing about it was how little he was prepared to say which supported the Government’s view. He did not put himself out on a limb. It was an incredible damp squib of a speech as far as the remain campaign was concerned, and it had extraordinarily little impact, because he was very careful about what he said. That might be because he sees that both business and the country are divided on whether we should remain in the EU and that the arguments are much more finely divided than on the currency question in the Scottish referendum.

I wish to deal with Lords amendment 13 and amendment (a) proposed thereto, which stands in my name and that of my hon. Friend the Member for Stone and other colleagues. This relates to another startling change made in the other place on the designation of organisations to campaign for or against the particular proposition. It should declare an interest here—it is not a remunerated interest. I am a director of the company Vote Leave, which will be applying for designation.

The Lords amendment added a provision that suggests that it is perfectly okay for the Electoral Commission to designate one campaign supporting one proposition but not another campaign supporting the opposite proposition. The reason why that has been put into the Bill is perfectly understandable; in the 2011 referendum in Wales there was no application from a no campaign and therefore it was impossible for the Electoral Commission to designate a yes campaign, even though there was a very respectable yes campaign. It was suspected that there was an element of sabotage by the no campaign, because it wanted to prevent the yes campaign from getting designation as the no campaign was going to be incredibly weak, whether or not it was designated.

The result of this provision, which was included in the Scottish legislation passed by the Scottish Parliament in order to prevent the same thing from recurring, is extraordinary. It offers the possibility that the Electoral Commission “may” designate one campaign and not another without any restraining factors. In good faith, I do not think we should question the bona fides of the Electoral Commission as to whether it would ever do such a thing, but this is what the Lords amendment actually contemplates. It would be unconscionable, in this of all referendums, for there to be only one designated campaign. It would be intolerable if Parliament let this go on to the statute book without even a discussion about what the consequence would be. It would completely invalidate the result, it would destroy the purpose of having a referendum and it would mean that this issue was not settled in a fair manner at all. We have tabled an amendment to the new clause, which I hope will at least draw the Minister out to explain how everything might work.

Kevin Foster (Torbay) (Con): Let me thank my hon. Friend for giving way, and say that I am enjoying listening to his observations. Does he agree that, if the Electoral Commission was to take the bizarre decision to designate only one campaign when there was clearly a coherent and legitimate campaign for the other side, it would be clearly open to judicial review on that point?

Mr Jenkin: I am waiting to hear what the Minister has to say on that point. The proposed amendment changes the wording. It now says that it should be allowed to make that decision only if “no permitted participant makes an application to be designated under section 109 as representing those campaigning for that outcome except for a permitted participant whose application the Commission states is, in its opinion, vexatious or frivolous.” That would mean that, provided there are two legitimate applications for designation, the obligation would be clear in the Bill that the commission has to designate two campaigns. That is not clear in the Bill at the moment. If one such campaign was “vexatious or frivolous” and was clearly just there to spoil in some respects, the Electoral Commission would have to justify its action. I hope the Minister will tell us that he can accept our amendment. If he cannot do so, I hope that he will make it clear that the substance of the amendment should be understood, and that it would be unconscionable to have only one campaign designated in this referendum. If an application is made in such a way as to be construed as vexatious or frivolous, such an application would have to be considered. We should be in no doubt that there will be an application in respect of both sides of this campaign.

Sir William Cash: I endorse what my hon. Friend has just said. Let me repeat for the sake of clarity that these amendments are the result of ping-pong between the Commons and the Lords, which is not the best way for them to be considered. We have not had enough time to have a really good look at this matter, and I hope that the Minister will take that into account when he gives us the very full explanation on amendments 5, 6 and 13.

Mr Jenkin: In closing, let me add that in all three amendments we have been discussing the potential role of the Electoral Commission. In respect of amendments 5 and 6, the Electoral Commission has shrunk from the possibility of being given an obligation for which it is not fit. It is worth reminding ourselves that we have already developed one new role for the commission during the passage of this Bill, which is that it will give its advice about possible new regulations on the restriction of section 125 of the Political Parties, Elections and Referendums Act 2000 in respect of purdah. It did not want that obligation, but we gave it to it. Electoral commissions in countries such as Ireland or Denmark have a very much more active policing role in respect of fair referendums, and that is a role that we, in this country, have not set up the Electoral Commission to undertake.

Sir William Cash: With both amendments 5 and 6, we need to bear in mind that a duty would be imposed. That duty would imply and carry with it the potential for judicial review. If there were any failure in carrying
out that duty in the manner that was expected under all the precepts of administrative law, the Minister should accept that there is more than a high probability of a challenge in the courts. That challenge could arise not only because of the manner in which a report arose, but if any of the information were misleading in any way.

**Mr Jenkin:** I agree with my hon. Friend, and will add that, where the Electoral Commission clearly has a duty, its decision can be judiciously reviewed. In respect of the designation of only one campaign, I have absolutely no doubt that there would instantly be a judicial review, and I speak with knowledge albeit.

In the absence of the duties on the Electoral Commission—for example, to provide for impartial and objective information from the Government—it is a moral imperative on Ministers to ensure that they undertake their obligations in the spirit of a fair referendum, and not to abuse the trust that this legislation places on them with regard to the publication of that information.

**Mr Alan Mak (Havant) (Con):** On 9 June, I began my parliamentary career with a maiden speech on this very Bill. I am incredibly grateful to be given the opportunity to speak again on this matter as the Bill makes its way through this House.

Deciding on whether we should continue to be a member of the European Union is one of the most important issues of our generation. We should be thankful about some elements of our relationship, particularly our access to the single market, and our non-involvement in Schengen and in the euro. There are other areas in which we are not getting a good deal, and the Prime Minister is right to renegotiate our relationship to request a better deal. He and the Secretary of State for Business, Innovation and Skills, along with other Members, have said that we should not be afraid to leave if we find that the deal is not good enough for our country and our future.

As the country makes its decision, and as the referendum period begins, I am mindful that the public will need information about the offer on the table. They will need factual and speculative information about what “in” and “out” mean, and about what our future might be under a different arrangement. The public will also need legal, political, financial and economic information. Above all, they will need a well-run and well-administered referendum. We should always be mindful of the commission’s own views, which have been set out in a letter that has been distributed to Members across the House, and to which we should pay heed.

I am also heartened about the vibrancy of our democracy. Even though we are still in the early stages of our debate, it has already produced a number of campaigning groups. I am very pleased to see some senior Members from across the House participating in today’s debate. The campaign groups that have been set up include: Vote Leave, Take Control; Leave.EU; and Conservatives for Britain, which has been skilfully organised by my hon. Friend the Member for Wycombe (Mr Baker), I can see my hon. Friend the Member for Harwich and North Essex (Mr Jenkin) and my right hon. Friend the Member for Wokingham (John Redwood) who have played leading roles in the campaign. On the Opposition benches, we have Labour in for Britain, which is led by the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson); and Britain Stronger in Europe, for which my right hon. Friend the Member for Ashford (Damian Green) plays a leading role. Even before the referendum gets under way, there is a vibrancy of debate across the House and also in the country, which is very positive.

**Simon Hoare:** My hon. Friend is right to set out the span of organisations. I do not know whether my inbox in my constituency of North Dorset is at odds with those of the rest of the House. I get lots of emails about lots of things—hundreds about bees over the weekend—but I cannot think of the last time I received an email about the EU. We in the House are inclined to obsess about it, and we forget that outside, people are trying to live their lives and all they want to know is that the Government are on their side. We should not focus down to what is happening here.

**Mr Mak:** I thank my hon. Friend for his characteristically cogent intervention. He is right that, beyond the walls of this place, men and women, families and businesses and community organisations play their day-to-day role, focus on other priorities and are not necessarily concentrating on the EU referendum or those issues on which this House concentrates.

**Sir William Cash:** I refer vicariously to the most recent opinion poll, which showed that 52% of the United Kingdom electorate thought they should leave and only 48% thought that they should stay in: 60% of those in the south-west said that they wanted to leave.

**Mr Mak:** I thank my hon. Friend for his intervention. I was just finishing my response to my hon. Friend the Member for North Dorset (Simon Hoare). I hope that through debates in this House we shall be able to take a lead on the issues. I welcome emails from people on all sides of the argument.

**John Redwood:** Surely the point that the British people fully understand, which is why they now wish to leave the EU, is that concerns about migration, jobs, taxation, the £10 billion that we have to pay to the rest of the EU, which we cannot have as tax cuts or extra spending, and our inability to form our own welfare laws are vital concerns, and they are all European issues.
Mr Mak: I thank my right hon. Friend for his characteristically passionate intervention. As I said to my hon. Friend, the Member for North Dorset, those issues are certainly important, and I welcome more emails over the next year or so—maybe that is not necessarily the best message for my constituents in Havant! I know that hon. Members across the House will be receiving representations from their constituents arguing on all sides of the debate, whether in letters, emails or petitions. That is an important part of our increasingly vibrant democracy.

Mrs Main: The hon. Member for North Dorset (Simon Hoare) mentioned bees, but the issue relates to the EU directive on the neonicotinoid ban, so his emails are about Europe. It is just that his constituents are not mentioning the word “Europe”. The emails are about EU regulation.

Mr Mak: My hon. Friend makes a good point. We debate many issues in this Chamber, Westminster Hall and other forums on the parliamentary estate, and Europe makes an important intervention in those issues, which we should be mindful of.

I want to talk about the role of the referendum and Lords amendments 5, 6 and 13. I want to remind the House of the text and intention of Lords amendment 5, which introduces a new clause that will create a duty for the Secretary of State to publish a report setting out what has been agreed by the member states following the renegotiation of the UK’s membership of the EU that has been requested by the UK Government. The report, as my hon. Friend the Member for Harwich and North Essex said, will also require the UK Government to set out an opinion about what has been agreed, and it will have to be published at least 10 weeks before the date of the referendum. The Secretary of State would also be required to place a copy before Parliament.

Lords amendment 6 introduces a new clause that creates a duty on the Secretary of State—probably the Foreign Secretary—to publish a report setting out information about the rights and obligations that arise under EU law as a result of the UK’s membership of the EU. The rights in this case refer to the rights that the UK has as a member state and rights that are granted to individuals and organisations under EU law. Those could include rights of access to the single market. The obligations arise under EU law and apply to the UK as a member state and to organisations or individuals. Those could include the obligation on the UK as a member state to amend national law to bring it in line with EU law in a particular area.

The duty in Lords amendment 6 would also require the Secretary of State to include a report about examples of arrangements that other countries have with the EU, whether that is Switzerland or Norway or other countries that have a relationship with but are not members of the EU. Again, the report would have to be published at least 10 weeks before the referendum date and the Secretary of State would be required to lay a copy before Parliament.

3.15 pm

My hon. Friend the Member for Stone (Sir William Cash) has tabled a number of amendments. He is not currently in his place. He said that he might well withdraw them, but it may be useful if I elucidate my views on them, depending on how other Members feel. My view is that the Electoral Commission should not be drawn into the fray, or the debate, in the way that my hon. Friend suggests in his amendment. The Electoral Commission has written to hon. Members across the House, and my hon. Friend acknowledged that it would consider any increase in its adjudication powers or role as ultra vires. I agree with that view. To put the Electoral Commission into the politically sensitive position of arbitrating or adjudicating on the accuracy and cogency of the Government’s report would probably be a step too far. That strays into the realm of a quasi-judicial, quasi-campaigning role.

Kevin Foster: My hon. Friend is going over the impact of making the Electoral Commission quasi-judicial, but Secretaries of State and Ministers are answerable to this Parliament and in particular to this House. It would put the commission in the role of partly taking on the job of Parliament.

Mr Mak: My hon. Friend makes an outstanding point. To give the Electoral Commission a role beyond its current role would be to tread on the feet of hon. Members and encroach on the democratic freedoms and roles of this Parliament. My hon. Friend is right that the Electoral Commission does not agree with the intention of my hon. Friend the Member for Stone. As my hon. Friend the Member for Torbay (Kevin Foster) says, there are better sources of information—such as literature from the various campaign groups that I mentioned and information from public bodies such as the Office for Budget Responsibility or the Bank of England. I would encourage members of the public to read Hansard, where the speeches of many distinguished hon. Members can be found, including from this very debate.

Sir William Cash: It would be useful, if people really wanted to hear how the debate was progressing, for them to follow the transcripts of European Scrutiny Committee, Treasury Committee and Foreign Affairs Committee proceedings. That will tell them an enormous amount about what is going on and what questions are being asked of Ministers.

Mr Mak: My hon. Friend makes a cogent point. The proceedings in this Chamber are available not only in Hansard but on parliamentlive.tv as well as BBC Parliament. I encourage all members of the public and all those who are interested in the proceedings of the House to tune in, particularly to my hon. Friend’s Committee, the European Scrutiny Committee, which he has led with distinction for many years, and other Select Committees, including my own, the Procedure Committee, which has been involved in numerous deliberations. I am delighted to see two of my distinguished Committee colleagues in the Chamber today.

The Electoral Commission undertook research as part of its statutory assessment of the type of information that the public would want to know as the referendum process began. As my hon. Friend the Member for Torbay and the hon. Member for Glenrothes (Peter Grant) said, it found that members of the public were not necessarily clear about what the consequences of the referendum would be. There was no real understanding
among large sections of the public about what leaving would entail. There was not enough information about what staying in would entail. There was certainly some confusion about the very many campaign groups that have sprung up, which I mentioned as I opened my speech.

What the Electoral Commission did say, which I found heartening, was that there was a strong appetite for more information about the implications of leaving, as well as an appetite for information about the implications of remaining and, as my right hon. Friend the Member for Wokingham said, information about other models of engagement, including Switzerland, Norway, other members of the European economic area, and, indeed, countries in Asia, Africa, Latin and South America. He is absolutely right: there are a number of models that can be invoked and, according to the Electoral Commission, the public are keen to have more information. As the hon. Member for Glenrothes said, there is an appetite for more information.

The Electoral Commission found that the public do not simply want dry facts. They would like contextual information, including worked examples, explanations and case studies, giving the views of right hon. and hon. Members. The Electoral Commission recommended that campaign groups, which I mentioned at the beginning of my speech, include on their websites and in their literature worked examples and real-life case studies, along with testimonies from Members of Parliament, Members of the other place and members of the public who wish to share their experience. That would help a great deal to educate the public about the choices to be made.

The Electoral Commission said in its letter that it would be reluctant to adopt the extra powers that some hon. Members believe that it should have, as it has no powers to police information that is put into the public domain alongside Government reports. It has no legislative powers to regulate such information. Finally, the Electoral Commission made a good, cogent point with which I agree. It does not have the capabilities to undertake an extension of its role, which some Members of the House of Lords and of the House of Commons have proposed that it should have. It said in its letter, referring to the extension of its powers regarding the referendum and the Government report, that “it is also the case that we would not have the capabilities to do so”.

It also said:

“We will have no insider knowledge of the negotiations, nor the required expertise to judge a report to Parliament about the UK’s membership of the EU.”

Suella Fernandes ( Fareham) (Con): I thank my hon. Friend for highlighting the Electoral Commission’s extensive assessment of the amendment. Does he agree that the fatal blow for the amendment is the fact that the commission has opined that it does not have the capabilities or insider knowledge to carry out the duty that it would impose on it?

Mr Mak: I thank my hon. Friend and near neighbour. As a barrister, she is learned in these matters. I entirely agree that that is a persuasive argument in the commission’s letter to Members of Parliament.

Sir William Cash: My hon. Friend will have heard that the Electoral Commission has had duties imposed on it by Parliament, but what the amendment is driving at above all else, with respect to him and to my hon. Friend the Member for Fareham (Suella Fernandes), is that there should be proper impartiality and accuracy in the information. If the commission cannot do that, the Government can. If they do not do it, the courts will ensure that they do.

Mr Mak: I thank my hon. Friend for his explanation. My interpretation of the letter is that the commission did not want to take on more powers, as it already has core duties, including the good administration of elections and of the referendum. It conceded that it was not an expert in constitutional law, politics or negotiations about the UK’s continued membership of the EU; it was merely a good administrator, and that is the role that Parliament centrally wants it to fulfil. It is certainly the role that I want it to fulfil as the referendum process continues. The commission was saying, frankly and openly, that it lacked the expertise to make any determination about the Government report.

Next year, as many right hon. and hon. Members will know, we will have local, county and mayoral elections, as well as police and crime commissioner elections, which will increase the workload of the commission in its current guise, whether it is arbitrating on voter rolls, interpreting various aspects of election law or undertaking other statutory duties, which are all a drain on its resources. The Electoral Commission lacks the necessary expertise, as my hon. Friend the Member for Fareham (Suella Fernandes) said, and will be burdened with a heavy workload next year, given the frequency and geographic spread of elections in which it will be involved, particularly from an administrative perspective. There is therefore no role for the commission as proposed by the amendment, so the Government’s view should prevail.

May I turn briefly to Lords amendment 13, which was tabled by Baroness Anelay of St Johns and has some support in this House? I should like to elucidate what it does and to share my views on its place in this House. As hon. Members will know, section 108 of the Political Parties, Elections and Referendums Act 2000 allows the Electoral Commission to designate permitted participants—that is likely to be the campaign groups that I mentioned earlier—as organisations to which assistance is available under section 110 of that Act. Such assistance could be logistical or financial, and in some cases there would be media opportunities. Where a referendum has only two outcomes, which is the case for the EU referendum, as my right hon. Friend the Member for Wokingham and others have said, under section 108, the Electoral Commission can exercise the power to designate one organisation for each of the outcomes or not designate any at all.

Lords amendment 13 would enable the Electoral Commission to designate a lead campaigner for one side of the argument, whether that is to remain in the EU or to leave it, at the referendum without designating a lead campaigner for the other side. That would apply only where for a particular outcome, whether to leave or to remain, there were no applications on the other side or the Electoral Commission was not satisfied that there was an applicant who adequately represented...
those campaigning for that outcome. For example, vexatious or clearly inadequate groups would be disregarded by the commission.

In the event that only one campaigner was designated, that campaigner would be entitled to a higher spending limit, a free mail-out to voters and access to meeting rooms—for example, in council or other municipal buildings—which is a positive. However, it is important for the House to note that that campaigner would not be entitled to a grant from the Electoral Commission of up to £600,000 under section 110 of the 2000 Act, nor would they be allowed to make a referendum broadcast to the people of this country under section 127 of that Act.

Having reviewed the amendments in this place and the other place, and having read representations from the Electoral Commission and from broadcasters, my view is that that is a fair compromise. The amendment implements recommendations that the Electoral Commission made following the 2011 referendum on the voting system. As I said at the start of my remarks, we must pay heed to what the Electoral Commission says, while also taking into account hon. Members’ views. Based on the experiences of 2011, the Electoral Commission recommended that steps should be taken to reduce the potential advantages under the 2000 Act designation model for a prospective lead campaigner to decide against applying for the designation. The Electoral Commission had identified an example where a campaigner might have a tactical advantage in not seeking designation with a view to frustrating the other side’s access to additional benefits. I find that a cogent observation on the part of the Electoral Commission.

I said that I would touch briefly on Lords amendment 13. The Government’s position on all the amendments deserves the support of the House.

3.30 pm

The Minister for Europe (Mr David Lidington): I thank right hon. and hon. Members in all parts of the House who have taken part in the debate this afternoon. The right hon. Member for Wolverhampton South East (Mr McFadden) was even so generous as to offer an additional filler for my Christmas stocking. I am sure the pamphlet that he proffered to me will take an honoured place on my shelves, alongside the collected works of my hon. Friend the Member for Stone (Sir William Cash).

The House will be aware that this Bill received detailed scrutiny in the Lords. The amendments in this group are part of a wide range of changes that the other House imported into the Bill. Many of those amendment were technical and procedural and were designed to strengthen the fairness and robustness of the campaign framework. The Lords also made technical amendments that ensure that the Bill works appropriately for Gibraltar and responds to recommendations from the House of Lords Delegated Powers and Regulatory Reform Committee. Finally—these are the subjects that have preoccupied the House most this afternoon—in response to concerns from Members of the House of Lords that the British people might not have access to the information they needed to take informed by the commission.

In the event that only one campaigner was designated, that campaigner would be entitled to a higher spending limit, a free mail-out to voters and access to meeting rooms—for example, in council or other municipal buildings—which is a positive. However, it is important for the House to note that that campaigner would not be entitled to a grant from the Electoral Commission of up to £600,000 under section 110 of the 2000 Act, nor would they be allowed to make a referendum broadcast to the people of this country under section 127 of that Act.

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I said that I would touch briefly on Lords amendment 13. The Government’s position on all the amendments deserves the support of the House.

Amendments 5 and 6 deal with the provision of public information. As my right hon. Friend the Member for Harwich and North Essex (Mr Jenkin) both acknowledged, at the end of the negotiating process the Government will express their view and their recommendation to the British people for when the electorate vote at the promised referendum. What we now have are obligations written on the face of statute for the Government to publish particular items of information. There was a clear appetite in the Lords for such statutory provision. The Lords tabled and debated a series of amendments calling for the Government to set out in very prescriptive detail the potential consequences of remaining in the European Union and also what the consequences of withdrawal would be in a number of areas of national life. Noble Lords on the Government to set out what their—that is, the Government’s—envisaged relationship with the European Union would be in the event of a vote to leave.

For our part, we did not agree that the Government should speculate on potential consequences in this way and in the detail prescribed by the Lords amendments. In our view, it is for the designated lead organisations to lead the debate on the two sides of the argument. However, the Electoral Commission, in its research into the question, did identify that there is an appetite among the general public for information both on what remaining in the EU would mean and on what leaving could mean. Given the strongly held views that were expressed in the other place, we accepted the principle that the Government should be obliged to play a limited role in ensuring that the public are able to make an informed decision. In our view, the most useful role for the Government is to give information on the renegotiation deal that is achieved, and on the factual nature of membership, to try to aid understanding and to inform the public. Then it will be for the designated lead campaigners to interpret that information and provide their own arguments on both sides.

Amendment 5 is based on an amendment tabled in the Lords by my noble Friend Lord Forsyth, who I think everyone in the House would accept is not someone usually regarded as an unqualified admirer of the European Union. The amendment set a requirement for the Government to report on the outcome of the renegotiation. Building on this, the version of Lords amendment 5 that we now have before us would require the Government to report on what had been agreed by EU member states as a result of the renegotiation and to give their view on this.

Amendment 6 takes us further by requiring the Government to publish a report that would set out “information about rights, and obligations, that arise under European Union law as a result of the UK’s membership of the European Union”.

This would enable us to describe what membership of the EU entails for this country.
Mr Jenkin: Who tabled amendment 6?

Mr Lidington: Amendment 6, as it currently stands, was tabled by my noble Friend Baroness Anelay, following debate in the Lords, as a way to try to build consensus in that House to enable it to give passage to the Bill.

Perhaps it would be useful for me to explain, in response to comments made in this debate, how the Government interpret the obligation imposed on us by the amendments and how we would propose to see those obligations implemented. By “rights”, as set out in amendment 6, we mean rights that the United Kingdom has as a member state of the European Union, and also the rights granted to individuals and businesses as a result of our membership, such as access to the single market. By “obligations”, we mean the things that our membership of the European Union commits us or obliges us to do. Most obviously, this is at member state level, but there would also be implications for businesses or individuals. An obvious example is our obligation as a member state to transpose EU law in particular areas and to accept the primacy of the EU so long as we are a member of the European Union. The duty written into amendment 6 does not require the Government to set out information about every single right and obligation. Such a report would not be meaningful, and the purpose of the duties is to provide useful and relevant factual information to allow for greater public understanding.

Amendment 6 requires the Government to describe some of the existing arrangements that other countries that are not EU members already have with the EU.

John Redwood: I do not understand how the Minister can say that only some of the obligations are mentioned. Surely the Bill as drafted says “the obligations”, which must include all the legal requirements on individuals, companies and the state, as well as the massive contributions and legal supremacy involved. I hope that he is going to mention that nothing is said about trade. He must not limit himself to the trade arrangements but must also look at the defence arrangements, the political arrangements, and all sorts of other arrangements.

Mr Lidington: The amendment refers to “rights, and obligations”, not to “the rights and obligations”. It gives the Government the discretion to select for presentation the rights and obligations that we think will best aid public understanding. I want to make it clear that our purpose in recommending acceptance of these amendments is that they should enable us to provide for greater public understanding. I completely agree with my right hon. Friend that membership of the EU touches on matters other than trade or economic policy. I am sure that the relative balance of advantages and disadvantages that arises out of EU membership on all those issues will be a matter of vigorous debate during the campaign, but we do not envisage that debate taking place in the context of the obligation placed on us by amendment 6.

Lords amendment 6 is about providing factual information on the basis of which the public can take an informed decision. It is also about describing some of the existing arrangements that countries already have with the European Union. We think that that is a better course of action than for the Government to attempt to hypothesise about what the United Kingdom’s future relationship with the EU would be in the event of a vote to withdraw, because that depends on assumptions made about not only the future intentions of the British Government, but the likely response of other European countries.

Sir William Cash: On rights and obligations, the Minister is already beginning to move the argument into the arena of the question of impartiality and accuracy. If the Government pick and choose, the public will not have a clue whether what is chosen suits the Government or them, and it is the voters who will have to make the final choice.

Mr Lidington: To follow my hon. Friend’s logic, the implications of a requirement to provide an exhaustive list would mean going through the entire corpus of EU law—not just the particular areas of competence, as specified in general terms in the treaties—and trying to draw out from that what would be a voluminous list of both the rights and the obligations that derive from each of the measures. I simply do not think that that would aid public understanding. Actually, I think it would act as a formidable deterrent for many members of the public to read the document at all.

My hon. Friend the Member for Harwich and North Essex (Mr Jenkin) asked about the form of publication. No decision has been taken yet, but I envisage it being comparable to a White Paper, if not an actual White Paper. As is normal these days, such a publication would be available online, so it would be widely accessible. The reports would have to be published at least 10 weeks before the referendum, which would give the campaigners clear time to lead the public debate. I emphasise that neither Lords amendment 5 nor 6 in any way affects the section 125 restrictions on Government publications during the final 28 days of the campaign. I hope that my hon. Friend the Member for Stone, in view of what I have said and of the Electoral Commission’s express view that it does not agree with his amendment, will agree to withdraw it.

Sir William Cash: Before I declare whether I am going to withdraw my amendment, I have asked my right hon. Friend several times to make it absolutely clear, on behalf of the Government, that when they give information under Lords amendments 5 and 6 they will do so with due accuracy and impartiality. Is he going to do that or not?

Mr Lidington: Certainly, that is the case, because it would probably have a perverse impact on the Government’s recommendation if they were to be seen to be acting in an excessively partisan manner. I say again to my hon. Friend that, at the end of the negotiation, the Government will express their view, their recommendation and their reasoning, but we see the statutory provisions laid out in the Lords amendments as being about the provision of actual and factual information.

Lords amendment 13 has also been debated in detail. It would allow the Electoral Commission to designate a lead campaigner for only one side of the argument in the event that there were no applications for a particular outcome or the Electoral Commission was not satisfied that any applicant met the statutory test of adequately representing those campaigning for that
outcome. Given the vigour we already see in opposing campaigns, it is very unlikely that we will end up in such territory. I hope that the House will accept Lords amendment 13 to prevent gaming by one side of the campaign to the disadvantage of the other.

Sir William Cash: I simply say that in the light of the clear assurance that there will be due impartiality and accuracy, I will not press my amendments to Lords amendments 5, 6 and 13. I beg to ask leave to withdraw amendment (a) to Lords amendment 5.

Amendment, by leave, withdrawn.

Lords amendment 5 agreed to.

3.45 pm

Three hours having elapsed since the commencement of proceedings on consideration of Lords amendments, the proceedings were interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question necessary for the disposal of the business to be concluded at that time (Standing Order No. 83F).

Lords amendments 6, 2 to 4 and 7 to 46 agreed to.

Motion made, and Question put forthwith (Standing Order No. 83H), That a Committee be appointed to draw up a Reason to be assigned to the Lords for disagreeing to their Amendment 1;

That Judith Cummins, George Hollingbery, Mr David Lidington, Mr Pat McFadden, James Morris, Christopher Pincher and Owen Thompson be members of the Committee;

That Mr David Lidington be the Chair of the Committee;

That three be the quorum of the Committee;

That the Committee do withdraw immediately.—(George Hollingbery.)

Question agreed to.

Committee to withdraw immediately; reason to be reported and communicated to the Lords.

Serious and Organised Crime: Prüm Convention

Madam Deputy Speaker (Natascha Engel): I inform the House that the Speaker has selected the amendment in the name of Sir William Cash. The amendment will be debated together with the motion, and the questions necessary to dispose of the amendment and the motion will be put at the end of the debate.

3.47 pm

The Secretary of State for the Home Department (Mrs Theresa May): I beg to move,

That this House, wishing to see serious crimes solved, to counter terrorism and to see foreign criminals prosecuted and deported, supports opting in to the Prüm Decisions; notes the views of senior law enforcement officers that the Prüm Decisions are an important aid to tackling crime; notes the success of a pilot that demonstrated that the Prüm Decisions mechanism is both swift and effective; and further notes that only a subset of the relevant national DNA and fingerprint databases, containing data relating to individuals convicted of recordable offences, will be made available for searching by other participating States, and that the higher UK scientific standards will be applied to matches in the UK.

Recent events in Europe, particularly in Paris, have highlighted the very real need to co-operate with other countries in order to keep our citizens safe and to hunt down criminals and terrorists. Following the attacks in Paris, we know that the French authorities have been co-operating and co-ordinating with a wide range of law enforcement agencies in other countries, and that one of the tools they have found most effective has been the Prüm mechanism, the subject of today's debate. Indeed, it is thanks to Prüm that they were able to identify at least one of the attackers so quickly.

Prüm—so-called after the German town in which it was agreed to develop the mechanism—is about the sharing with other countries, in strictly controlled circumstances, of DNA profiles, fingerprints and vehicle registration data in order to prevent and investigate crime. My French counterpart, Bernard Cazeneuve, wrote to me recently to set out his first-hand experience of Prüm and his hopes that the UK and France can improve our co-operation through it. While I never accept the views of others unquestioningly, I think it is wise to listen carefully to those with recent experience of such chilling events, and they believe this system to be hugely beneficial. The experience of France and others, and our own detailed study of Prüm, leads me to conclude that it is in the national interest to sign up to it, and I will set out in more detail why I think so.

Sir William Cash (Stone) (Con): I am sure that my right hon. Friend accepts that the dreadful carnage in France was to some extent the result of the failures of the authorities in that country. Why should we place so much trust in those who have had that kind of experience?

Mrs May: I have to say that the blame for the carnage in France lies fairly and squarely with the terrorists who caused it. I believe it is absolutely right to listen to those with experience. I will come on to describe other examples of how the exchange of data is beneficial in a variety of circumstances. Before I do so, it might be helpful to the House if I set out how we have come to this point, exactly what the system is and what it is not.
As I have said, Prüm is primarily about the sharing of DNA profiles, fingerprints and vehicle registration data with other countries in order to prevent and investigate crime. It is worth noting at the outset that we already share such data with other countries via Interpol, so this debate is not about whether we should do so, but about how. This system automates the front end of an existing manual process to access that information. It will make information exchange subject to the touch of a button, rather than a lengthy manual process. That means that it will be quicker and easier for our police to check the national databases of other member states, hugely increasing the reach of UK law enforcement. It is important to remember that this is not a centralised EU database.

Mr Steve Baker (Wycombe) (Con): My right hon. Friend makes a very strong case for this technical function, but I am concerned that the threats we face extend far beyond Europe and the European Union. Will she say more about why it is so difficult to get Interpol and its member countries to adopt a similar system?

Mrs May: Because of the number of countries involved in Interpol and the amount of information that is available, there are very real difficulties and physical issues in getting all those countries to agree to such a system. In the European Union, countries have come together and decided that it would be beneficial to have such an automated process. So far, Interpol has retained the manual processes. Later, I will exemplify the difference in timing between the automated process of Prüm and the manual processes of Interpol.

Keith Vaz (Leicester East) (Lab): The Home Secretary is absolutely right to opt in to this mechanism. It is not about giving information away in its totality, but about sharing information. One of the lessons from Paris is the importance of EU countries knowing who is coming through the external borders. Does she agree that it is essential that when countries have concerns about individuals, they put them on the databases as quickly as possible?

Mrs May: The right hon. Gentleman makes an important point. One of the arguments that we are making in Europe is that we should make better use of other databases, such as the Schengen Information System II border database, to ensure that we do the job that we all want to do. Criminals and terrorists do not recognise borders and do not stop at borders. It is therefore important that data are shared between countries so that we can identify them and bring them to justice.

Mark Pritchard (The Wrekin) (Con): Ideally, we would want Interpol to come to a similar agreement on the sharing of information through an automated system. The fact that Interpol is not in that position today does not mean that we cannot take action now with our European partners and share the information in an automated fashion. Given the tragic events in France, is this not a time for further collaboration and co-operation with our European partners, rather than retrenching into our own silo?

John Redwood (Wokingham) (Con): My right hon. Friend makes an important point about the interplay between Prüm in the European Union and Interpol, and he is right that now is the very time when we need to work more in collaboration with our partners to ensure that we share the data that are necessary to keep us safe.

Mr Jacob Rees-Mogg (North East Somerset) (Con): My right hon. Friend the Member for Wokingham (John Redwood).

Mrs May: I have been very generous in giving way, but I will give way to my right hon. Friend the Member for Wokingham (John Redwood).

John Redwood: I am very grateful to the Home Secretary. As someone who wishes her to use all decent means to track down terrorists, I think it is a good idea to get access to more information, but I also want her to help us uphold our manifesto promise that there will be no transfer of powers to the EU and that there will be a reduction in the EU’s powers, so why can we not do this by intergovernmental agreement, rather than by submitting it to the European Court of Justice?

Mrs May: My right hon. Friend has challenged me on similar issues in relation to justice and home affairs measures in the past. The fact is that because Prüm already exists within the European Union, attempts to exchange these data in other ways would require not only an intergovernmental agreement, but the building of separate systems. That would take far longer, and we would not have access to the data for a significant period. Other member states would point out that a mechanism is already available, and that if we wish to exchange data in such a way we should join that mechanism.

Let me explain a little more about the sort of data exchanged and the processes. For DNA, a crime scene profile is sent from one country to all the other countries simultaneously, and it is automatically searched against the profiles held in those countries’ databases. If there is a match, the requesting country receives a hit report back. At that stage no information is exchanged that would allow a person to be identified—none.

Prior to any personal details being released, all hits must be verified scientifically. In broad terms that is the same system as for fingerprints. Hits are reported within 15 minutes for DNA, and within 24 hours for fingerprints. With Interpol the same manual process means that the average time to report a hit is more than four months. For vehicle registration data, a country that is investigating a crime in which a foreign-registered car is believed to have been involved can request details of that vehicle. Those details are provided in 10 seconds. I think that bears repeating: our police would be able to get details of foreign-registered vehicles in 10 seconds, rather than the months it can take at the moment.

As I said to this House in July last year, Prüm is about the “easy, efficient and effective comparison of data when appropriate”.—[Official Report, 10 July 2014; Vol. 584, c. 492.]

Right hon. and hon. Members will no doubt recall that Prüm was part of the 100 or so measures that we opted out of last year when we exercised an opt-out that the
Labour party negotiated but had no intention of using—that was the greatest repatriation of powers in this country’s history.

David Simpson (Upper Bann) (DUP): I welcome the Home Secretary’s statement. Have there been any discussions with the Republic of Ireland about introducing Prüm, and does she believe that that will happen in future?

Mrs May: I have not held any of those discussions. Within the European Union a small number of member states have not yet joined Prüm, but they are being encouraged to do so precisely because of the value that has been noted by member states already using the system.

As I said, we repatriated those powers, but we did not seek to rejoin Prüm at that time. That was because although the Labour party signed us up to a measure, it did nothing to implement it. If we had then rejoined, that would have opened us up to fines for non-implementation that could have run into tens of millions of pounds. A pragmatic decision was taken at the time, but as I also said:

“All hon. Members want the most serious crimes such as rapes and murders to be solved and their perpetrators brought to justice. In some cases, that will mean the police comparing DNA or fingerprint data with those held by other European forces. Thirty per cent of those arrested in London are foreign nationals, so it is clear that that is an operational necessity. Therefore, the comparisons already happen, and must do so if we are to solve cross-border crime. I would be negligent in my duty to protect the British public if I did not consider the issue carefully.”—[Official Report, 10 July 2014; Vol. 584, c. 492.]

By way of consideration, I promised to run a small pilot with a small number of other countries focused on DNA, and to produce a full business case on Prüm. I also made clear that the final decision on whether to sign up to Prüm would be one for this House. We have now run that pilot, and we have published a thorough business case by way of a Command Paper. We are here today to debate and decide whether we should participate in Prüm or not. I believe strongly that we should.

Mr Alistair Carmichael (Orkney and Shetland) (LD): In such matters there are inevitably balances to be struck between sometimes conflicting interests. I think that the Home Secretary has broadly got this one right, and she will have the support of the Liberal Democrats.

Mrs May: I think there will be an automated element to it. If my hon. Friend is concerned that the whole system will immediately undertake the check, there is a decision to make that check and we are setting a higher threshold. I am getting into scientific waters that I am perhaps not best qualified to refer to, but the issue is what are called the matches of loci on the DNA. Many countries will use six, or potentially eight, loci. We will actually use 10 loci, which is the threshold we normally set in the UK. If 10 loci are being matched, the chances of a false positive are less than one in a billion—an important safeguard that we have.

One reason I believe we should opt in to Prüm is the result of the small-scale pilot we conducted and to which I just referred. I was very clear that the exchange could only occur after we had put memorandums of understanding in place with the Netherlands, Spain, Germany and France, and that exchange would only take place under tight safeguards. Matching profiles found at crime scenes in the UK against the four overseas databases saw an impressive 118 hits. That is nearly double the number of profiles our police sent abroad for checking in the whole of 2014. We got hits from each of the four countries. We got hits to serious crimes. We got hits to people who were French, Dutch, Romanian and Albanian, and from various other countries. We did not get hits to Britons. Crucially for the police, this is leading to the arrests of foreign nationals that would not otherwise have taken place—foreign criminals whom we can then kick out of the country, making our streets safer.

A DNA crime scene profile recovered from an attempted rape was sent to all four Prüm pilot countries. The profile hit against a profile held in France, following an arrest there for a burglary. Following the verification of the hit, and after further co-operation with France, the National Crime Agency obtained demographic information on a Romanian national. This individual was stopped on a Romanian national. This individual was stopped and she will have the support of the Liberal Democrats.

Mrs May: If, for example, the DNA profile is sent, the first response is about whether or not there is a hit on the database. There is then a separate process to determine whether the individual’s personal details will go forward. As I will come on to say, we intend for there to be scientific consideration of the match to ensure that it meets the requirements and thresholds that we set. We will be setting higher thresholds than other countries. It will be possible, if the other country wishes, to move to a European arrest warrant to arrest an individual if there is sufficient evidence. We have brought in extra safeguards in relation to the use of European arrest warrants. It will also be possible, through the EAW, for foreign criminals here to be extradited elsewhere and for criminals who have undertaken activity here in the UK but have then gone abroad to be brought back to the UK for justice.

Chris Heaton-Harris (Daventry) (Con): On that specific point, will the second check—the second set of scientific safeguards, as I believe the Home Secretary called them—be a manual check done by a human, or will the process be automated?

Mrs May: I think there will be an automated element to it. If my hon. Friend is concerned that the whole system will immediately undertake the check, there is a decision to make that check and we are setting a higher threshold. I am getting into scientific waters that I am perhaps not best qualified to refer to, but the issue is what are called the matches of loci on the DNA. Many countries will use six, or potentially eight, loci. We will actually use 10 loci, which is the threshold we normally set in the UK. If 10 loci are being matched, the chances of a false positive are less than one in a billion—an important safeguard that we have.

One reason I believe we should opt in to Prüm is the result of the small-scale pilot we conducted and to which I just referred. I was very clear that the exchange could only occur after we had put memorandums of understanding in place with the Netherlands, Spain, Germany and France, and that exchange would only take place under tight safeguards. Matching profiles found at crime scenes in the UK against the four overseas databases saw an impressive 118 hits. That is nearly double the number of profiles our police sent abroad for checking in the whole of 2014. We got hits from each of the four countries. We got hits to serious crimes. We got hits to people who were French, Dutch, Romanian and Albanian, and from various other countries. We did not get hits to Britons. Crucially for the police, this is leading to the arrests of foreign nationals that would not otherwise have taken place—foreign criminals whom we can then kick out of the country, making our streets safer.

A DNA crime scene profile recovered from an attempted rape was sent to all four Prüm pilot countries. The profile hit against a profile held in France, following an arrest there for a burglary. Following the verification of the hit, and after further co-operation with France, the National Crime Agency obtained demographic information on a Romanian national. This individual was stopped on a Romanian national. This individual was stopped
If the House votes to re-join Prüm, we will be setting in place a process that will catch foreign nationals who have committed crimes here. We will be setting in place a process by which these criminals can be deported. We will be setting in place a process by which foreign nationals who have committed crimes in the UK can be linked to crimes abroad and sent to those countries to stand trial. In short, it will be a vote to keep foreign criminals off our streets and make our communities safer.

The numbers here are stark. If, and I hope when, the UK connects with all other Prüm countries, the evidence suggests there could be up to 8,000 verifiable hits following the initial connection. That is up to 8,000 foreign criminals our police can track down for crimes they have committed in the UK. There will then be an ongoing daily process that will produce more hits. Such exchanges will become part of business as usual, with the reach of our law enforcement extended across Europe at the touch of a button. This is the sort of progress we must grasp. Experience from those already operating the system in other countries shows just how important it really is.

To those who say we do not need to be in Prüm to do this and that we can do it already, I just say look at the figures. The existing processes are so cumbersome and convoluted that last year police sent just 69 DNA profiles abroad. The ease of the processes we used in the pilot means we have already sent 14,000% more this year. Furthermore, changing the Interpol process would require the agreement of all Interpol members, which would be a near impossibility. It simply is not true to suggest, therefore, that we can go on with the current processes or can easily improve them.

For fingerprints, there is an additional benefit. Countries signed up to Prüm can also check the EU database containing the fingerprints of asylum seekers and others detained illegally crossing the EU’s borders. It was this ability to make checks with that database that allowed the Austrian authorities to identify eight of the 71 people so tragically found dead in the back of a lorry on 27 August. It was that same ability that allowed the Austrians to identify one of the suspects in that case. We also know that one of the individuals involved in the Paris attacks entered the EU via Greece. With the unprecedented flows of migrants at the moment, it is clear that the police would benefit from having this capability. By that, I mean police from across the whole of the United Kingdom.

During this process, we have engaged closely with the Scottish Government, Police Scotland, the Northern Irish Department of Justice and the Police Service of Northern Ireland, whose views the Government have given great weight in formulating policy. That is why the Scottish Government, Police Scotland, the Scottish Police Authority, the Northern Irish Department of Justice and the PSNI will have places on the oversight group. Their views will continue to be important to me personally and the Government more generally as we progress this matter, and we will of course consider the representations from the hon. and learned Member for Edinburgh South West (Joanna Cherry) about other bodies. We will ensure that every corner of the United Kingdom has its voice heard. I am sure that is why I have received letters of support for linking us up to this capability from Police Scotland, the Scottish Government and the PSNI.

I have also received support from Bernard Hogan-Howe, the Metropolitan Police Commissioner, who has said: “The scale of the potential for individuals to commit crime across Europe is such that a solution such as Prüm, with all the necessary safeguards, is the only effective way to track down these highly mobile and potentially dangerous criminals.” I agree wholeheartedly.

Mr Christopher Chope (Christchurch) (Con): I am as keen as anybody to ensure that our streets are safe. Will my right hon. Friend assure the House that these powers could be exercised by our immigration authorities at the point of entry in relation to anybody seeking to enter this country, whether they be an EU or non-EU citizen?

Mrs May: There are separate arrangements of course. One reason we opted back into SIS II was to give our immigration officials the opportunity to deal with these issues as people crossed the border. As I said, it is possible to check the EU database for the fingerprints of asylum seekers and others detained crossing the EU’s borders illegally. I welcome my hon. Friend fully supporting our being able to take measures to tackle criminals and identify those who should be brought to justice, and I look forward to his joining me in the Lobby to support our entry into Prüm.

While it is incumbent on us to give the police the tools they need, it is also incumbent on us to balance that against any civil liberties worries that some may have. The Government have not made this decision without looking hard at how to protect British citizens. I was proud to be a member of the Government who abolished identity cards, stopped the indefinite retention of DNA profiles and fingerprints of those arrested and not convicted of offences and reformed stop and search. Where there have been genuine concerns, I have listened.

The first concern I have heard about this system is that innocent Britons could get caught up in overseas investigations. I believe this should be about catching criminals, so we will ensure that only the DNA profiles and fingerprints of those convicted of a crime can be searched against. We will write that into legislation. Innocent Britons will have nothing to fear. Secondly, I know there has been concern that some countries use lower scientific standards than the UK does when assessing DNA, as I mentioned earlier, and that this could lead to false positives in matches. That is why we will legislate to ensure that UK scientific standards apply before any personal data can be provided. As I said in response to my hon. Friend the Member for Daventry (Chris Heaton-Harris), this means there will be a less than one in a billion chance of the match not being a true one. We accept these standards domestically, and I will ensure that we apply them internationally. To suggest we go beyond that, however, would be to harm our ability to solve crimes.

Mr Baker: I wholeheartedly support the safeguards that my right hon. Friend has set out, but will she explain how she will be able to ensure they remain in place after she has brought the UK within the jurisdiction of the Court of Justice of the European Union?

Mrs May: Yes. How we deal with the data on the databases held here is a national matter. The European Court of Justice does have some jurisdiction—my hon. Friend is right about that in respect of some matters—but
its jurisdiction is over the “hit/no hit process” or mechanism. Beyond that, how we hold the material on the database is a matter for national decision.

Mr Baker: I understand that this will bring the whole of our arrangements under the charter of fundamental rights, so the manner in which we retain DNA will be subject to European standards rather than the standards set by this House.

Mrs May: No. I have to explain to my hon. Friend that we are able to determine the database, and that how we hold that database and the information that is held on it are matters for national decision. Articles 2(1) and (3) of the principal Prüm decision say that we need to inform the general secretariat about which profiles will be made available for searching under Prüm, while article 5 makes it clear that the follow-up process to a hit is subject to national law, not EU law.

Tom Tugendhat (Tonbridge and Malling) (Con): My right hon. Friend is making a very persuasive case. I ask for a moment of clarity regarding the expansion of judicial engagement into areas that have formerly been for the court of Parliament, which has been a form of mission creep that can be seen in various areas. Will my right hon. Friend make very clear the precise remit of judicial review, as I am sure, sadly, it will—or a trial in front of the Supreme Court, it will be able to look back at the words my right hon. Friend has spoken from the Dispatch Box today. It would then be able to see the will of Parliament in the decision and not the interpretation that is chosen at that particular moment.

Mrs May: I am happy to confirm that I am willing to comment on the application of the jurisdiction of the European Court of Justice and how it affects our position. As for the legislation that we are bringing forward, I hope that those who I accept have principled civil liberties concerns will listen to its views.

Mrs May: I am happy to confirm that I am willing to comment on the application of the jurisdiction of the European Court of Justice and how it affects our position. As for the legislation that we are bringing forward, I hope that those who I accept have principled civil liberties concerns will listen to its views.

Costs are associated with implementing this capability. When the Labour Government initially signed us up to Prüm, they estimated that it would cost about £31 million—about £49 million in today’s prices. That was without providing any safeguards and without ensuring that Scotland and Northern Ireland would benefit fully and be fully involved. I have looked at this very carefully and am pleased to tell the House that at the same time as ensuring that the operational benefits are nationwide and that UK citizens get the protections they deserve, the Government will need to spend only £13 million. The money spent implementing Prüm will be recouped many times over in savings that the police will make through using it.

Hon. Members will have read about Zdenko Turtak, who earlier this year attacked and raped a woman, leaving her for dead in Beeston. In investigating this crime, the West Yorkshire police had only the victim’s statement and the attacker’s DNA on which to proceed. Suspecting that the assailant might have not been British, they submitted forms to Interpol and had the DNA profile searched against profiles held in other European countries. It took over two and a half months for the match finally to be reported by Slovakia. During that time, the police pursued over 1,400 separate lines of inquiry at a cost of £250,000. If the United Kingdom and Slovakia had been connected through the Prüm system, that initial hit, instead of taking two and a half months, would have taken 15 minutes. Just think of the time and money that that would have saved the police, not to mention the benefit to the victim of knowing that her attacker would be brought to justice.

Andrew Bridgen (North West Leicestershire) (Con): Will my right hon. Friend give way?

Mrs May: If my hon. Friend will permit me, I need to make progress. I am nearing the end of my speech.

I agree with Russell Foster, the assistant chief constable in West Yorkshire, who has said:

“I can state without any doubt whatsoever that enabling the EU Prüm Decisions in this country will be of significant benefit to all UK law enforcement agencies.”

So, do we want to save the police time and money? Do we want to catch more foreign criminals and kick them out of the country? Do we want to speed up and improve our co-operation with some of our closest allies, such as France? Do we want to extend the reach of our police across Europe, and help to solve serious crimes like rape? Do we want to extend the reach of our police across Europe, and help to solve serious crimes like rape? Do we want to benefit the whole of the United Kingdom, and help to keep our citizens safe? The answer to all those questions must be yes, and, given the safeguards that I have set out today, I am confident that we can protect the British public while also protecting their civil liberties.

Prüm means more crimes solved and justice for victims, more foreign criminals caught and removed, money saved, the whole United Kingdom benefitting, and civil liberties protected. It is clear to me that signing up to Prüm is in the national interest, and I commend the motion to the House.

4.16 pm

Andy Burnham (Leigh) (Lab): Way back in what seem like the mists of time—in May 2005, to be precise—I was appointed to the Home Office and given ministerial responsibility for the development of the European
arrest warrant, and today I think back to the discussions that I used to have with the hon. Member for Stone (Sir William Cash) on that very issue. I remember that it was something of a hot potato, and I also remember that the nature of that debate changed very quickly in the aftermath of the 7/7 bombings and, subsequently, the failed bombing at Shepherd’s Bush on 21 July. It was found that one of the bombers, Hussain Osman, had taken the Eurostar to Paris in the immediate aftermath of that failed bombing, and had then travelled on to Rome, where he was finally arrested on 29 July. A European arrest warrant was issued by the British police, and was agreed by the Italian courts on 17 August.

Following the rejection of an appeal, Osman was flown back to the United Kingdom on 22 September, just two months after the failed bombing.

That case proved the value of the European arrest warrant, took the heat out of the political debate about it, and illustrated how the security of people here in the UK is, in fact, better served by ever closer co-operation between European law enforcement agencies.

Sir William Cash: As the right hon. Gentleman referred to a moment ago, may I point out that in Staffordshire there was a case under the European arrest warrant in which a person was actually convicted of murder and was subject to penalties, although it was clear from subsequent evidence that he had not even been in Italy at the time, but had actually been in Staffordshire? There are many similar examples.

Andy Burnham: In any judicial process, there is the potential for mistakes and a miscarriage of justice. Is the hon. Gentleman honestly saying that he was right about the European arrest warrant all that time ago, and that it has been a bad thing and should be scrapped? If so, I think that he is in a small minority in the House, because people have seen the benefits that have come to UK law enforcement following its introduction.

I mentioned that case at the beginning of my speech because I see a parallel between the debate that took place then and the debate that we are having today. Ten years on, as the Home Secretary said, we find ourselves in the aftermath of an horrific attack in one member state that was conceived and planned in another—and I note the letter that the Home Secretary received from Minister Cazeneuve encouraging our full participation in Prüm.

In these difficult times, we—all of us in the House—have an obligation to consider every possible measure to protect the public. It seems to me that the case for greater data sharing and access to data that are held across Europe is now unanswerable, and that we have an obligation to support that case. It is no exaggeration to say that our national security depends on it. That is why, as the Home Secretary said, the last Labour Government made the original decision to sign up to the Prüm decisions in 2007, recognising their potential for our law enforcement agencies. It is also why, back in July 2013, we explicitly warned the Government against opting out of a whole range of EU justice and home affairs measures including Prüm. As I understand it, the Government received warnings from other senior figures in UK law enforcement, and they should have listened to them because, as was pointed out back then, that decision seemed to be driven less by an objective assessment of the impact on crime prevention and detection, and more by a political desire to appease the never-satisfied forces of Euroscepticism on the Conservative Benches. Tempting as it is to say, “We told you so” to the Home Secretary today, we will try and resist that and instead congratulate her on eventually arriving at the right decision and encourage her to resist the blandishments of the forces of darkness who are again rearing their head today.

Keith Vaz: In fact, the Home Secretary’s speech today was a tour de force as to why we should have been in Prüm last year. Think of the number of criminals we could have caught, or potential terrorists we could have found, if only we had joined a year ago.

Andy Burnham: The case the Home Secretary has just set out from the Dispatch Box was compelling and powerful, revealing, as it did, the zeal of the convert to the cause. She was right to make her case with such force, and I am sure my right hon. Friend would agree that the problem with the amendment in the name of the hon. Member for Stone and others this evening is that it invites the House to prioritise the civil liberties of British citizens and risks to UK sovereignty over and above risks to national security. That is what the amendment to the motion invites us to do.

Of course our liberties and our sovereignty are important considerations, but the safety of the public must come first. That is the primary duty of any Government, and it is why the Government are right not to listen to the hon. Member for Stone. The truth is they got themselves into difficulty two years ago by listening to those siren voices, and I hope Members on the Treasury Bench will not make the same mistake today. Indeed, I hope they would have learned an important lesson from this whole episode. It was the European Council that required the Government, after notification of the opt-out, to conduct and publish a business and implementation case assessing the costs and benefits of Prüm. In other words, the EU forced the UK Government to face up to the benefits of European co-operation and in bringing this motion to the House tonight they are effectively conceding the EU was right all along.

That assessment was informed by a pilot undertaken by the Government which the Home Secretary referred to. It found an overwhelming case to opt back in. It involved DNA samples from 2,513 unsolved British murders, rapes and burglaries which were automatically checked against European police databases in France, Germany, Spain and the Netherlands. Searching the profiles against the databases of those four member states revealed 71 scene-to-person matches and 47 scene-to-scene matches, five relating to rape, two to sexual assault and 23 to burglary.

Sir Edward Leigh (Gainsborough) (Con): On an earlier point, is not the greatest defence of the nation’s security the civil liberties of the people?

Andy Burnham: I would put it to the hon. Gentleman that security comes first and that is the primary duty of any Government—to keep the public safe. Once we have secured people’s safety, then liberty comes from that security. That is why I believe the amendment before the House tonight has got things the wrong way around.
way round. I conceded they are incredibly important considerations, but they are not more important than national security and any measures that enhance the security of the public here in the end contribute to enhancing their liberty. That is why security must come first.

As well as finding those matches, the pilot also found that information was provided in a much more timely manner than it had been under the old arrangements, as the Home Secretary said. It found that information was being provided in a matter of seconds, minutes or hours, drastically improving the speed and quality of investigations. At present, requests by the British police for DNA checks from other European forces involve a request to the National Crime Agency, which is then passed to Interpol before being passed on to the relevant national police force. On average, it takes 143 days for the results to come back. The benefits to UK law enforcement of opting into the Prüm decisions on data access are therefore abundantly clear, in terms of speed of investigation and of resources. DNA checks will be available within 15 seconds, automated number plate checks within 10 seconds and fingerprint matches within 24 hours.

Mr Chope: The right hon. Gentleman is emphasising the importance of DNA checks. Will he explain why the Eurodac regulations specifically exclude the possibility of taking DNA samples from asylum seekers who are entering the European Union?

Andy Burnham: I think the hon. Gentleman is conflating two issues. We are not discussing that issue today. Let us be clear, to avoid any misconceptions, that we are talking about the DNA of people who have been convicted of a recordable crime. It seems to me that that provides sufficient safeguards against the abuse of such data. If the hon. Gentleman is making an argument for the wider collection of DNA, as opposed to fingerprints—the fingerprints of people entering the country are collected—that would raise other civil liberties concerns that he would have to discuss with his colleagues. He seems to be envisaging going even further than the Prüm decisions, but I do not believe that we are at that point right now. Perhaps he will return to that issue with his right hon. Friend the Home Secretary.

In these times in which we live, the speed of investigation is essential. I invite every Member of the House to cast their mind back to the hours after we heard about the Paris bombings, or indeed to the hours after the shocking attacks in London a decade or so ago. People were hanging on to the news, waiting to hear of leads against those who might have committed those atrocities. That is what people want. They want the police and the security services to have, in those moments, the clearest possible line of sight across Europe, so that they can pursue immediate leads and track the suspects down. That is what we need to remember when we consider these issues. We need to ask ourselves whether we are prepared to give the police and the security services, not just here but across Europe, that ability to get on the trail of people who are committing atrocities against us and to track them down. In my view, the case is unanswerable: we should give them that power.

We should also ensure that the British police and security services have access to a much larger collection of biometric and biographical data, which will lead to more crimes here being solved and to more tumms here getting the justice that they are being denied today. The earlier detection of crime and the conviction of the individuals responsible must be in the forefront of our minds.

Mr Andrew Turner (Isle of Wight) (Con): Would the right hon. Gentleman like other countries, such as Iceland, to join Prüm?

Andy Burnham: I personally see no objection to that, but let us start within Europe. Let us get a clear set of standards and arrangements within Europe first. I put it to the hon. Gentleman that one of the benefits of the European Union is that it sets a standard that the rest of the world then begins to follow. We are seeing that now with Norway and Iceland. In effect, they have to follow all the norms of the European Union if they want to be a full trading partner. So I would not see a problem with the hon. Gentleman’s suggestion. The Home Secretary has said that there will be many safeguards. I put it back to the hon. Gentleman: would he be happy with somebody who has committed a crime going back to Iceland and thus avoiding justice? I would not be happy with that and I would want measures in place to ensure that they could be brought to justice. Opting in will also lead to a much better use of police time and resources, as the Home Secretary has said, and will improve the intelligence picture that the crime and terrorism authorities have, so that they can better understand the patterns emerging across Europe.

Chris Heaton-Harris: The right hon. Gentleman knows that I have huge respect for him, but I want to tease something out a tiny bit further. He said that security trumps civil liberties. Does he believe that security trumps the protection of our common law system?

Andy Burnham: I reiterate that security comes first. The first responsibility of any Government is to secure the people who live here by taking reasonable measures to reduce the risks to them, because from that foundation of security come all our traditions, our laws and our liberties. That is why co-operation in this field is a good thing, given that the nature of crime now is international. If we fail to understand that, our own legal system will never be able to respond to the changing nature of crime that we face.

Mr Rees-Mogg: I agree with the point that the right hon. Gentleman is making, which is that it is sensible to co-operate, but does this co-operation need the institutions of the European Union?

Andy Burnham: Why should it not, if the co-operation is improved by those institutions? The hon. Gentleman is putting an in-built dislike and distrust of them ahead of the actual issue before us. That is what some Conservative Members are doing, but they should judge this on its merits. Surely the better we can facilitate that co-operation, the more benefits it will bring back to the police and security services. I would imagine that co-operation will be enhanced by working with established institutions, as opposed to making ad hoc arrangements, Government
to Government. That is the benefit of the European Union, although I know he probably does not accept that.

The Government have come to the right decision, albeit in a roundabout way, but I wish to press the Home Secretary on a few points of detail, the first of which is on the cost. She said that in the original assessment the cost of opting into Prüm was put at £31 million, but she now says it is £13 million. We are prepared to accept that at face value, but can she say what is responsible for such a significant reduction in the cost? The business and implementation case says that the estimate is based on “high level requirements”, which implies that it is based not on a fully fledged implementation of Prüm but just on the “high level requirements”. Will she say more about that? What are the “downstream operational running costs” to which the business case refers? How much will it cost every year to run the system, set against the benefits that she said it would bring? My next point may be of interest to those who have signed the amendment. Will the Home Secretary say what the UK will be liable to pay back to the EU if the House does not back this decision this evening? I understand that it is a significant sum, and perhaps it would help the House to know what it is.

I now wish to deal with the safeguards. We welcome the appointment of the oversight board, although there is concern that extradition should not be possible under a European arrest warrant purely on the basis of a DNA or fingerprint match. I think this was the point that the right hon. Member for Orkney and Shetland (Mr Carmichael) was raising earlier. The point was that other corroborating evidence should always be required before extradition can be granted. I think the Home Secretary was confirming that was the case, but it would help the House if she or one of her Ministers could say a little more on that at some point.

Mrs May: I am grateful for the opportunity to do that, and I apologise to the right hon. Member for Orkney and Shetland (Mr Carmichael) if I slightly misunderstood his question. It would be my expectation that an EAW would require more evidence. We have put a number of safeguards into the way in which EAWs are operated, to ensure that we do not see people erroneously being extradited from the UK, and I would expect there would be more evidence as the basis for issuing an EAW. And those normal EAW processes will apply even when there has been a Prüm hit.

Andy Burnham: I think the whole House will find that explanation helpful. I would share the concerns of the hon. Member for Stone and others if the match could even be put into play, which implies that it is based not on a fully fledged implementation of Prüm but just on the “high level requirements”. Will she say more about that? What are the “downstream operational running costs” to which the business case refers? How much will it cost every year to run the system, set against the benefits that she said it would bring? My next point may be of interest to those who have signed the amendment. Will the Home Secretary say what the UK will be liable to pay back to the EU if the House does not back this decision this evening? I understand that it is a significant sum, and perhaps it would help the House to know what it is.

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Andy Burnham: I think the whole House will find that explanation helpful. I would share the concerns of the hon. Member for Stone and others if the match could then trigger a European arrest warrant immediately without any other evidence. I think everybody would find that worrying, but the right hon. Lady has reassured the House on that point.

It is also reassuring that only people convicted of recordable crime can be searched by another police force. That still does not take away the higher level of concern that there would be over the sharing of DNA profiles from named individuals. Does the Home Secretary feel that right hon. Members would be a high proportionality test in this area, linked to more serious crime and terrorism, and does she favour a stricter test before DNA information can be shared with another police force? That is an area in which a higher safeguard could be introduced. It might be effective in limiting blanket person-to-person searches, which bring potential for abuse.

Who will take the decision to share personal information if a match is made? Will it be a designated individual in a police force or will all decisions be taken at a national level by NCA officials? It is important to be clear about who will be making these decisions. Will it be an individual who makes only one or two such decisions in the course of a year, or an official who deals with many of them? I think people will have more confidence in someone who deals with a good number, because they will be able to weed out the more frivolous requests.

Will all participating nations collect DNA profiles and fingerprints from crime scenes using a shared quality assurance standard? There is concern about the lack of uniformity across Europe, and people will want some reassurance on that matter. Finally, will the Home Secretary expand on the role of the European Court of Justice when it comes to the Prüm decision, if we choose to opt into it? As I understand it, it is quite a minor extension of its jurisdiction and there is not the fear that has been expressed by some in the motion.

With those caveats—I insist that they are just caveats—I conclude by saying that we on the Labour Benches believe that the Government have reached the right decision, albeit they have done so in a roundabout way, and that they deserve our support this evening. I hope they agree that this whole issue and the way in which we have arrived at this point illustrate how our continued membership of the European Union enhances the security of our country in these difficult times. The Home Secretary has made a convincing and powerful case tonight to rejoin the Prüm decision, and she will have our support in taking an important step to catch more criminals and keep our country safe.
under the Lisbon treaty to sensitive areas of policing and criminal law was the key factor in the previous Government’s decision to opt out.

Andy Burnham: I have listened carefully to what the hon. Gentleman said. He asked what was so special about national security that it required a European dimension, if I heard him correctly. Does he agree that the fact that the Paris attacks were exclusively planned in the United Kingdom citizens, which is our prime concern, will be advanced by surrendering these powers to the European Court of Justice.

Sir William Cash: It does not. The reasons why that terrible carnage took place have a great deal to do with insecurity and instability as a result of the failures of border controls and the manner in which people made their way to Paris. We do not have time to go into all those matters, and they are not the subject of this debate, but I question whether national security for United Kingdom citizens, which is our prime concern, will be advanced by surrendering these powers to the European Court of Justice.

The Government concede that accepting the Court’s jurisdiction is not risk-free. They should have explained what practical impact they expected the extension of the Court’s jurisdiction in relation to the UK to have, and they have not done so.

Thirdly, the Government say that they intend to put into place extra safeguards to ensure that Prüm would operate in a way that respects fully the civil liberties of British citizens.”

Liberty gave evidence to the House of Lords on a number of matters in this respect.

In the report of the European Scrutiny Committee that was published the other day, we make it clear that there is an important balance to strike between law enforcement co-operation, especially when it involves the exchange of personal data, and the need to protect individuals against the risk of false incrimination and unwarranted interference with their right to privacy. The Government’s business and implementation case can provide only anecdotal evidence of cases in which Prüm has been instrumental in advancing an investigation or securing a conviction. The paucity of evidence that we have been given on the value and impact of Prüm in other countries. Extending the jurisdiction to the European Court of Justice will simply not deal with the problem.

Sir William Cash: The scale has to be weighed against the extension into the realm of the European Court of Justice. That is the key issue. The European jurisdiction has been conceded by the Government, although they refused to do so before. In addition, this entire exercise represents the most massive U-turn in Government policy since 2013.

Gavin Robinson (Belfast East) (DUP): There has been a focus on the scale of the pilot scheme. Has the hon. Gentleman had a chance to consider page 23 of the Command Paper, which helpfully outlines the delays associated with the Interpol system? Indeed, the very first example is of someone who, after four or five months of an Interpol application, having committed more offences from London to Essex, was detected in relation to another crime? With Prüm, he could have been detected much earlier.

Sir William Cash: There is no doubt that there are a number of cases where improvements can be made. With respect to the difference between what we are doing in the European Union as it affects the United Kingdom and what is happening in the European Union regarding other countries, we still have those problems in other countries. Extending the jurisdiction to the European Court of Justice will simply not deal with the problem.

Furthermore, in reaching a decision Parliament is entitled to know which measures the United Kingdom would opt back into by rejoining Prüm; the relevant factors that prompted the Government’s change of policy on UK participation in Prüm; and how concerns expressed by the coalition Government in July 2013 have been resolved, as we have heard almost nothing about that today. The Government motion is far from clear about the measures that the UK will rejoin if Parliament votes for it today. It refers only to Prüm decisions, but there are three measures. Two Council decisions were adopted in 2008, and the third Council decision was adopted in 2009 on the accreditation of forensic service providers. The Government should explain why the framework decision is not expressly referred to in the motion and whether they accept that it is an integral part of the Prüm package.

In July 2013, the previous Government told Parliament that Prüm would be too costly to implement. The estimate, I understand, was £31 million. The Government sufficiently broad-based to justify this extremely grave extension of powers to the European Court of Justice. The main risks highlighted by the Government are the remaining possibility of false positives, leading to the false incrimination of innocent individuals, cost, conferral of jurisdiction to the Court, and a high volume of requests, bearing in mind the fact that the UK has the largest criminal fingerprint and DNA databases.

Suella Fernandez ( Fareham) (Con): I appreciate my hon. Friend’s exploration of the issue, but I wish to pick up on the point he made to our right hon. Friend the Home Secretary about the small scale of the pilot. What does he say about the fact that our law enforcement service will have access to more than 5 million fingerprints and DNA profiles? In the pilot, the British police sent out more than 2,500 profiles. When it comes to scale, the evidence is compelling.

Sir William Cash: The scale that has to be weighed against the extension into the realm of the European Court of Justice. That is the key issue. The European jurisdiction has been conceded by the Government, although they refused to do so before. In addition, this entire exercise represents the most massive U-turn in Government policy since 2013.

Mrs May: I can only assume that I slightly misheard what my hon. Friend said. He seemed to say that the only evidence that we had given about the benefits of Prüm was anecdotal. We have undertaken a pilot with four other EU member states. That pilot was based on the exchange of a certain number of DNA profiles. It led to hits. As in the case of the Romanian that I identified, it led to someone being charged, who is now on remand. That is not anecdotal; someone has been brought to justice as a result of Prüm.

Gavin Robinson: The Home Secretary used the expression “pilot scheme”. She surely concedes that it was a small scale pilot scheme. That is the basis on which I question the extent to which the evidence is
expressed concern that Prüm’s technical requirements were out of date and that it would be better to see whether there was a more modern solution that allowed better exchange of information, for example, producing fewer false positives or requiring less human intervention. The Government now suggest that implementing Prüm would be significantly cheaper—about £13 million, not £31 million. Can they account for such a significant reduction in such a short space of time, and how credible is the cost assessment on which the revised estimate is based?

Furthermore, the Government do not explain what efforts have been made to craft a more modern solution based on up-to-date technical requirements which would substantially reduce the risk of false positives, not just in the UK but in the EU. The Government say that they will apply higher technical standards than required by Prüm—of course—for the UK’s DNA and fingerprint databases, but we should recall that DNA profiles and fingerprints of British citizens may be held on foreign databases, which may be subject to less rigorous standards than those proposed by the Government.

All in all, this is not a motion that should be passed, for the reasons that I have given: it interferes with parliamentary sovereignty, it extends the range of the European Court, and the Prime Minister himself has made it clear that he does not want an extension of EU jurisdiction. Indeed, I think the Home Secretary has said as much. The motion therefore does not stand up. We should not opt into these proposals. For many of us, this is a step too far.

4.50 pm

Joanna Cherry (Edinburgh South West) (SNP): I thank the Home Secretary for her statement today and for the courtesy of keeping me and the Scottish Government informed of her plans in advance of today’s motion. I agree with the shadow Home Secretary that the Home Secretary made a convincing and powerful case that the Government recognised that there were significant civil liberties concerns about the operation of Prüm. I am pleased that they have taken on board some of the key objections put forward by civil liberties groups such as Justice, Liberty and Big Brother Watch. I note that the Home Secretary said that she renews her commitment to addressing civil liberties issues in relation to Prüm.

Clear benefits of Prüm for Scottish policing have already been shown. The Home Office pilot exercise which was used to inform the business case has already produced two hits for serious historical sexual crimes in Scotland, and these hits are currently being assessed and investigated. Prüm clearly offers advantages to Police Scotland over the current system in terms of both the speed of response and the ability to identify perpetrators more quickly and bring them to justice sooner. Under the current system, as we heard, all international inquiries have to be routed through Interpol. Even in a very serious case, it can take several days for a response to be received. For less serious crime requests, as we heard, it can take many days and even weeks or months for responses to be received.

However, under Prüm, DNA and fingerprint data will be uploaded to the Prüm database from the relevant national databases. These data can be automatically searched, with any hits being notified immediately in the form of anonymised data in the first part of the two-stage process that the Home Secretary explained. Further data quality checks can then be carried out by member states, and on completion full data exchange can take place. This will be much quicker under Prüm than under the current system. The same applies to vehicle registration checks—an EU-wide vehicle registration check could be completed instantly under Prüm, compared with the several days that that takes at present.

On oversight, it was originally proposed by the Home Office that the Information Commissioner and the Biometrics Commissioner would be responsible for auditing UK compliance with Prüm. This was problematic for Scotland because, although they have a UK-wide role, both these officials have a limited remit in Scotland. For example, the Biometrics Commissioner’s role is to keep under review the retention and use by the police of DNA samples, profiles and fingerprints, but their functions in the main do not extend to Scotland. Collection of DNA profiles and samples in Scottish criminal cases does not fall within the Biometrics Commissioner’s remit because these issues are wholly devolved as they form part of Scottish criminal procedure.

Against that background, I am very grateful to the Home Secretary for confirming that the oversight group that is to be set up will include members from the Scottish Government, the Scottish Police Authority and Police Scotland, as this will provide a vehicle that can be used to feed in any views and concerns about compliance in Scotland. As I said, Prüm is a mixture of reserved and devolved matters, and that is why discussions are ongoing between officials of the Scottish and UK Governments to establish what, if any, legislation will need to be laid before the Scottish Parliament. Once again, I thank the Home Secretary for her continued co-operation with the Scottish Government in this regard.

Turning to civil liberties and safeguards, SNP Members were pleased to read in the business and implementation case that the Government recognised that there were significant civil liberties concerns about the operation of Prüm. I am pleased that they have taken on board some of the key objections put forward by civil liberties groups such as Justice, Liberty and Big Brother Watch. I note that the Home Secretary said that she renews her commitment to addressing civil liberties issues in relation to Prüm.
It is crucial that a correct balance is struck between preventing crime, protecting national security and protecting individual civil liberties, particularly the right to privacy. The Home Office has proposed a number of safeguards that we are pleased to support. In particular, we are happy with the suggestion that any personal data that the UK sends to another member state must not be stored permanently on its systems or databases, and cannot be stored for longer than would be legal in the country sending it. We are also pleased that there will be oversight of, and periodic checks on, the lawfulness of the supply of data and compliance with Prüm.

I understand that if a foreign member state searches for DNA or fingerprints and that search is matched with a UK citizen aged under 18, their personal data can be accessed only if mutual legal assistance channels are used, and that the UK will not share data on those under 18 through Prüm. I also understand that there is an appreciation that if the crime for which someone is matched is very minor, the UK can refuse to send personal data.

Then there are the higher scientific standards in relation to DNA profiles to which the Home Secretary alluded, whereby rather than the minimum requirement of Prüm for at least six full designated loci, the UK Government will require that personal data will not be supplied unless the DNA match is at 10 or more loci. As she said, that means that the chances of a hit being wrong are less than one in a billion, which under Scottish criminal procedure would put the matter pretty much beyond reasonable doubt.

I welcome the undertaking that the United Kingdom will ensure that only those who have been convicted of a crime can be searched in the DNA or fingerprint databases. I applaud this as being in line with what has been standard practice in Scotland for some years. I appreciate that the coalition Government also embarked on this route in recent years.

As I said, these safeguards have been welcomed by civil liberties groups, but some, particularly Big Brother Watch, which the right hon. Member for Orkney and Shetland (Mr Carmichael) mentioned, still have concerns about the Prüm system. They have raised a particular concern about the vehicle registration database, which holds the personal data of all drivers, the majority of whom are not, of course, criminals. Safeguards are to be built into the system with regard to access to DNA and fingerprint data to protect innocent people’s data, so I wonder whether consideration might be given to whether, at least to some extent, such safeguards should be built into the recovery of vehicle registration data. The Home Secretary said that innocent Britons will have nothing to fear, and perhaps that ought to be borne in mind in this respect.

Big Brother Watch raised similar concerns in relation to Eurodac—the EU-wide database of asylum seekers’ and illegal migrants’ fingerprints. The persons whose fingerprints are on this database are not necessarily criminals, so I wonder whether the Home Secretary agrees that it is appropriate that we look at putting in place safeguards to ensure that it is accessed only in the most serious cases.

On the European arrest warrant, I thank the Home Secretary for addressing a concern that I had, and that was raised by Big Brother Watch, about whether the match of a DNA sample, a fingerprint or a vehicle number plate would be enough to request the extradition of a British citizen, or whether further evidence would be required. I was pleased to hear her confirm so clearly that further corroborative evidence would be required before a European arrest warrant could be issued or implemented.

In conclusion, unlike others in this House—we have already heard from them today—the Scottish National party does not fear the jurisdiction of the Court of Justice of the European Union. Unlike those who have tabled amendment (a), we believe that, far from threatening the civil liberties of British citizens, the Court of Justice will ensure that they are upheld, having regard to the charter of fundamental rights. It is, of course, open to this Parliament to set higher standards in relation to human rights and civil liberties, if it wished to do so.

5 pm

Damian Green (Ashford) (Con): I support the Government’s proposals, partly as a result of my own Home Office experience of seeking to fight not just criminality, but, specifically, cross-border criminality. Members on both sides of the House have made the powerful argument that taking this decision will actually make our streets and citizens safer. I cannot think of a better use of parliamentary time, particularly at this moment. The Government’s decision could not be more timely, given the terrible events not just in European countries, but around the world, in recent weeks and months. It is well worth this House doing everything we can to protect our citizens and to reassure them that everything is being done to make our streets as safe as possible.

It is relatively unusual for the Home Office to be able to invite the House to take such a decision on the basis of hard evidence. When adopting a new policy, it is often the case that we have to assume that it is going to work. Sometimes it does and sometimes it does not, but in this case we have had the benefit of the pilot, which has been much discussed, and it seems to me that the arguments cannot be gainsaid at all. Clearly, even the small-scale pilot has already made this country’s streets safer, so extending that so that we can experience the full benefits of the Prüm measures is extremely sensible.

That is why the proposal is supported by people throughout the criminal justice system. The Home Secretary has herself quoted a number of senior police officers, including the Commissioner of the Metropolitan Police, the director general of the National Crime Agency and a chief constable who has been involved in a particularly sensitive case. It is interesting that, further down the criminal justice pipeline, the Director of Public Prosecutions also supports the proposal. She has said that it will “reduce the number of unsolved crimes, such as murder and rape, committed by foreign nationals, and provide an improved service to the public” and victims—a group we should always be particularly concerned about.

The advantages are spread across a number of areas. They include not just the simplified processes to request information and data, though they are vital, but efficiency gains in international searching, which will allow simultaneous searches to take place in a number of countries at once. That is a significant step forward in practical crime fighting.
Mrs Anne Main (St Albans) (Con): Speaking as one of the forces of darkness referred to earlier, I abhor giving more power to any other body, but I accept my right hon. Friend’s argument about the international element: it is not just about the European element. In that case, I support the sharing of data, because it makes our streets safer. What I object to is that it is framed in this European way, but we are where we are, unfortunately.

Damian Green: I can only say to my hon. Friend that it would be absurd to let the best be the enemy of the good. It would be wonderful if 185 states all had the technical capacity and ability to exchange information in this way, but they do not. In fact, I think only 21 of the current member states of the European Union can actually do this. I know that this is not true of my hon. Friend, but I sense that other hon. Friends want to use this as a reason not to sign up to the proposal, but that is nonsense, because it would continue to leave our streets not as well protected as we would all wish them to be.

Mr David Davis (Haltemprice and Howden) (Con): For me, the problem of cross-national justice is that countries are sometimes very keen to convict foreigners, and there is therefore a propensity to miscarriages of justice. We saw that with the plane spotters in Greece, as my right hon. Friend may remember. He has of course been in the position of suffering a politically driven miscarriage of justice. What is interesting for me is that the Home Office has done a very good job in preventing the false positives and miscarriages of justices. Does he agree?

Damian Green: As so often, I do agree with my right hon. Friend. He is right that, for obvious reasons, I am not an uncritical admirer of everything that the police do. I regard myself as a candid friend of the police. It is extremely important that the technical measures that can be taken to minimise false positives and possible miscarriages of justice are taken at all times. I agree with him that the reassurances the Home Secretary has been able to give on that matter are extremely important.

Before I move on to the potential risks, I want to mention one advantage: access to Eurodac, to which my right hon. Friend referred. Eurodac is the EU-wide database of the fingerprints of asylum seekers and illegal migrants. This change will allow it to be used in criminal investigation searches. It will be precisely aimed at potential criminals, not at innocent people who may have been caught up in something. That underpinning safeguard is absolutely key.

The overwhelming advantage is the straightforward one of speed. Anyone who looks at practical law enforcement will know that speed of response is hugely important in making police operations more effective, particularly internationally. Regrettably, it is topical to say that this is particularly true when the police are attempting to deal with a terrorist outrage. The fact that it may take minutes or 24 hours, rather than months, to get evidence is absolutely vital. The advantages are therefore clear cut and widespread.

People have expressed two areas of risk associated with this system. One is genuine and the other is the result of applying some wrong-headed ideology. Let me deal with the genuine one first: the fear that the measure will intrude on our privacy or damage our data protection and therefore adversely affect our civil liberties. I take that very seriously. It is extremely important to deal with security alongside other civil liberties. I agreed with a lot of what the shadow Home Secretary said, but I do not agree—I may have slightly misunderstood him—when he said that we must have security, and once we have security we can worry about civil liberties. I think that security is one of the important civil liberties that Governments should guarantee, but other civil liberties are extremely important. We must try to defend them all in parallel and, if necessary, strike the right balance. I think that the measure does that.

There will be stringent safeguards. I return to the point that the key safeguard is to ensure that the measure is used to target convicted criminals. It seems to me that if we use large-scale databases, particularly on an international basis, we want to target people convicted of a crime, not just to trawl the records of innocent people. That is absolutely essential at a national level, and it is even more essential at a European level. The proposals before the House pass that test. I imagine that it is why the National DNA Database Ethics Group has given this a “wholehearted welcome”, which is quite a good badge of respectability for the Home Office.

Like other hon. Members, I have read carefully what Big Brother Watch has said about the measure. It is an organisation that does a lot of good and helps to hold Governments to account. I confess that I was slightly surprised at the tone of the response from Big Brother Watch, which welcomed the safeguards that the Home Secretary has introduced. It did say that there were areas of concern, but against the normal standards of comments by civil liberties groups on Home Office proposals, that is warm approval. That should be taken seriously.

I echo the words of the hon. and learned Member for Edinburgh South West (Joanna Cherry) and hope that the Minister deals with the vehicle registration database and the specific worries that Big Brother Watch has raised. It asks:

“Will searches only be for serious crimes or will they include offences such as speeding or driving in a bus lane?”

It also asks:

“Will foreign police forces have access to ANPR cameras or historical ANPR data?”

The House ought to be reassured on those points.

All those civil liberties issues pose a genuine risk, but I think that they have been dealt with. The other line of criticism, which appears in the amendment, says that we should not use these procedures because they are procedures of the European Union. That is a damaging ideology. These measures help the police to catch criminals, prevent terrorist attacks, save lives and keep our streets safer. In those circumstances, it is irresponsible to say that we should not sign up because of an anti-European ideology and a fear of the European Court of Justice. The British people know that we live in a dangerous world, and, frankly, will not forgive politicians who make it more dangerous by indulging in anti-European gesture politics in this field.

It has been argued that there are other ways to achieve the same effect, but it has been amply demonstrated in the course of the debate that nothing that is available is as efficient as this measure.
Mr Andrew Turner: Will my right hon. Friend assist me by saying whether Iceland, for instance, should be encouraged to join?

Damian Green: Iceland is not a member of the European Union. If Iceland wished to sign some kind of deal with the European Union, I assume that it would be open to Iceland to do so, but I have seen no sign that it does. It is not within the purview of this House to dictate to the Icelandic Government and people what they should do. I imagine that they want to keep their streets safe as well.

Mr David Davis: I take my right hon. Friend’s point about the European Court of Justice, but the fear in respect of some of the protections he has talked about, such as the extreme case of whether the database is used for speeding offences, is that the Court could change the guidelines in a way that is outside our control. I do not think that it is true that that could happen in this case, but I think that he should address the point, rather than just dismiss it.

Damian Green: I do not dismiss it, although my right hon. Friend is right that it is not true in this case. The Prüm measures specifically say where the European Court of Justice has jurisdiction, and it is quite limited. One thing that the Court seeks to do is to defend individual citizens against over-mighty states.

Mr Davis: I know.

Damian Green: My right hon. Friend knows that. The idea that everything that the European Court of Justice does is bad or somehow goes against civil liberties and freedoms is simply wrong, as I am sure he would acknowledge.

The Minister for Immigration (James Brokenshire): It is worth putting it on the record that the Prüm decisions are caveated by national law. Article 12 states that the Prüm measures specifically say where the European Court of Justice has jurisdiction, and it is quite limited. One thing that the Court seeks to do is to defend individual citizens against over-mighty states.

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Mrs Main: Not on this side.

Michael Ellis (Northampton North) (Con): You’re the first.

Damian Green: I may be the first Member to do so on this side of the House, but I am sure that I will not be the last.

In this case, I want to refer to a concept that Lenin introduced: that of the useful idiot. It refers to people who do something by accident that gives comfort to those whom they normally oppose. I am afraid that some arguments against this proposal fall into that category. I know that my right hon. and hon. Friends who are advancing these arguments are not idiots, so I urge them to think hard, and possibly not to press the amendment.

Mr David Davis: I take my right hon. Friend’s point about the European Court of Justice, but the fear in respect of some of the protections he has talked about, such as the extreme case of whether the database is used for speeding offences, is that the Court could change the guidelines in a way that is outside our control. I do not think that it is true that that could happen in this case, but I think that he should address the point, rather than just dismiss it.

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Damian Green: My right hon. Friend knows that. The idea that everything that the European Court of Justice does is bad or somehow goes against civil liberties and freedoms is simply wrong, as I am sure he would acknowledge.

The Minister for Immigration (James Brokenshire): It is worth putting it on the record that the Prüm decisions are caveated by national law. Article 12 states that the searches must be conducted “in compliance with the searching Member State’s national law.”

Damian Green: I am deeply grateful to my right hon. Friend. I hope that that reassures those who have doubts on that score.

It has become fashionable in this House in recent days to quote dead communist dictators.

Mrs Main: Not on this side.

Michael Ellis (Northampton North) (Con): You’re the first.

Damian Green: I may be the first Member to do so on this side of the House, but I am sure that I will not be the last.

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This kind of European co-operation in fighting serious crime and terrorism is essential in today’s dangerous world. It is to the European Union’s credit that it has devised a practical system to help keep people safer, and to the credit of the British Government that they have agreed to sign up to it. I hope that tonight the House will agree on that significant step forward in fighting terrorism and serious international crime.

5.15 pm

Keith Vaz (Leicester East) (Lab): It is a pleasure to follow the right hon. Member for Ashford (Damian Green). I woke up this morning by reading his article in The Daily Telegraph on this subject, and here he is live this afternoon quoting Lenin, who I am sure is required reading for all his electors in Ashford.

I will not quote Lenin, but I will quote the Home Secretary who, as you know, Madam Deputy Speaker, we revere on this side of the House. In 2014 she said that “we have neither the time nor the money to implement Prüm by 1 December. I have said that it will be senseless for us to rejoin it now and risk being infracted. Despite considerable pressure from the Commission and other member states, that remains the case.”—[Official Report, 10 July 2014; Vol. 584, c. 492.] I was delighted to see her conversion, which was based—of course—on very strong evidence from the pilot that the Government put in place, and on a powerful case that we should join this important part of the EU. She has obviously thought about it carefully over the past 12 months, and I appreciate the courtesy of the Immigration Minister who rang me a week ago and told me what the Government planned to do.

All the arguments have been made. I could just say, “I agree” and sit down, but this would not be Parliament if I were to do that. It is rare for those on both Front Benches to speak so eloquently in support of a motion—perhaps that will be a feature of European debates to come.

Mrs Main: I disagreed with the shadow Home Secretary when she said that those who wanted to vote in favour of this motion would be expressing their delight at an ever closer union. I disagreed with him about that, and I felt—perhaps this is the useful idiot bit—that he was losing me at that point.

Keith Vaz: The hon. Lady is right. Voting for the motion does not mean an ever closer union—that issue is still under negotiation with the Prime Minister and the rest of the EU—but it does mean helping us to fight terrorism and serious and organised crime. I hope that she will vote with the Government on this occasion, as I am sure she has done on many other occasions since she came to the House.

Ms Margaret Ritchie (South Down) (SDLP): My right hon. Friend is making a compelling argument. We all, including those of us who represent constituencies in Northern Ireland, want issues of cross-border crime to be dealt with and eliminated. Does he agree, however, that data protection must not be sacrificed and that civil liberties must be protected?

Keith Vaz: I do agree with that, but I am reassured by what the Home Secretary has said about the creation of the oversight board, and the fact that information about those on the database who have not committed criminal offences will not be shared.
That brings me to an important point. I am getting confused with all these various databases, so I asked the Library which databases are being used on criminal and terrorist links are being shared with the rest of the EU. It came up with an awesome list of databases that contain hundreds of thousands, indeed millions, of names. The police national computer holds a number of pieces of information—11,559,157 names. There is the Police National Database; ViSOR; the DNA database, which currently holds 5,094,325 names; Semaphore, which is about to be improved because the Home Office announced an extra £25 million to improve its capability; and the Warnings Index, which is also capable of improvement—I will make reference to this—because we heard recently that it is not as effective as it ought to be in tracking those who come into this country. We do not know how many are on the Warnings Index, of course, because it is confidential. Again, we do not know the numbers on the Watch lists database, but it is still of interest. As far as the European Union is concerned, there is the second generation Schengen information system, SIS II, the Europol information system and the Interpol database. Again, we do not know how many names are on those databases.

We are talking about an awful lot of databases. When the Minister comes to wind up, it would be very helpful if he told the House which of the UK databases will be subject to this decision and which of the European and international databases—it may be all of them—are also going to be part of the decision we make today. I support what the Government are doing, but it is nice to have clarity for those who think that every single bit of information ever collected about a British citizen will be made available.

My concern is the security of the border, especially after the events in Paris. I believe the decision of the Government will help us to track people who leave this country and end up in the European Union; people like Trevor Brooks and Simon Keeler, who on Wednesday 18 November were arrested at Hungary’s border with Romania. One of them was subject to a Home Office ban, but managed to leave the country, cross our borders and go into the rest of the EU. On Sunday, The Sunday Telegraph reported that a senior Daesh fundraiser, Mohammed Khaled, who was under a strict counter-terrorism order, managed to flee the United Kingdom to join jihadists in Syria. As we have heard in the media, one of the Paris attackers, Abdelhamid Abaaoud, was wanted for previous offences in Europe but managed to travel to Syria and back without detention.

The problem—I put this to the Home Secretary when I intervened—is our European colleagues not putting suspects’ names on the databases as soon as they become suspects’ names on the databases as soon as they become. We do not know how many are on the database in the first place. The Greek ambassador gave evidence to the Home Affairs Committee two weeks ago. He lamented the fact that fewer than half the foreign fighters identified by national counter-terrorism authorities are registered in our system, which is meant to provide a basic cross-European data check. As we know, 18 million or so people are not part of the passenger name recognition system that the Home Secretary has been battling away. I think for all the years she has been Home Secretary—to get the rest of the European Union signed up to. The fact is that just one person coming into our country who we do not know affects the security of our borders.

We should take the head of the Europol at his word and try to assist those international organisations. A few years ago, the Committee suggested the creation of an international counter-terrorism platform as part of Interpol. We do not need to reinvent the wheel. Interpol and Europol have a great deal of information and data, and we should be building on what they have got. That is why I am pleased that on 1 January Europol will be launching the EU’s counter-terrorism centre, which will help us enormously in the fight against terrorism.

Finally, I turn to the European arrest warrant, which is not the subject of the debate but to which right hon. and hon. Members have referred. The Committee, in successive reports, has pointed to real problems with the EAW. It is a great idea, but there are technicalities that cause problems for British citizens, and we should be extremely careful about taking the view that signing up to these agreements means that everything will be all right. We need to monitor carefully what is being suggested, and if, for any reason, we need to change our involvement, we should do so.

Richard Drax (South Dorset) (Con): Thanks to the European arrest warrant, my constituent, Michael Turner, of whom I know the right hon. Gentleman is aware, was sent to jail in Hungary for four months without trial. We fought it very hard, and the Government assured us the matter would be looked at, but I am afraid I have no confidence in European jurisdiction, and this move concerns me, despite the fact that we all want to fight terrorism, regardless of what my right hon. Friend the Member for Ashford (Damian Green) rather unhelpfully said.

Keith Vaz: The hon. Gentleman is right. He fought very hard for his constituent, Michael Turner, who, thanks to the hon. Gentleman, gave evidence to the Committee. He was let down by the system. It is wrong that someone who is completely innocent should be arrested and held in another country for so long. Apart from anything else, the damage to reputation and personal integrity is enormous. There are problems with the EAW that we need to look at, but, as an idea, it is right that we are able to trace people throughout Europe. The actual implementation and practicalities, however, cause hardship to people such as Michael Turner.

In conclusion, the Home Secretary’s conversion is welcome and her case powerful. I hope we can use this system to ensure that criminals do not escape without
being brought to justice and that those who seek to enter our country to undermine our values through terrorism are caught at the border and sent back to where they belong.

5.28 pm

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con):

It is with a heavy heart that I stand to speak in this debate, as I am one of our Home Secretary’s most ardent supporters. Our nation is lucky indeed to have someone so entirely committed to protecting our citizens and doing all in her power to make our Home Office functions work as effectively as possible. However, I have been more than a little bemused by this proposal that the UK sign up by 31 December 2015 to reciprocal data-sharing of our DNA, fingerprint and vehicle registration databases with EU member states that have already signed up to Prüm.

I was under the impression before I came to the House that we had opted out of all police and criminal justice measures, including the Prüm decisions, agreed before the Lisbon treaty. There was a good deal of noise about this last year when, in the run-up to 1 December 2014, the British Government declared that we would rejoin 35 measures in the national interest—I am led to understand that that number would have been smaller had we not been in coalition—but we did not seek to rejoin Prüm. It seems that the reason for not opening up our databases to fellow EU states was not one of national interest or protection of our citizens’ data from different police jurisdictions, but simply that we would have been fined because we could not have built the computer system in time for the deadline and so would have been at risk of infraction.

I commend that decision on financial prudence grounds, as well as data protection ones, but I am bemused because I remember the Home Secretary saying the European Court of Justice should not have the final say over matters such as criminal law and that Her Majesty’s Government should be able to renegotiate such arrangements as they saw fit. That is why I have been confused. While there is an opportunity, the window for which closes on 31 December, for us to sign up to Prüm, we could just as easily not sign up now to taking us into Prüm under the Lisbon treaty framework, with the attendant risk of putting our most personal biometric data and its management under ECJ jurisdiction. We could instead build our own portal and allow other countries—including those outwith the EU, not just EU countries—to access our DNA and fingerprint records under our own legal framework and control. The fact is that criminals and those wishing the British people harm come from all over the world, not simply from EU countries.

I accept that there might well be biometric data on foreign criminals in EU databases, as we have in ours, but surely it would be more sensible to build a database that we use to assist police forces around the world, with whom bilateral agreements already in place could be enhanced by such data-sharing. I am not against the concept of sharing data in and of itself, but the safeguards for those who could be wrongly identified and pursued by foreign police forces must be absolutely watertight.

I commend Ministers for the detailed specifications set out in the command paper about when a positive hit on a biometric should be progressed for handing over personal information. The fact that only the biometrics of adults convicted of recordable offences should be shared is a good safeguard. In the UK, however, we also hold the biometric data of juveniles convicted of recordable offences, of those arrested and charged but not convicted of many serious offences and of those whose cases have not yet been concluded. Again, my concern remains that while we intend to safeguard most of the UK data held from view by EU states through Prüm, we risk ECJ jurisdiction over our citizens’ data—as was said earlier, the lines are moving—when there are other options available to Great Britain’s police forces for accessing other countries’ records when trying to track down criminals.

The command paper states that of the 15% of crimes committed by foreigners, half are by EU citizens, and the other half are not. I know that every police force, anywhere in the world, will always want more tools to help them fight crime and solve serious offences. I was more than a little concerned by the shadow Home Secretary’s comments that security will trump civil liberties. I am afraid that that is not a view that I hold. There must be points at which we in this House determine the security of our citizens’ most personal biometric data, which must not be put at risk. We must retain complete control of our data records.

As a member of the Public Accounts Committee, I am also concerned at a practical level that the proposed cost of £13 million to build this portal to access British DNA, fingerprint and vehicle registration data is quite likely to be an underestimate. Since I was elected, I have sat in hearings week after week to listen to the justifications of Departments as to why IT projects have not gone according to plan or budget. The reality is that any new IT programme is fraught with challenges, but to build one that will need so many safeguards will undoubtedly be the cause of many problems, delays and unexpected cost increases.

I do not suggest that we should not be trying to build a portal of some kind to assist international law enforcers in the medium term to gain faster access to data, just as we see the benefits of accessing the data within other EU states, but I am not convinced that giving the green light to do this under pressure from states signed up to Prüm that are keen to get into our databases is the way forward.

I hope that Ministers will be able to assuage my anxieties on these matters for my constituents. I thank the Minister for giving me time to discuss these matters in detail last week. We have choices in how we go about increasing our biometric data sharing with other nations. I am simply unable to see why a rush to sign up to Prüm before new year’s eve is out is the right way to go. I will continue to listen to the debate and to Ministers’ honourable and considered positions on Prüm in the hope that my fears for both IT costs and potential failures will be proved wrong. I hope the Government will see that criminality extends beyond a few EU states in the complex global network that we all live in today.

5.33 pm

Tom Elliott (Fermanagh and South Tyrone) (UUP): It is a pleasure to follow the hon. Member for Berwick-upon-Tweed (Mrs Trevelyan). The first question I pose
is whether we want to ensure that we are tough against terrorism; then whether we want to ensure that the United Kingdom takes every action possible to combat terrorism; and then whether we want the public to feel safer by our actions in combating terrorism. I think we would all say yes, of course we do.

I have noted that a number of Members who have spoken are anxious to protect civil liberties for all our citizens, and I have heard the Home Secretary talking about the protections and safeguards that are in place. I agree that civil liberties protection is important, but what about civil liberties protection for the victims of our society as well? We need to realise that a huge amount of victims require it, not just the people whose information is going on to the database. We need to be absolutely clear about the fact that this concerns protection for our citizens—not the citizens of the United Kingdom but the citizens of countries that are our near neighbours. I must say to those who oppose this proposal that although I am not the greatest supporter of the European Union and, indeed, have supported the actions of the hon. Member for Stone (Sir William Cash) on many occasions, I disagree with some of what the hon. Gentleman has said today. In particular, I disagree with what he said about civil liberties, because I have noted the safeguards that will be introduced.

We in Northern Ireland have been subjected to terrorism for many years: the terrorism of people being murdered, and of bombs and shootings in our society. We have also suffered because of a lack of information from our near neighbours, the authorities in the Republic of Ireland. I understand that they have not signed up to these proposals either, but I hope that, being the strong European Union supporters that they are, they will do so in the near future. I hope they will come to realise that that might be helpful to our neighbours in the United Kingdom, France, and any other country that is situated nearby.

Sir William Cash: I hear what the hon. Gentleman says. As he well knows, I am a strong supporter of most of what comes from Northern Ireland in the shape of the Democratic Unionist party. Does he not accept, however, that there are ways of dealing with this problem that do not involve our surrendering to the European Court of Justice? That is the key issue for most of us in this matter. It is not that we do not want to restrain terrorism and exchange information; what concerns us is the manner in which that is being done, at the expense of Parliament and, in our view, of those who wish to leave the European Union.

Tom Elliott: I thank the hon. Gentleman for what he has said, and for explaining his position. I certainly accept his position on the European Court of Justice, but there is a balance to be struck and there are decisions to be made. I think that we must take a balanced view when people's safety and lives are being put on the line, and my balanced view is that it is better for us to try to protect the citizens of the United Kingdom and those of other parts of Europe.

Had these databases been in place when the Provisional IRA were planting bombs in Germany and the Netherlands, perhaps the people responsible could have been apprehended before the bombs went off, or at least could have been brought to justice after the explosions. I think that if the Republic of Ireland were to be involved in Prüm, the United Kingdom, and particularly the Northern Ireland part of the United Kingdom, could be in a much better co-operative position, and could share information much more easily than is possible at present. I know that co-operation between the security services in the Republic and those in Northern Ireland has already improved to some degree, but there is still no stream of information, and I think it would be helpful to all our citizens if that information were shared.

If we have nothing to hide from the rest of our society, we have nothing to fear from these proposals. I do not mind if my information is on a database if I have nothing to hide, and in any case I understand that there is a safeguard that will ensure that people's personal information will not be put on to the database if they are not criminals.

This is not just about terrorism; it is about wider organised crime as well. It is about human trafficking and drugs trafficking, which are a scourge on our society throughout Europe. We have seen the public aspect of terrorism in Paris and elsewhere, and we know how many people have been murdered, but other organised crime—such as human trafficking and the trafficking of drugs—brings just as much devastation to society and to individuals. It affects as many people and ruins as many lives as terrorism. We need to be ever mindful of that.

I do have a question in relation to Northern Ireland. Will this take a legislative consent motion in Northern Ireland, or will it take the approval of the Northern Ireland Executive, or is it automatic? That is a simple question, which I assume requires a fairly easy answer, because I would not like to see delayed in Northern Ireland the positive aspects that could be helpful to us in our society as well.

The information on the databases is only as good as what is put on, so I implore that we do need a proper system for the inputting of that information, so that the proper information is available to all in our society.

5.40 pm

Chris Heaton-Harris (Daventry) (Con): It is a pleasure to follow the hon. Member for Fermanagh and South Tyrone (Tom Elliott). I rise in this debate just briefly because I am a great believer in co-operation between European member states and, indeed, between all countries on an international basis if the aim of that co-operation is to eliminate terrorism and fear and improve national security, but a couple of things need to be said. This is not necessarily about the detail of the database—how the data are held, what is on the database, how it is populated, how many databases there might be, whether they are a good thing or a bad thing. There is a tiny bit of principle that underlies all these points that I want to check that we have covered off.

When the right hon. Member for Leigh (Andy Burnham) made his opening remarks for the Opposition, he reminded us of the job he held in 2005. He had been given a job by Tony Blair at that time to bring in the European arrest warrant. At that time, I was a Member of the European Parliament and I participated in debates there about the extensions of powers this might bring. There was a genuine concern from the current major Opposition
party here, the Labour party, about the direction of travel in the European criminal justice system, hence the big opt-out which came about. In fact, let me quote someone who does not get quoted much in this House any more—former Prime Minister Tony Blair. On 25 June 2007 he was talking about the opt-out from the criminal justice system and said:

“It is precisely the pick and choose policy often advocated. It gives us complete freedom to protect our common law system”.—[Official Report, 25 June 2007; Vol. 462, c. 21.]

That was why I asked the right hon. Member for Leigh whether security trumps common law. I will challenge him privately, maybe, over a pint later on his answer to that, because we have to understand that common law is the underpinning of our structure of law in general in this country and we must uphold that. Yes, security is super-important, but we must uphold our common law principles as well.

I was in the European Parliament at the same time as a great gentleman, Professor Neil MacCormick, who was an SNP Member of the European Parliament. He chastised me when I was flirting with the idea of how a European system of criminal justice might look going forward. He reminded me that actually a European system of criminal justice goes against corpus juris in many ways and could undermine our common law. He kept on reminding that Parliament that we must be very wary when we look forward at measures in the emerging European criminal justice system, as while they might be—as many of them are—sensible progressions of policy, we must make sure none of them undermines our system of common law.

A former Labour Home Secretary, Jacqui Smith, probably put this as well as I will ever be able to:

“In negotiating the justice and home affairs chapter, the Government made clear their absolute determination to protect our common law system and police and judicial processes. We were clear that EU co-operation in this area should not affect fundamental aspects of our criminal justice system.”

She went on to make a point that we need to note today, bearing in mind that, having used our opt-out, this Government are now using a process of opting back in. She said:

“The extended opt-in arrangements that we have secured mean that we have a complete choice as to whether to participate in any JHA measure. We have also ensured that the jurisdiction of the ECJ cannot be imposed on the UK in this area—it will apply only to the extent that we have chosen to participate in a JHA measure.”—[Official Report, 29 January 2008; Vol. 471, c. 183.]

The Government are to be commended for certain aspects of the process that they have undertaken on this measure, instead of simply opting in without thought. The Home Secretary and the Minister for Immigration, my right hon. Friend the Member for Old Bexley and Sidcup (James Brokenshire), will understand that I have real reservations about how these measures work in conjunction with our system of common law, but at least we have had a sensible pilot and a sensible assessment, and we have put in extra safeguards to ensure that the data transfer is more on our terms.

I like it when we co-operate with our EU partners—and, indeed, our international partners—on these matters. My only concern is to ensure that the Government and this place, the House of Commons, have squared off opting into things like this against the continuing development of a European system of criminal justice based on a legal code that directly challenges corpus juris and our common law system. I hope that the Home Secretary will understand my concern, and I hope that the Minister will be able to cover off the points that I have made. In his assessment, will going deeper into ECJ jurisdiction be a price worth paying for these measures?

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): I call Gavin Robinson.

5.46 pm

Gavin Robinson (Belfast East) (DUP): Thank you for calling me, Mr Deputy Speaker. There was not much choice left on this side of the Chamber. You have a distinct advantage over many Members here, in that when you entered the Chamber about 10 minutes ago, you at least knew what the subject matter was. I have sat through the debate for almost two hours, and some of the contributions would lead people to think that this was a dangerous proposition that posed a fundamental threat to our country. I do not believe that that is the case.

I am incredibly grateful to the Home Secretary and, in particular, to the Minister for Immigration for our conversations over the past few weeks, for their thoughtfulness and their willingness to assuage our concerns, and for preparing and publishing the Command Paper. If Prüm was about the United Kingdom Government sending shedloads of data to 27 other EU member states, I would be voting against it. If it was about asking 27 other EU member states to come over to the United Kingdom and have full, unfettered access to our data, I would also vote against it. However, that is not what is being proposed. The indications from the Home Secretary and from the Command Paper that the cost has been significantly reduced, from £31 million to £13 million, are to be welcomed.

I would be grateful if the Minister or the Home Secretary could help me with a little confusion arising from the contribution of the right hon. Member for Leicester East (Keith Vaz). He suggested that we needed to put certain information on a database. My understanding was that we had three databases—one for vehicle registration, one for DNA and one for fingerprints—and that it was through those existing databases that the information would be handled.

Mrs May: I am grateful for this opportunity to confirm what the hon. Gentleman has just said. There is a DNA database—we will restrict the information that is available for the Prüm checks—a vehicle registration database and a fingerprint database. The Chairman of the Home Affairs Select Committee, the right hon. Member for Leicester East (Keith Vaz), mentioned a whole variety of databases. There are some issues within the European Union about the connectivity of certain databases to help us to catch terrorists and so forth, but in regard to the Prüm decisions, the hon. Member for Belfast East (Gavin Robinson) is absolutely right to say that it is those three databases that we are talking about.
Serious and Organised Crime: Prüm

Gavin Robinson: I am grateful for that explanation. It satisfies my confusion, as opposed to there being any error on the part of the Chairman of the Home Affairs Select Committee.

Mrs May: Perish the thought!

Keith Vaz: He’s a nice man!

Gavin Robinson: I am a Euro sceptic, but pragmatically so. [Laughter.] I hear some laughter coming from across the Chamber, but it is important that when we agree on certain constitutional issues and the future of this country, we coalesce and unite around those issues. I do have a difference of opinion with those who have signed the amendment and it is important to outline—

Sir William Cash: I am so glad to hear that the hon. Gentleman is a Euro sceptic, and I take it from what he said that he would be inclined to leave the European Union. Does he accept that if he were to—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We are definitely not going on to that debate at this stage.

Gavin Robinson: You do not need to save me, Mr Deputy Speaker, but I will decline to answer. I can talk to the hon. Gentleman about that issue outside the Chamber.

As a pragmatic Euro sceptic, I have to look at the Command Paper and assess the details. The important details that are published there recognise that the PSNI was a part of the pilot and that there were two instances of a successful hit that involved a rape case and a German national. When I read statistics for 2013-14 in the Command Paper saying that a third of all crimes in London were carried out by foreign national offenders and that a third of them—33,500 individuals—were EU nationals, I think we need to look at ways in which we can speed up the investigative process, without hamstringing our investigative authorities in this country. That is why when I intervened on the hon. Member for Stone I made reference to page 23 of the Command Paper and the inherent delays associated with Interpol. Although Interpol will continue to be the system for dealing with those 34,500 foreign national offenders who are not from the EU, we have the opportunity to protect citizens in this city and in this country by taking this important decision today.

Reference was made earlier to the Republic of Ireland. It has not yet taken this decision, but I hope it does so. The Secretary of State for Northern Ireland was before the Northern Ireland Affairs Committee this afternoon, and she will know that there have been 16 terrorist attacks carried out in Northern Ireland this year that are of national security concern. Many of those involved in dissident republican circles will be operating across the UK-Republic of Ireland border.

Kevin Foster (Torbay) (Con): Does the hon. Gentleman agree that if we send a strong message of support for Prüm, we will send the message to the Parliament in the Republic that it is time for the Republic to join this and thus make it easier to tackle things such as the cross-border fuel crimes that we have been talking about in other contexts of Northern Ireland security?

Gavin Robinson: I agree entirely and I am grateful for that intervention. We have engaged, through the PSNI, and it is crucial that our colleagues and friends in the Republic do so, too. I would be grateful if the Minister would indicate that discussions are ongoing with the Republic of Ireland, so that we can share our information, data and experience obtained during the pilot with the Republic of Ireland and it can similarly benefit from the directive.

Jim Shannon (Strangford) (DUP): The facts and figures show that there were 1,109 detections of marked fuel oil and oil laundries in Northern Ireland by the PSNI, with 50,340 litres of oil seized; and that there were 5,852 seizures of cigarettes, with 53 million cigarettes seized to a value of £25.5 million. That is what the PSNI can do. If it had help from the Garda Siochana and other countries, it could do even more.

Gavin Robinson: I do not disagree with my hon. Friend—I never could. That is probably the 10th time he has contributed to proceedings in this Chamber today and there will be many more such contributions.

I will not labour the point. We support this proposal from a pragmatic perspective. I wish to conclude with two gentle points for the shadow Home Secretary. First, I agree with the right hon. Member for Ashford (Damian Green) and others in this Chamber who have taken issue with the suggestion that if we look after national security, civil liberties will look after themselves. There are countless examples of draconian societies in this world where national security is very much at the expense of civil liberties. The considered point about a balance between the two is much more appropriate.

Although it is not my role to stand up for, defend or come to the rescue of the Home Secretary, I have to say that I see no U-turn from her. What was said by the shadow Home Secretary, and indeed by the Chairman of the Home Affairs Committee, who had a smile on his face, misses the point. In July 2014, the Home Secretary was quite clear about the reason for delay, which was a wish to avoid infraction proceedings from the European Union. I will go one step further, as there is one point in this paper that has been missed by many.

At that time, Northern Ireland representatives, including my hon. Friend the Member for East Londonderry (Mr Campbell), were standing against the decision to close the Driver and Vehicle Licensing Agency in Coleraine. A key component of Prüm was that this country had to have centralised collection of data for vehicle registration. The Government could not proceed until they had closed the facility in Coleraine. They may not be honest about this, but because a centralised service in Swansea was only offered up on 21 June 2014, the decision had to be made to delay Prüm.

Although I take no enjoyment in highlighting that fact, it does serve to illustrate that the Home Secretary could not proceed when the key component was a centralised data centre. She did not have that centre until our vehicle licensing centre in Coleraine was closed. With that point, and perhaps a nod to those who are unhappy today, I wish to indicate our pragmatic support for the proposal that will reinforce the security efforts and the safety of citizens not only in this country but throughout the European Union.
Mr Jacob Rees-Mogg (North East Somerset) (Con): It is becoming something of an annual event that the Home Office should bring forward a further passing of powers to the European Union. Just over a year ago, we had the arrest warrant and all that went with it, and now we have Prüm, or Proom depending on one’s preferred pronunciation.

I must confess that this is a grave disappointment, because one had begun to read briefings in the press that my right hon. Friend the Home Secretary was going to become the Boadicea of the Leave campaign, and on her winged chariot she was going to be putting the case for why we should have less Europe rather than more. Instead, we get this order brought before us today on the grounds of necessity. She says that it is the only way in which we can co-operate with our friends in Europe—countries that wish to assist us and that we wish to assist.

The arguments for the order are, superficially, very attractive. There is no one in this House who wants to aid terrorists or stop them being arrested. There is no one who wants rapists to go free, or who wants petrol smuggled between Northern and southern Ireland. We want the law to be obeyed and the wrongdoers to be arrested. We want them to be caught and put in prison. That is all true, and we want efficient systems to be put in place that ensure that that happens. There is absolute unanimity in this House, and probably—except among the criminal fraternity—in the country at large. Then we hear why it can be done only this one way, which is more Europe, with the Commission and the European Court of Justice.

Interpol, according to my right hon. Friend the Home Secretary and others who have spoken, sounds as though it is run by Inspector Clouseau and uses eft sticks to carry messages between countries. It is so incompetent and slow that it is hard to understand why it exists at all. If it is quite so incompetent at gathering information and quite so lazy and idle at passing it around the world, why are we contributing to its upkeep? Is there not a case for fundamental reform of Interpol? Should we not do something about it to ensure that, internationally and not just in the narrow European sphere, there is a means, a method and an ability to transmit information relating to these dangerous criminals? But oh, no, we will not bother with that. That might be hard work. It might mean that something has to be done, that it will upset the nice, expanding, imperial European Union that has of course to have more powers gathered to itself. No, the only thing that can be done is to use the full mechanism of the European Union; there is no other way.

We assume that if we offered bilateral intergovernmental agreements, they would be refused. The Home Office states that they would be refused; that that would be too difficult because there is another mechanism within the European Union. But that makes the assumption that our friends, our partners, our allies in Europe are so wedded to the idea of the European Union that they will not do something that they themselves wish to do because we will not agree to their own structures for doing it. Therefore, we must accept the structures rather than negotiating with them over what those structures may be.

This strikes me as perverse. We know that our friends in France are keen to have this exchange of information. Is the Home Secretary really saying that the French would not agree to an intergovernmental bilateral agreement that we would give them information and they would give us information because it did not meet the highfalutin European ideal? Is that really what Her Majesty’s Government are saying? Is that the case with Germany, Italy and Spain? Are they all saying that they attach so much importance to the European Union that, even though they wish to share information with us, even though they think it is important, even though they think that it would cut crime, they are not willing to do so?

Sir William Cash: We must also take into account the decision taken by Denmark only a few days ago in this enormous description of the kaleidoscope of European unity.

Mr Rees-Mogg: My hon. Friend is right. The Danish question is one of the greatest importance. Denmark had a referendum, having trusted their people, which I believe we may be doing at some point. But of course we are not trusting them on this measure, because it is instrumental to catching terrorists, and the people cannot be trusted to decide whether they want to do that or not. No, this must be done by the Government after a three-hour debate—though lucky us to get even a three-hour debate. Last year we did not get a debate on the European arrest warrant. We had it on something else.

Christian Matheson (City of Chester) (Lab): The hon. Gentleman appears to be suggesting that we have a series of bilateral agreements with 20-something EU member states, but is that not essentially what is being done tonight, albeit in a more efficient way?

Mr Rees-Mogg: The hon. Gentleman is only partly right—a bit of a curate’s egg, if I may say so, but it is regrettably rotten in parts. If the agreement is done in this way, it comes under the competence of the European Court of Justice and infraction proceedings can be brought by the European Commission. Why is that important? I accept that protections are built into Prüm, and that there are limits on the application of what the ECJ can do, but it needs to be seen as part of a whole package. We are agreeing today that the investigatory function in relation to data held by Governments should be centralised at a European level. We agreed a year ago that the arrest function should be centralised with a European competence. So we have investigation, we have arrest, and we have a proposal from the European Commission for a European public prosecutor—so far, resisted, but this measure was resisted a year ago, and the European arrest warrant was not Conservative party policy until a year ago.

I wonder whether the hon. Gentleman sees where I am going. This is part of a package of creating a European criminal justice system. It comes one by one and bit by bit. On every occasion, the measure is said to be essential and we are told that there is no opportunity of doing it differently, but if there is no opportunity of doing it differently, why is my right hon. Friend the Prime Minister racing around European capitals trying to organise a renegotiation? If there is never any other possibility, is that not banging our head against a brick
wall? Surely we should be saying—the Government intimated this a year ago, but there has been no delivery at all—that we will make the European arrest warrant and all that goes with it part of the renegotiation. We would go back to the status quo ante—where we were prior to the Lisbon treaty: that we do these things on an intergovernmental basis.

My right hon. Friend the Member for Stone—I am sorry, I mean hon. Friend; he ought to be right honourable; it is extraordinary that Her Majesty has not yet asked him to join the Privy Council—pointed me in the direction of Denmark. Denmark has said no. Denmark will want to make arrangements with fellow European Union states to exchange data with their friends and allies, and we could make arrangements with our friends and allies to exchange data and do all the sensible things of which everyone in this House is in favour. It is the right thing for us to do, but it is better than that. If we did it on an intergovernmental basis we might decide that there are some EU member states whose criminal justice systems are not up to it. That is an important point. My hon. Friend the Member for South Dorset (Richard Drax) referred to his constituent and the disgraceful way in which he was treated in a country where we do not have the same confidence in the criminal justice processes that we have in, for example, Germany and France, or, for that matter, the United States and Canada. Such an arrangement would give us greater flexibility, and there are a number of ways in which it could be done. We could have intergovernmental agreements with the European Union as a body. The EU has legal personality, so it is possible to do it on that basis, but maintain control and keep the rights that we enjoy, and stop the rush—that is perhaps an exaggeration, as the last debate was a year ago, but it is a rush in European terms—to establish a single criminal justice system.

It is worrying that a Government who portray themselves in election campaigns, propaganda and statements as Eurosceptic, when it comes to the details of what they are doing, turn out to think that the answer is more Europe. They then say that this has to be done because we are in danger if we do not do it. The only reason we are in danger is that we assume that the EU and its member states are not rational in their dealings with us, so we must always give in to them. One of the greatest Prime Ministers that this country ever saw, William Pitt, said:

“Necessity is the plea for every infringement of human freedom. It is the argument of tyrants; it is the creed of slaves.”

This argument is dependent on the necessity. I do not wish this Government to be tyrannical, nor do I wish to be a slave.

6.7 pm

Mr Steve Baker (Wycombe) (Con): My right hon. Friend the Home Secretary has made a strong case for the functions that the measure would deliver, because there is a strong case for that. Indeed, I am astonished not only that Interpol does not, in the 21st century, make such functions available to the whole world, but that we seem to have given up on making Interpol fit for the 21st century and a world of global crimes in which we ought be able to pursue people, wherever they come from, not merely in the European Union.

The key problem is rehearsed in the Government’s business case for Prüm. The Command Paper says on page 51:

“The current Government would not have ceded CJEU jurisdiction over the field of policing and criminal justice during negotiation of the Lisbon Treaty.”

We can see immediately where the Government’s heart is. The Command Paper continues:

“It is clear that accepting CJEU jurisdiction over measures in the field of policing and criminal justice is not risk free. This is because the CJEU can rule in unexpected and unhelpful ways.”

It goes on to discuss how difficult it is to overturn decisions made by the Court, and says:

“The Government considers, however, the risk of CJEU jurisdiction to be at its greatest as concerns matters relating to substantive criminal law. This is a matter that should be determined by our sovereign Parliament, particularly given that the relevant measures are often open to wide interpretation. This also reduces the risk of the EU obtaining exclusive external competence in relation to such matters.”

The Government express concern about the prospect of third-country agreements. That is the problem. If we hand over control of this area, the EU will be able to enter into third-country agreements and we will not be able to do anything about it because we will be under the jurisdiction of the European Court of Justice. That is the heart of the matter: again and again, the Government are a foot-dragging and reluctant participant in European measures, yet we go ahead anyway, despite all our misgivings.

This is something that we really ought not to go ahead and do. Although other Members have played it down, it is a serious matter that, as my hon. Friend the Member for North East Somerset (Mr Rees-Mogg) explained, we are progressively surrendering our own common law system of justice and home affairs. It is not right that we should constantly position ourselves as judging on merit, moment by moment, yet continuing down the path of integration. My right hon. Friend the Home Secretary and the Prime Minister have made similar remarks in the past. I shall not torture them by rehearsing those and putting them on the record now.

It seems to me that there is a clash between heart and head. In our hearts we want our Parliament to be sovereign, and we wish to co-operate in pragmatic and reasonable ways. Of course we do—we all do. But the Government’s pragmatism takes over. They see that in order to co-operate on an intergovernmental basis, the right to bring forward such a treaty lies with the European Commission. The European Commission is not interested in bringing forward such a treaty because the Prüm arrangements have already been drawn up, so what do we do? Instead of asking the Prime Minister to renegotiate this set of powers and safeguards over which this Parliament can have authority, we should go forward on the basis of trade and co-operation and act to deliver it as though we mean it.

We should go another way. We should vote to leave the European Union, take control back to our Parliament and yes, of course, deliver these practical, sensible measures with safeguards over which this Parliament can have authority. We should go forward on the basis of trade and co-operation and act to deliver it as though we mean it.
Sarah Champion (Rotherham) (Lab): I am glad that we have had the opportunity to debate the business and implementation case for the Prüm decisions. I appreciate the fact that it has been a wide-ranging debate. I support the conclusion in favour of rejoining. I welcome the Government’s change of heart relating to these decisions, even if that has taken them over a year. I am glad they are now listening to the evidence, rather than just to their Back Benchers’ fears about the EU, and recognise that these measures improve policing capability both in the UK and across the EU.

I pay tribute to my right hon. Friend the Member for Leigh (Andy Burnham) and the right hon. Member for Ashford ( Damian Green), who referred to the fact that our freedoms, civil liberties and laws are built on the foundations of security and safety for all our citizens. Prüm seeks to enhance that. The recent attacks in Paris demonstrated the importance of working closely with other member states to ensure that our police forces have the best possible means at their disposal for combating crime and ensuring the protection of our citizens.

Bob Stewart (Beckenham) (Con): Interpol has a motto, “Connecting police for a safer world.” It could do this very well not only in Europe but across the world if it got its act together.

Sarah Champion: Personally, I think we should use all the measures and all the tools at our disposal. Particularly in my field, abuse, I see that criminals are working internationally now and we must do all we can to prevent that.

I am aware that opting in to Prüm may seem like a technical matter, but it speaks to a deeper issue—that we can and do achieve more by co-operation with our European partners than we can individually. Labour firmly believes that by working with our European partners on such matters, we are more than the sum of our parts. As we have heard, these decisions establish requirements for sharing data related to DNA profiles, vehicle registrations and fingerprint images. The Labour Government were right to support these as vital means for bringing forward the legislation needed to give effect to the Prüm decisions. I appreciate the conclusion in favour of rejoining. I welcome the implementation case for the Prüm decisions. I appreciate the divisions within the Tory party regarding Prüm. While I welcome the change in stance and the party’s willingness now to stand up to its Back Benchers, I wish that there had not been the need for a delay of over a year. The demonstrated benefits of Prüm mean that this delay is likely to have had a negative impact on British policing, so it is important that legislation is now introduced as soon as possible.

Although the business case and the pilot study clearly show that there would be operational and public protection benefits, there is of course a need for balance and safeguards. I have a number of questions relating to these issues, and I would appreciate it if the Minister could answer them.

It is right and proper that we send information abroad only about people actually convicted in the UK, and that additional requirements be applied prior to the release of information relating to minors. The risk of false positive matches is another serious issue. While it is promising that the Government’s business case found that there was increased convergence in DNA testing standards across member states, we would like a requirement under Prüm that data is collected using a system of quality assurances for crime scene examination. Will the Minister confirm that the standard requirement prior to transferring DNA information will be maintained at 10 loci rather than the minimum of six loci required by Prüm?

I have a number of questions about the proportionality test mentioned in the implementation case. Will the Minister give an example of when he thinks that the test will prevent personal information from being sent abroad due to the offence under investigation being insufficiently serious? Given that the proportionality test is not explicitly included in the Government’s proposed draft legislation, will it be contained in any legislation, and who will be responsible for taking these decisions?

In addition to those concerns about sufficient safeguards being put in place, I have a number of other outstanding issues that I would like the Minister to clarify. The business and implementation case estimates that the cost of Prüm will be £30 million, although it acknowledges that there will be additional downstream costs. How are the savings of £18 million being made from the previous estimate of £31 million? What are the annual costs expected to be for the rest of this Parliament? It is important that ongoing transparency and scrutiny is applied to ensure that the measures are operating effectively. What plans are there to publish details of the number of pieces of information being sent abroad from the UK, as well as the number being denied due to failing the proportionality test?

Will the Minister tell the House about the timeframe for bringing forward the legislation needed to give effect to the decision to rejoin Prüm, and how long it is expected to take for the system to become operational? Given the delay already caused by the initial opt-out from Prüm, preventing any further delays should be a matter of priority for the Government.

In summary, Labour supported the Prüm decision when in government and opposed the initial opt-out from these measures during the previous Parliament. We are therefore happy to support this motion authorising the Government to rejoin.
The Minister for Immigration (James Brokenshire): I thank all those who have taken part in this debate. We have been listening very carefully to the range of opinions expressed and the different views provided by the right hon. Member for Leigh (Andy Burnham), my hon. Friend the Member for Stone (Sir William Cash), the hon. and learned Member for Edinburgh South West (Joanna Cherry), my right hon. Friend the Member for Ashford (Damian Green), the right hon. Member for Leicester East (Keith Vaz), my hon. Friend the Member for Berwick-upon-Tweed (Mrs Trevelyan), the hon. Member for Fermanagh and South Tyrone (Tom Elliott), my hon. Friend the Member for Daventry (Chris Heaton-Harris), the hon. Member for Belfast East (Gavin Robinson), my hon. Friends the Members for North East Somerset (Mr Rees-Mogg) and for Wycombe (Mr Baker), and the hon. Member for Rotherham (Sarah Champion). It is good that we have had a debate representing all the different points of view. It is also right that we underline the benefits that are provided through the Prüm decisions.

Before I respond to the specific points that have been raised, I would like to make some opening comments and observations. The evidence gathered, both from our own pilots and from others already operating the system, shows overwhelmingly that signing up to Prüm will benefit our police and help to keep the country safe. This is not a case of guessing what will happen—we actually have the evidence. As the now Leader of the House told us in July 2014, we want to “participate in measures” that contribute to “the fight against international crime”.—[Official Report, 10 July 2014; Vol. 584, c. 547.]

That remains our position, and in our judgment Prüm is clearly in that category.

When I see that a foreign national who was walking around free in the UK is now behind bars because of our pilot, I can only conclude that that is a good thing. I want to see foreign criminals arrested and kicked out of this country, and I know that that view is shared across the House and by the public. Prüm’s use in investigating and identifying at least one of the Paris attackers seems particularly pertinent at this time. From my time as Security Minister, I know how important it is that we give the police the tools they need to do the vital job of keeping us safe. Indeed, keeping the public safe is the most important task entrusted to us as Members of this House.

We already exchange information with other countries. Prüm is about automating and speeding up that co-operation, making it business as usual for our police and increasing their capabilities to solve crime. When my right hon. Friend the Home Secretary spoke earlier, she quoted various senior law enforcement officers who support joining Prüm. When one thinks that it can take months for the Interpol system to work, but that, under Prüm, vehicle data, DNA and fingerprints would be available in only 10 seconds, 15 minutes and 24 hours respectively, one begins to understand why they are supporting. When the heads of the Metropolitan Police, the National Crime Agency and the Crown Prosecution Service are all so unequivocal about that fact, it is important that we pay attention.

It is worth repeating that the Director of Public Prosecutions has said that the existing process, most notably the lack of response times, often leads to delay and can, in some cases, take many months for a response to be processed. Delay provides the assailant with time to leave the UK or even commit further offences both of which are unacceptable.” She added:

“The automated search and comparison of data provided by the Prüm Decisions, together with mandatory response times, is more likely to lead to the earlier detection of crimes and detention of those responsible. Prosecutions will be able to take place with evidence which is otherwise unavailable. This will in turn reduce the number of unsolved crimes, such as murder and rape, committed by foreign nationals, and provide an improved service to the public, victims and their families.”

Therefore, this is not only about locking up criminals, but about justice for victims.

Lady Hermon (North Down) (Ind): The Minister will know from the comments made by a number of Members that there has been criticism of the fact that the Irish Government have, to date, not signed up to the convention. I am curious to know whether any Home Office Minister has spoken to any Irish Government Minister about improving co-operation in policing and fighting terrorism. It is really important that the British and Irish Governments co-operate on that very serious issue.

James Brokenshire: I assure the hon. Lady that we have regular discussions with the Republic of Ireland Government about issues of security and safety and the operation of the common travel area, recognising some of the shared risks and themes. Indeed, the most recent discussion took place only last week, when I had a conversation with the Irish Justice Ministers. We take these things extremely seriously, recognising the specific issues and challenges that we need to keep in mind, which is why there is open dialogue.

Bob Stewart: I am still confused about why Interpol takes months to provide such information when this Prüm organisation can do it in minutes or seconds. Something is wrong. Why is Interpol so incompetent?

James Brokenshire: In making his point, my hon. Friend conflates two different things. The Prüm process that we are contemplating is an automatic one: in effect, it is a means, a system or a portal through which member states can search information held by other member states. Interpol processes are much more manual and therefore more intensive, which explains the differences in time. We have obviously considered the issues very carefully. The Interpol arrangements remain absolutely valid, and we will continue to seek further improvements in them, but that does not stand in the way of what has proven to be an effective and fast system that will aid us in the fight against criminality.

Crucially, security, public protection and civil liberties all need to be balanced. I have been very clear about that from the outset. That is why I, along with the Home Secretary, have insisted that searches should be made only against the DNA and fingerprints of those convicted, that UK scientific standards apply before we release any personal data and that both the Biometrics Commissioner and the Information Commissioner will be involved in the process. With the oversight arrangements
that have been outlined, drawing in representation from across the United Kingdom, that point remains valid. I believe that we have got the balance right: Prüm will help us to protect the public in a way that fully respects civil liabilities. The National DNA Database Ethics Group believes the same. That is why we have brought the motion before the House today.

I will respond to several of the themes expressed, particularly in relation to the jurisdiction of the European Court of Justice. I want to make it very clear to the House that the UK is clear that it cannot support an EU criminal justice system. In any case, Prüm is about making existing co-operation work more efficiently, rather than about creating rules of criminal procedure.

To respond to the points made by my hon. Friends the Members for Daventry and for Berwick-upon-Tweed, we will look at new proposals in this area case by case. We will put the national interest and the benefits to our citizens and businesses at the heart of our decision making. We will consider each opt-in decision with a view to maximising our country’s security, protecting civil liberties, preserving the integrity of our criminal justice system and our common law systems, and controlling immigration. Equally, I say to my hon. Friend the Member for North East Somerset that this Government will not opt in to a proposal concerning a European public prosecutor.

On the specific issues of the oversight and role of the jurisdiction of the European Court of Justice—for example, whether it has an impact on the operation of our DNA database—I underline that Prüm decisions are all about the exchange of data, not the manner in which we hold data for domestic purposes. Article 72 of the treaties makes it very clear that how we deal with DNA for our own security is a matter for member states.

On the broader themes of ECJ jurisdiction, I repeat what the Home Secretary said earlier. It is very clear that we are allowed to limit searching to conviction-only profiles. Articles 2.1 and 2.3 of the principal Prüm decision make it clear that we simply need to inform the general secretariat of the Council about which profiles will be made available for searching under Prüm. In terms of imposing a higher scientific standard before we release personal data, article 5 of the principal Prüm decision makes it clear that the process for following up a hit is subject to national law, not EU law.

Points have been made about whether there is evidence of benefits, and I think reference was made to anecdotal evidence. Information on the keeper to whom a vehicle is registered may be relevant to an investigation into who was driving the vehicle and whether a vehicle has been used in connection with an offence. Practically, it would be very difficult to do that. We take the pragmatic view that it is appropriate to allow the search. Any request for such data would have to be made through a judicial mutual assistance request. I hope that is helpful to him. The vehicle data are very basic. They include keepers’ details and details about vehicles. That may be relevant if one is trying to establish whether the authorised person was driving the vehicle and whether a vehicle has been used in connection with serious crime.

The hon. and learned Member for Edinburgh South West asked about the nature of that database. We do not split the DVLA’s database into those who have been convicted of an offence and those who have not. Practically, it would be very difficult to do that. We take the pragmatic view that it is appropriate to allow the search. Information on the keeper to whom a vehicle is registered may be relevant to an investigation into who was driving the vehicle. We therefore judge that we have the appropriate balance.

I underline that there are separate processes to determine what further steps may be taken. The European arrest warrant has been highlighted. That is a separate process from the Prüm process, which is about identifying whether there is a hit and whether further investigation should happen. Any actions that follow will be determined through separate processes. I underline the steps that the Government have taken to provide further protections in respect of the European arrest warrant, pre-trial detention, proportionality and various other matters.

Ultimately, the choice before the House this evening is straightforward. Do we want to give our police the tools they need to do their job; tools that will let them solve crimes and lock up foreign criminals; tools that have been shown to work; tools that will keep the British public safe, but that will do so in a way that is...
consistent with our values and that will protect the rights of British citizens? I believe that we should do so. That is why the Government support signing up to Prüm and why we judge that the measures are appropriate.

We judge that they are bounded by safeguards that will be effective, but that they will make the difference in the fight against crime and the fight against terrorism by ensuring that our law enforcement agencies have the tools that they need to keep our country and our citizens safe. I commend the motion to the House.

Amendment proposed: (a), leave out from ‘deported’ to end and add—

‘, does not support opting in to the Prüm Decisions because of the need to protect the civil liberties of British citizens, because of the risks to UK sovereignty posed by accepting the jurisdiction of the European Court of Justice (ECJ) in this area and because it would mean missing the opportunity to require a better arrangement, noting that the Government’s policy is to renegotiate the jurisdiction of the ECJ in the area of serious and organised crime and in the application of the Charter of Fundamental Rights; and therefore requires the Government to secure alternative arrangements outside the jurisdiction of the European Court of Justice.’.—[Sir William Cash.]"

**Question put.** That the amendment be made.

*The House divided: Ayes 26, Noes 503.*

**Division No. 145**

**AYES**

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**Tellers for the Ayes:** Mr Steve Baker and Mr Philip Hollobone

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Leslie, Charlotte
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Liddell-Grainger, Mr Ian
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Long, rh Sir Alan
Logresti, Jack
Lord, Jonathan
Loughton, Tim
Lucas, Ian C.
Lumley, Karen
Lynch, Holly
Mackintosh, David
MacNeill, Mr Angus Brendan
MacArdgatt, rh Fiona
Madders, Justin
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Malthouse, Kit
Mann, Scott
Marris, Rob
Marshall, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mathias, Dr Tania
May, rh Mrs Theresa
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Rutley, David
Ryan, rh Joan
Sandbach, Antoniette
Saville Roberts, Liz
Scully, Paul
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Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Sheppard, Tommy
Shuker, Mr Gavin
Sidgwick, Tulip
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Slaught, Andy
Smeeth, Ruth
Smith, rh Mr Andrew
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Question accordingly negatived.
Main question put and agreed to.

Resolved,
That this House, wishing to see serious crimes solved, to counter terrorism and to see foreign criminals prosecuted and deported, supports opting in to the Prüm Decisions; notes the views of senior law enforcement officers that the Prüm Decisions are an important aid to tackling crime; notes the success of a pilot that demonstrated that the Prüm Decisions mechanism is both swift and effective; and further notes that only a subset of the relevant national DNA and fingerprint databases, containing data relating to individuals convicted of recordable offences, will be made available for searching by other participating States, and that the higher UK scientific standards will be applied to matches in the UK.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

Charities

That the draft Small Charitable Donations Act (Amendment) Order 2015, which was laid before this House on 28 October, be approved.—(Charlie Elphicke.)

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)).

Subsidiarity and Proportionality and the Commission’s Relations with National Parliaments

That this House takes note of European Union Documents No. 10651/15 and Addendum, a Commission Annual Report 2014: Subsidiarity and proportionality, and No. 10663/15 and Addendum, a Commission Annual Report 2014: relations with national parliaments; recognises the importance of the principle of subsidiarity and the value of stronger interaction between national parliaments and the EU institutions; welcomes the Government’s reform agenda and efforts to ensure that the Commission responds to future objections under the yellow card scheme by substantially amending or withdrawing the proposal that has been put forward; calls on the Commission to respond to the request of 29 national parliament chambers to establish a working group to consider reforms to strengthen their role; is encouraged by the Commission’s announcement of its intentions to forge a new partnership with national parliaments; and calls on the Commission to set out its plans to do this.—(Charlie Elphicke.)

Question agreed to.

PETITIONS

Car parking charges at Congleton War Memorial hospital

6.51 pm

Fiona Bruce (Congleton) (Con): I rise to present a petition on behalf of residents of the Congleton constituency signed by 621 individuals. This petition opposes the introduction of a car park charging system operated by a private company proposed by East Cheshire NHS Trust, and asks that this proposal be reversed. My constituents are aware that such a charging system used elsewhere, particularly nearby at Macclesfield district general hospital has resulted in severe distress to unwary patients and their visitors at highly vulnerable moments in their lives.

The petition states:
The petitioners therefore request that the House of Commons urges the Government to put pressure of East Cheshire Hospital Trust to remove car parking charges at Congleton War Memorial Hospital. And the petitioners remain, etc.

Following is the full text of the petition:

[The petition of residents of the UK,
Declares that the introduction of car parking charges at Congleton War Memorial Hospital by East Cheshire Hospital Trust should be reversed; further that it is a misuse of the Trust’s power; further that the enforcement of the charges has been handed to a private company; who has the sole aim of profiting from people who need to use the hospital’s facilities; further that charges have resulted in severe distress to unwary patients and their visitors; further that the shock of receiving penalty notices of £70 is potentially harmful to the health of the people receiving them and whose health is entrusted to East Cheshire Hospital Trust; further than Congleton War Memorial Hospital was built from the subscriptions of the people of Congleton, as a memorial to the people who had fought and died to preserve freedom, and was meant for the benefit of those people and others; and further that local petitions on this matter were signed by 583 individuals.

The petitioners therefore request that the House of Commons urges the Government to put pressure of East Cheshire Hospital Trust to remove car parking charges at Congleton War Memorial Hospital. And the petitioners remain, etc.]

[Petition refers to the petitioners’ desire to remove the charges at Congleton War Memorial Hospital.]

6.53 pm

Sir William Cash (Stone) (Con): I present this petition on behalf of the residents of the constituency of Stone in Staffordshire, and it relates to the reopening of Barlaston railway station, Stoke-on-Trent. It has been put together...
by many people, including Jon Heal, chairman of the North Staffs rail promotion group, and Rob McMillan of the same group.

The petition states:

The petition of residents of the constituency of Stone in Staffordshire, declares that the residents of Barlaston request the reopening of Barlaston railway station; further that the station was taken out of service and closed to trains as a consequence of the West Coast Main Line Upgrade in 2003; further that at present anyone wishing to travel by train from Barlaston must first take either one or two buses to Stoke-on-Trent or Stafford and/or undertake journeys on foot to rail replacement bus stops in Stone, which is a significant inconvenience and means access to the rail network is considerably difficult; further that the success of the reopening of Stone railway station in 2008 has demonstrated the potential for local stations to thrive; further that since Stone railway station reopened, Stone has seen a remarkable growth in its annual passenger footfall figures which have more than doubled from 48,000 in 2009-10 to 100,000 in 2013-14; and further that the London Euston–Crewe train already runs through Barlaston station without stopping.

The petitioners therefore request that the House of Commons urges the Department for Transport to reopen Barlaston railway station.

And the Petitioners remain, etc.
with genuine blue badge applications suddenly being denied and the process for getting one made intentionally far too difficult.

7 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do now adjourn.— [Charlie Elphicke.]

Bob Blackman: I have the privilege of representing the area of London that has the longest-lived people. As we all know, life expectancy increases as one goes up the Jubilee line from east London to north-west London, so the people of Stanmore in particular have the longest lives in London, and I therefore represent many people who apply for, and have, blue badges. The drawback of that is that getting around my constituency is often very difficult for those elderly people on public transport.

In the past two years alone, 82 residents have come to me with problems related to the system of renewing their blue badges. Every single one of those cases represents someone with a genuine need for a badge due to mobility issues related to age or disabilities. Because Harrow Council has outsourced the process, there is now no oversight and it is very difficult for councillors or for me and my MP colleagues to bring genuine cases forward and complain when an obvious injustice has occurred.

The current application process is as follows. A resident makes an application to Harrow Council either to renew the blue badge or for a new one, and a decision is made. If refused, there is a right of appeal, but if the resident pursues the appeal process, they often meet with an external company, Access Independent, and undergo a medical and a final binding decision is made. There is no further appeal. If there is another refusal, the resident cannot apply again for a set period of time. This means that disabled people are left high and dry without the ability to put their case forward until they have waited six to nine months before lodging another application.

When my office submits concerns on behalf of residents, we receive what is frankly a cut-and-paste answer: a one-paragraph, copy-and-paste reply saying basically, “It’s nothing to do with Harrow Council. It is to do with the Department for Transport and the guidelines that are issued. We have outsourced the process of assessing the applications and therefore we can’t do anything about it.” Councillors face the same problem and receive the same messages. That leaves us in the difficult situation of not being able to highlight and resolve these genuine cases where appropriate blue badges should be received.

The testing and appeal process is usually handled by Access Independent, as I have mentioned. It is an occupational therapy firm based in Cambridgeshire. It operates a cut-throat process. More often than not, no doctor or medical expert is consulted and medical professionals see their diagnoses completely ignored.

One of the tests is that the applicant is made to walk for as far as possible, either down a hallway or in the main car park. This creates the following problems. Neither of those surfaces is representative of the pavements, roads and so on that people walk down, thus creating an illusion that they can walk fine; they are often walking on imperfect surfaces when they need to park close to facilities, whereas when they are tested they are walking on much better surfaces. Also, the method itself is fairly corrupt. Forcing people with mobility issues to walk as far as possible feels almost like a “Hunger Games” approach to testing eligibility. Often applicants I meet are very proud people who try and walk even when they are in severe pain, and I think that is unfair on them as individuals.

I have a range of individual cases that I am going to quote to give an illustration of where the system does not seem to work. In all these cases, I have sought and obtained the permission of each of the individuals to quote their details.

My first example is that of Mrs Suzanne Bard. I believe that the Minister has a copy of the local press coverage of her case. Suzanne lives in Bentley Priory, which was the headquarters of the RAF fighter command during the battle of Britain. The development is nearly a mile away from any form of public transport. She took her case to the Harrow Times, and hers is probably the strongest case I have seen. She is an 83-year-old widow who has held a blue badge since 2006. She suffers from severe arthritis, cervical spondylosis, obliterated joints—on which she has had multiple operations—and depression, and her application included no fewer than eight supporting letters from medical professionals. Mrs Bard witnessed various council officials and contractors completely disregarding advice from the best medical professionals she had been able to identify. The removal of Mrs Bard’s blue badge has effectively left her stranded in Bentley Priory, which is grossly unfair on this widow.

I should also like to highlight the case of Joyce Richiardi from Stanmore. She is 93 years old, has a complex medical history and is severely restricted in what she can do without a blue badge. Her GP supported her application, but the case was rejected on the basis that she was deemed not to be “immobile enough”, even though she had previously suffered a heart attack and had two blocked arteries and severe breathing difficulties which restrict how far she can walk.

A further example is Caterina Gargano, an 80-year-old woman who lives with her husband Giuseppe in Stanmore. She suffers from dementia, with cognitive decline, and chronic lower back pain. She suffers from intermittent confusion as a result of both conditions. Giuseppe struggles to look after her, and Mrs Gargano can walk a maximum of only 20 to 30 metres. My staff have spoken with Giuseppe on numerous occasions and he gets very upset, almost tearful, when he tries to speak about it. The entire affair has angered him immensely, and he has every right to be upset.

We can draw a number of conclusions from these issues. Yes, there is abuse of the system when people use badges that are not their own, but it is not being carried out by the obviously elderly and frail applicants who need them. It is often carried out by relatives who abuse their position. In tackling the people using blue badges when they have no need of them, the answer cannot be simply to deny them to people with genuine needs. Harrow Council should not be penalising innocent users for the actions of a few.

I have some questions for the Minister, and I would be pleased if he would answer them in responding to the debate. What changes, if any, have been made to the rules relating to the issue of blue badges that were instituted by the Department, and which Harrow Council
may be highlighting? Is the council taking far too restricted a view on who should be eligible for a blue badge? Given that the decision making is outsourced, has the council made the decision making too restrictive? Should there be an appropriate appeals process that involves Harrow Council, rather than the company that it has outsourced decision making to? What consideration should be made of the detailed medical evidence submitted on behalf of applicants, which at present seems to be being completely ignored?

I raise these questions on behalf of the large number of residents who have contacted me about this matter. I hope and trust that we can get some movement on it, so that the genuinely disabled, elderly and frail people of Harrow can have the badges they deserve, and the opportunity to visit shops and other amenities without fear of being penalised in such a way.

7.9 pm

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I congratulate my hon. Friend the Member for Harrow East (Bob Blackman) on securing this debate about the assessment of applications for a blue badge. Let there be no doubt that I share his concerns about the wellbeing of people with disabilities, especially when it comes to ensuring that the impact of their condition on their quality of life is minimised. Although it would not be appropriate for me to comment on individual cases, I would like to outline some aspects of the operation of the scheme.

The blue badge scheme has been in place since 1971, and its primary focus has always been on helping those people with permanent and severe mobility problems. The scheme enables about 2.5 million people with disabilities to retain their independence by allowing them to park close to where they need to go, providing access to jobs, shops and other services. Approximately 75% of blue badge holders have said that they would go out less frequently if they did not have a badge, and about 64% would be more reliant on friends and other family members. The Government are committed to the blue badge scheme and want to protect it for those who rely on it.

The Government are responsible for the legislation that sets out eligibility, the terms of the concession itself, the design of the badge and the enforcement framework. Badges are generally valid for three years, and the badge is for the holder’s use and benefit only. Local authorities can charge a fee of up to £10 for a blue badge. The scheme primarily improves accessibility for people with disabilities, but it has become increasingly advantageous financially. In return for the £10 fee, the scheme provides a generous package of benefits for people with severe disabilities. It enables parking on single or double yellow lines for up to three hours. Badge holders may also park for free for as long as they need to at on-street parking meters and pay and display machines. They can park for free in on-street disabled parking bays, and, unless signs say otherwise, this is also without time limit. Blue badge holders also receive other benefits—for example, no congestion charge in London. It is estimated that the annual benefit of the scheme to people with disabilities is about £250 million—nearly £100 per annum on average for each badge holder.

The benefit per person ranges from £35 for people living in rural areas who make one trip a week to more than £5,000 for those who use a badge to travel to work in London every day.

Not surprisingly, the financial benefit of a badge could lead to abuse in a variety of forms. Therefore, in 2011, following a review of the scheme, the Government set out their proposals for improving the administration and enforcement of the scheme. Our aim was to ensure that the scheme was administered efficiently, consistently and fairly. In 2012, our reform strategy delivered the most comprehensive changes to the scheme for 40 years, helping to tackle widespread abuse of the scheme and ensuring that badges go to those with the greatest need. The reforms supported the Government’s agenda of promoting freedom and fairness, and meeting the needs of older and disabled people. The improvements to the scheme included: the use of independent mobility assessors to make assessment fairer and more consistent; and new legislation so that local authorities can now withdrew a badge following one criminal conviction for misuse, rather than three, as previously.

Some time ago, I spent time in Leeds with the enforcement officers checking up on the correct use of badges, and I am pleased that similar operations have been ongoing in Harrow. Indeed, a number of operations have taken place—I think they could be described as a bouquet—to make sure that abuse is minimised. Other improvements included: new powers for local authorities to seize badges that are being misused on-street, where previously only the police could do this; a new high-security, fraud-resistant badge designed to make it harder to copy or alter; and the launch of a single national database of all badge holders and their details in order to help prevent multiple and fraudulent applications. That also enables quick and easy validity checks by on-street enforcement officers from anywhere in the country.

Eligibility for a blue badge is not based on the type of disability. People with physical, mental or cognitive conditions can receive a badge if their walking is sufficiently affected. In order to qualify for a badge, a person needs to meet one of the eligibility criteria set out in the regulations that govern the scheme. They can be eligible either “without further assessment” or “subject to further assessment” by the local authority. People are eligible for the “without further assessment” category if they are over the age of two and receive the higher rate of the mobility component of the disability living allowance; or receive eight points or more under the “moving around” activity of the mobility component of personal independence payment; or are registered blind or severely sight impaired; or receive a war pensioner’s mobility supplement; or have been both awarded a lump sum benefit at tariffs 1 to 8 of the armed forces compensation scheme and are certified as having a permanent and substantial disability which causes inability to walk or very considerable difficulty in walking.

People who do not qualify without further assessment may still be eligible subject to further assessment if they are over the age of two and are unable to walk or have very considerable difficulty in walking because of a permanent and substantial difficulty in regularly drive a car but are unable to operate, or have considerable difficulty in operating, a parking meter on account of a severe disability in both arms; under the age of two...
and have a condition that requires that they always be accompanied by bulky medical equipment or that they be kept near a motor vehicle in case of need for emergency medical treatment.

On 1 April 2012, the Government introduced a change, which may be at the heart of my hon. Friend’s concerns. Evidence was showing that the badge issue rates vary significantly between local authorities. That could not be fully explained by population characteristics. Indeed, assessment procedures also varied. We introduced new legislation to require that where a person’s eligibility is not self-evident, the local authority must use an independent mobility assessor such as an occupational therapist or physiotherapist to help determine eligibility. That means that unless the local authority determines that an applicant’s eligibility or otherwise is clear cut, their eligibility will need to be confirmed by an independent mobility assessor. For badge eligibility decisions to be fairer and more objective, assessments should be undertaken by professionals who are independent of the applicant rather than referring to the applicant’s GP.

There was a lot of evidence to support that change. The Department of Health’s care services efficiency delivery programme noted that the involvement of GPs had only been at the discretion of the council and that a GP might not examine a person but instead rely on records. It indicated that it was rare for a GP not to support an application and that the GP-patient relationship could be compromised. It reported that the use of on-site occupational therapists allowed for a speedier and more effective decision.

Furthermore, independent research commissioned by my Department concluded that there was concern that some people who might not have had a clear and compelling need for a badge could still receive them. A majority of local authorities also believed that that was the case. The new assessment was supported by disability-represented organisations, including the Disabled Persons Transport Advisory Committee, and by the Transport Committee, which reported that using an applicant’s GP to assess eligibility was likely to produce a bias in favour of approving the application. These groups agreed that greater use of independent mobility assessments was needed to determine eligibility fairly and robustly. Indeed, a consultation showed 84% of respondents in favour of greater prescription from central Government on eligibility assessments. Focus group discussions with badge holders also revealed support for that approach provided it was delivered by an appropriately qualified healthcare professional.

An independent review commissioned by my Department in 2011 found compelling evidence that intelligently combined desk-based assessment and independent mobility assessments offered a substantially more robust assessment procedure. It concluded that mobility assessments achieve more efficient badge issuing; improved fairness for applicants; greater assurance that assessment is thorough and objective; and high level of confidence that those applicants intended by legislation to be eligible actually receive badges.

Let me make it clear that this change was introduced not to deprive anybody of a badge but to ensure that the scheme focused better on those whom it was intended to benefit. In introducing this change, we enshrined it in legislation that the independent assessor must be professionally qualified and trained in the assessment of a person’s ability to walk and have the expertise necessary to assess on behalf of the local authority the ability to walk of the applicant in question.

Although local authorities are required to determine eligibility through an independent mobility assessment, in cases where it is not clear whether an applicant may qualify for a badge, a local authority is able to make use of factual information from the GP or from other medical professionals regarding an applicant’s condition and treatment as evidence to support the eligibility decision-making process. If the new procedures are working properly, I would indeed expect some people who may previously have received a badge to find that they are now refused. Unsuccessful applicants who have had their application refused have no right of appeal to my Department against the local authority decision not to issue a badge. However, we recommend in our guidance that local authorities establish an internal procedure to deal with appeals against a local authority’s decision not to issue a badge. Appeals may not be heard where a case is clear cut, but our experience indicates that local authorities will review cases if there is any doubt about eligibility. If a qualified mobility assessor has advised the council, we see no reason for a further appeal beyond that.

We also state that local authorities must let the applicant know in writing why their application was refused, and strongly recommend that they provide a detailed explanation of the grounds for refusal. We feel that this transparency can avoid complaints being made and upheld. An unsuccessful applicant can also ask the authority to reconsider the case at a later date if they feel that their mobility problems have become more serious over time or if they think that all the relevant facts were not taken into consideration at the time of assessment. In the case of local government maladministration, there is also recourse to the ombudsman. Indeed, if any council was systematically committing procedural irregularities, it would leave itself open to judicial review. I should make it clear that I have seen no evidence of this type of practice.

As I have mentioned, local authorities are ultimately responsible for the administration of the scheme so it remains the responsibility of each local authority to determine their own assessment procedures and ensure that their procedures are in line with the legislation that governs the blue badge scheme.

I hope that I have been able to demonstrate that the Government are committed to promoting equal opportunities and achieving a fairer society by meeting the needs of the elderly and people with disabilities. It is important that we ensure that the blue badge scheme remains sustainable and protects preferential parking facilities for those with the greatest need. I believe that the introduction of independent mobility assessments means that a fairer, more robust and more effective process is in place to do this.

Question put and agreed to.

7.21 pm
House adjourned.
House of Commons

Wednesday 9 December 2015

The House met at half-past Eleven o’clock

PRAYERS

[Mr Speaker in the Chair]

BUSINESS BEFORE QUESTIONS

ELECTORAL COMMISSION

The Vice-Chamberlain of Her Majesty’s Household reported to the House, That the Address, praying that Her Majesty will appoint Anna Carragher to be an Electoral Commissioner, with effect from 1 January 2016, for the period ending on 31 December 2020, was presented to Her Majesty, who was graciously pleased to comply with the request.

The Vice-Chamberlain of Her Majesty’s Household reported to the House, That the Address, praying that Her Majesty will appoint Rob Vincent to be an Electoral Commissioner with effect from 1 January 2016, for the period ending on 31 December 2020, was presented to Her Majesty, who was graciously pleased to comply with the request.

LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND

The Vice-Chamberlain of Her Majesty’s Household reported to the House, That the Address, praying that Her Majesty will appoint Professor Colin Mellors as chair of the Local Government Boundary Commission for England, with effect from 1 January 2016, for the period ending on 31 December 2019, was presented to Her Majesty, who was graciously pleased to comply with the request.

INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

The Vice-Chamberlain of Her Majesty’s Household reported to the House, That the Address, praying that Her Majesty will appoint Sir Robert Owen and John Thurso to the office of ordinary member of the Independent Parliamentary Standards Authority, with effect from 1 January 2016, for the period ending on 31 December 2020, was presented to Her Majesty, who was graciously pleased to comply with the request.

Speaker’s Statement

Mr Speaker: I have to inform the House that, as required by section 144 of the Representation of the People Act 1983, I have received the certificate from the judges appointed to try the election petition relating to the Orkney and Shetland constituency election on 7 May 2015. The judges have determined that the petition be dismissed, and have certified that the right hon. Member for that constituency was duly returned at the said election.

I shall lay the certificate on the Table, together with the shorthand writer’s notes, and will cause the full text of the certificate to be entered in the Votes and Proceedings for today, which will be circulated with the Order Paper in tomorrow’s vote bundle, available online and from the Vote Office.

Oral Answers to Questions

CABINET OFFICE

The Minister for the Cabinet Office was asked—

Individual Electoral Registration

1. Julie Elliott (Sunderland Central) (Lab): If he will make an assessment of the effectiveness of the transition to individual electoral registration. [902468]

7. Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): If he will make an assessment of the effectiveness of the transition to individual electoral registration. [902474]

The Parliamentary Secretary, Cabinet Office (John Penrose): The Electoral Commission will publish its assessment of the first full registers under individual electoral registration next spring. In the meantime, I am delighted to inform the House that the transition to IER is now complete. Ghost entries of people who have died or moved house have been removed. We now have a register that is clean, more accurate and less vulnerable to fraud than ever before. This is a vital foundation stone as we move on to the next big challenge: finding people who are legally entitled to vote, but have never been on the register, such as expats, students and people in private rented accommodation, and persuading them to sign up.

Julie Elliott: I thank the Minister for his response. University towns and cities are some of the areas worst affected by the Government’s rushed changes to IER. Will the Government allow universities to block-register their students this year?

John Penrose: I think the hon. Lady and I may mean slightly different things by block registration, but there is common ground, in that some very useful and effective new work is being done in places such as Sheffield, which is dramatically improving student registration rates. With any luck, we can take its example and persuade others to do the same.
Gerald Jones: The Electoral Commission states that 51% of 16 to 17-year-olds are registered, compared with 95% of those over 65. The Government have opposed votes for 16 and 17-year-olds in the upcoming EU referendum, and they will not even ensure that young people have a voice. Why are they so indifferent to a whole generation?

John Penrose: We addressed that issue at some length yesterday when discussing the European Union Referendum Bill. This is the third or fourth time that the House has addressed that issue, and each time it has returned pretty solid majorities against it. The vote yesterday was because we did not think it sensible to change such a fundamental piece of the franchise for just one vote. That would leave us open to the charge of trying to sway the franchise for the EU referendum to favour one side or the other—something that I am sure no one would support.

Sir Gerald Howarth (Aldershot) (Con): May I encourage my hon. Friend to consider postal voting? Leaving aside what may or may not have happened at the recent by-election, is it the case that registering for a postal vote is far too easy these days, which renders the whole system open to serious abuse?

John Penrose: My hon. Friend is entirely right, and large numbers of people are concerned about that issue. I am happy to tell him that my right hon. Friend the Secretary of State for Culture, Media and Sport is considering this matter carefully, and if my hon. Friend has any suggestions about what should be in it, he is welcome to make them.

Mr Tom Watson (West Bromwich East) (Lab): I am glad the Minister noticed that there was a parliamentary by-election in Oldham last week. When he carefully studies the figures he will see that there are 1,814 fewer voters in Oldham West and Royton than there were at the general election. If those figures are extrapolated across the country, they show that more than 1 million fewer people are registered than were a year ago. That was predicted; it has happened intentionally. By design, this Minister is responsible for silencing the voices of more than 1 million voters in Britain. How does he feel about being the only Minister in British history to disfranchise 1 million people?

John Penrose: I see that the conspiracy theorists are out in force this morning. The entries that will have been confirmed on the electoral register. If anybody is worried that they may not be registered, they can register online before May—it takes under three minutes, which is less than the time needed to boil an egg—and they will get their vote.

Government Digital Service (Welsh Language)

2. Liz Saville Roberts (Dwyfor Meirionnydd) (PC): What steps the Government Digital Service is taking to ensure that Government Departments treat the Welsh and English languages equally on their websites when providing services in Wales.

The Minister without Portfolio (Robert Halfon): Mae'r fonheddiges anrhededd yn gofyn cwestiwn pwysig. The Government Digital Service is committed to ensuring that the needs of Welsh language speakers are recognised and met. For example, the introduction of.gov.uk now gives every Government organisation the ability to publish web content in Welsh. GDS has helped to produce exemplar Welsh language versions of the new digital services, such as the “register to vote” service, and it has put forward its digital design recommendations for Welsh language Government services.

Liz Saville Roberts: Diolch yn fawr iawn am y rhagymadrodd—roedd o’n arbennig o dda ac yn gynsaill pwysig i’r Ty yma. I thank the Minister very much for his introduction in Welsh. However, considering that not a single.gov.uk departmental website states on its homepage that services are available in Welsh, people do not know that they can use Welsh. When will the digital service stop preventing Government Departments from fulfilling their legal duty to Welsh speakers?

Robert Halfon: I acknowledge that the hon. Lady’s Welsh is more fluent than mine, and I look forward to her giving me a lesson or two at a future date. The Government are doing a huge amount to ensure support for Welsh digital services in Departments, and importantly, that is about quality, not quantity. She will know that every page of.direct.gov.uk—the predecessor to.gov.uk—was translated into Welsh. That ran to nearly 4,000 pages, but 95% of them were seen by fewer than 10 people per month, and half received no visits whatsoever. For.gov.uk we are starting with user need, and working with Departments to ensure the best service for the user.

David T. C. Davies (Monmouth) (Con): Diolch yn fawr, Mr Llywydd. May I congratulate the Minister on the positive sentiments he is echoing, both literally and figuratively, with regard to the Welsh language? May I remind him that as we are the party that set up Sianel Pedwar Cymru and passed the Welsh Language Act 1993, there is absolutely no doubt about our commitment to the language of heaven?

Robert Halfon: I could not have put it better myself, especially in Welsh.

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

Mr Speaker: On the subject of Welsh, rather than Gaelic, I call Mr Angus Brendan MacNeil.

Mr MacNeil: Tapadh leibh, Mgr Speaker, airson an chothrom seo a thoirto dhomh. May I ask that the respect being shown to Welsh also be shown to Scottish Gaelic?

Robert Halfon: It is always a pleasure to answer the hon. Gentleman. He will be pleased to know that the Cabinet Office does the same for the whole UK.

Michael Fabricant (Lichfield) (Con): Were the Minister to go to the Llyn peninsula and do a six-week Ulpan course, he would learn fluent Welsh, I can tell him. Having served in 1993 on the Welsh Language Bill,
of which our party can be very proud. I know how important it is that it be clearly laid out whether things are in English or Welsh. Sometimes they are in Welsh and then in English, and sometimes in English and then in Welsh. May we have a systematic approach across Government?

Robert Halfon: My hon. Friend will be pleased to know that we are doing a lot from the centre to encourage Departments to support better the needs of Welsh language speakers. Earlier this year, together with the Wales Office, we conducted user research into their needs, and as a result we are helping Departments to identify a set of Welsh language end-to-end user journeys, such as online self-assessment, that could be better supported by gov.uk.

Digital Technology

3. Chloe Smith (Norwich North) (Con): What plans he has to improve co-operation between Government Departments on the use of digital technology.

Matthew Hancock: The UK has made great strides in digital government, but there is much more to do if we are to remain world beating. We set aside a total of almost £2 billion in the spending review for work to be led by the Government Digital Service to make this happen.

Chloe Smith: I agree that Departments must work together to enable people to use digital technology safely and efficiently, but will the Minister also give an example of how Government are working together to meet increased demand for cyber-security, including by engaging with citizens and businesses?

Matthew Hancock: Alongside digital transformation, it is vital that we have secure online activity, and our almost doubling of the budget for cyber-security over the Parliament will be a vital part of protecting not only Government services but the whole of the UK to ensure that people are safe online.

Chris White: The social value portal is an innovative way to provide advice and insight for communities, public bodies and business about the best way to achieve social value. Will the Minister outline how his Department is encouraging other Departments to take advantage of digital initiatives, such as the social value portal, to ensure greater implementation of the Public Services (Social Value) Act 2012?

Matthew Hancock: Digital transformation can not only improve government and the economy but strengthen civil society, and the social value portal is a good example of working across Government to deliver some of the changes in the Public Services (Social Value) Act. There are eight funded projects, and I look forward to working with my hon. Friend and others to make them happen.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Many of us on the Opposition Benches applauded the Cabinet Office’s innovative work in the last Government, but will the Minister comment on reports that the lack of resources and leadership in the Cabinet Office now means we are going backwards, rather than forwards, on digital innovation?

Matthew Hancock: The hon. Gentleman obviously missed the autumn statement, in which we doubled the funding for the Cabinet Office’s world-beating Government Digital Service. We are providing £450 million over the Parliament to ensure not only digital transformation within Departments but strong leadership from the centre.

Mr Gregory Campbell (East Londonderry) (DUP): Given the recent media reports of cyber-security breaches in the private sector right across the United Kingdom, what steps are being taken to ensure there will be no repeat of such breaches, particularly on data protection issues, in relation to Government Departments?

Matthew Hancock: Our country, both in government and the private sector, is under constant cyber-attack. We need to make sure we step up our game to respond to that. We are bringing in a national cyber centre, a single place of expertise under the GCHQ umbrella, which will clearly be able to co-ordinate and talk to wider society and business. This will ensure that the expertise is all in one place and properly funded to take this fight on.

Electoral Register

4. Helen Hayes (Dulwich and West Norwood) (Lab): What assessment he has made of the effectiveness of methods used to ensure the completeness and accuracy of the electoral register.

The Parliamentary Secretary, Cabinet Office (John Penrose): The Electoral Commission will publish its assessment of the 2015 annual canvass in spring next year. In the meantime, there is a growing acceptance that while the annual canvass is an essential tool in maintaining complete and accurate registers, the processes and techniques we use to undertake it look increasingly out of date. They were developed from an analogue, not digital, world. As I said in my speech to the Policy Exchange in October, we will look to give electoral registration officers more discretion to adapt their canvass activities in order to make the canvass more efficient and effective in future.

Helen Hayes: Only 6.4% of homeowners are not on the electoral register, yet for those living in rented accommodation this figure is a massive 36.7%. The Government have made, and are making, it harder for generation rent to get on the property ladder, or obtain a secure tenancy. Is that why the Government do not want to hear the voices of private renters in our democracy?

John Penrose: We absolutely do want to hear everybody’s voice in our democracy. One of the things we are aiming to do with the new approach, as I said in the speech I mentioned in my initial response, is look at other ways to make better contact with groups that are under-represented, and to make sure more of them use their voice and their democratic right.
Nick Smith (Blaenau Gwent) (Lab): On the topic of using other ways to contact people to register to vote, has the Minister considered using credit reference agencies as a way to boost electoral registration?

John Penrose: That is an intriguing and, to me, new idea. I would be very interested to hear anything more the hon. Gentleman has to suggest on that.

Autumn Statement (Community and Voluntary Sector)

5. Jo Cox (Batley and Spen) (Lab): What assessment he has made of the effect of changes announced in the spending review and autumn statement 2015 on local services provided by the community and voluntary sector.

The Chancellor of the Duchy of Lancaster (Mr Oliver Letwin): I am glad to be able to tell the hon. Lady that the autumn statement significantly increased the funding for the voluntary and social sector in the Cabinet Office. That has enabled us to expand the National Citizen Service and our efforts on social impact bonds. I am delighted to see that in the hon. Lady’s constituency, Kirklees Council has issued a very good compact with the voluntary and community sector, showing how the council can collaborate with them. I very much hope that the sector can take advantage of the extra funds now available.

Jo Cox: As the Minister will be aware, our country is in the grip of a growing social care crisis, with significant funding shortfalls projected by 2020. There are huge pressures on families, carers and the NHS in my constituency and nationwide. Will he say what specific plans he has to support those charities that are currently plugging the gap in terms of care, but are under enormous strain?

Mr Letwin: The charity sector as a whole has an income of about £40 billion a year, which is broadly stable. I have been looking at the council accounts for the hon. Lady’s area. It turns out that Kirklees Council has £200 million in useable and unused reserves. The problems to which she refers are not real ones.

Mr David Burrowes (Enfield, Southgate) (Con): Tackling complex needs effectively has been something of a holy grail out of the reach of previous Governments, so I welcome the commitment in the autumn statement to £105 million in social impact bonds to tackle complex needs and perhaps get us closer to that holy grail.

Mr Letwin: I very much agree with my hon. Friend, who has been a passionate advocate, as I and others have been, of social impact bonds. This is a huge change in the way our country is organised. We can get to the point where we are actually paying for outcomes, not inputs. We lever up the amount the Government put in on behalf of the taxpayer, with huge contributions from the private sector and from those double bottom line investors. We can see a huge transformation in public services.

Anna Turley (Redcar) (Lab/Co-op): Last week, the Minister said that the Government were committed to a flourishing civil society, but in the recent spending review it was exposed that the Office for Civil Society is to be hollowed out to just a handful of civil servants, and is now described by the sector as just a “name on a door.” Does the Minister agree that this is a clear admission that the big society agenda is now dead, was never anything but a cover for cuts to public services, has served its purpose, and is now to be wound down?

Mr Letwin: I am sorry that the hon. Lady did not take in what I said in my earlier answer. The funding for the voluntary and community sector increased significantly in the autumn statement. I pay tribute to officials in the Office for Civil Society, which answers to my hon. Friend the Minister for Civil Society. In my experience, those officials are among the finest in Whitehall. They will continue their work, and with that increased budget, they will be able to do more, not less.

Topical Questions

T1. Chris White (Warwick and Leamington) (Con): If he will make a statement on his departmental responsibilities.

The Chancellor of the Duchy of Lancaster (Mr Oliver Letwin): The Cabinet Office is responsible for increasing the efficiency of government and for delivering the Government’s agenda. I am happy to say that, with the help of the fine civil servants to whom I just referred, we are doing just that.

Chris White: Will the Minister outline the steps that the Government are taking to promote social enterprise, which is one of the fastest growing sectors in the economy?

Mr Letwin: My hon. Friend is absolutely right. The Government are totally committed to the social enterprise sector. That is partly about leading by example, which is why, in common with many of my hon. Friends, I serve in my village community shop—we all undertake these things. More than that, however, it is about creating the framework within which social enterprise can flourish. That comes back to the point made earlier by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) that social impact bonds offer a whole new future for the social enterprise sector.

Ian Lavery (Wansbeck) (Lab): Many volunteers in the emergency services, particularly the fire and rescue services, were again heroically leading the rescue efforts in the flooded north-west region this week. The service has been at the receiving end of some savage cuts on the frontline, resulting in untold pressures. In Cumbria alone, 87 jobs have been lost. Is it not time that as part of a modern civil contingency and emergency national strategic plan, the Government agreed that flood rescue should be made a fully resourced statutory duty of the fire and rescue service? Can he say whether this issue of national importance was discussed at the Cobra meetings last week?

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): I welcome the hon. Gentleman to his place, and look forward to many exchanges with him on this and other matters. The fact of the matter is that we not only protected the budget for the police in the recent statement, but the fire service has done a fantastic job of reducing the amount of damaging fires over the last Parliament, improving its efficiency while all the time delivering its vital work to keep people safe.
T2. [902499] Nigel Huddleston (Mid Worcestershire) (Con): In the last year, there were 922 million visits to gov.uk websites. Is this in line with the Minister's expectations, and how can the service be further improved?

Matthew Hancock: Gov.uk is one of the first parts of the work that we have done to ensure that government is digitally enabled, making citizens' lives easier by making it easier for them to interact with government. The number of hits is far higher than anybody expected, which is a tribute to the work of the people who put it together. [Interruption.]

Mr Speaker: Order. Questions and answers must be heard.

T6. [902503] Owen Thompson (Midlothian) (SNP): According to a survey this month by Tungsten Network, 12% of the UK's 5.2 million small and medium-sized enterprises still have to wait more than 90 days to get paid by suppliers. Will the Minister update us on his Government's progress on meeting targets on prompt payments to suppliers?

Matthew Hancock: We changed the rules last year to ensure that when the Government buy from the private sector, payments must be made within 30 days—and that cascades all the way down the supply chain. I can also report that we have hit our target for a quarter of all Government procurement to go to small businesses, and we now want to increase that target from a quarter to a third.

T3. [902500] Jeremy Quin (Horsham) (Con): What plans does the Minister have to ensure that groups who are under-represented on the electoral roll register to vote?

Mr Letwin: We are fully committed to bringing more under-represented groups into electoral participation. That is why we are working with Operation Black Vote and other such groups to bring people in from the black and minority ethnic communities. I also draw my hon. Friend's attention to the very interesting experiment being tried at Sheffield University to nudge the student population to sign up for an automatic registration system. We are looking very carefully at that.

T7. [902504] Christian Matheson (City of Chester) (Lab): If it does indeed transpire that there are fewer people on the new electoral register after the introduction of independent electoral registration, will the Government consider that to be a success or a failure?

Mr Letwin: I think what the hon. Gentleman is missing is the fact that, as a result of the measures that have been taken, people who were not at the addresses at which they had previously been registered will be eliminated. The creation of an accurate register is an aim of democracy, not a defect of democracy.

Mr Speaker: Last but not least, the voice of Filton and Bradley Stoke must be heard.

T4. [902501] Jack Lopresti (Filton and Bradley Stoke) (Con): May I ask what the Government are doing to increase social mobility in the civil service?

Matthew Hancock: My hon. Friend has asked a very important question. If the civil service is to work to support the whole country, it needs to reflect the whole country, so we are taking steps across the board to increase social mobility as well as other kinds of diversity. One of the most exciting aspects of that is the huge apprenticeship scheme that now allows and encourages people from all backgrounds to pursue successful careers in the civil service.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [902483] Richard Burden (Birmingham, Northfield) (Lab): If he will list his official engagements for Wednesday 9 December.

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): The Prime Minister is visiting Poland and Romania, and I have been asked to reply.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall have further such meetings later today.

Richard Burden: The Chancellor will know that, as Christmas draws closer, people who are having difficulty in making ends meet will not experience much good will in the season of good will if they fall into the clutches of loan sharks as they try to buy presents for their families, so why is he choosing now to cut the budget of the Birmingham-based England illegal money-lending team by a third, although it has helped 24,000 loan shark victims to get £63 million of illegal debts written off? Will he have a word with his friend the Business Secretary, who seems to be refusing to answer questions from the Daily Mirror on the subject?

Mr Osborne: Of course we take very seriously the issue of illegal loan sharks and, indeed, that of excessive interest charges on payday lending, which is why it was Conservatives who introduced the first ever cap on payday lending. As for the hon. Gentleman’s specific question about funding for illegal money laundering and loan shark teams, we are considering the imposition of a levy on the industry to meet the requirements that he has identified.

Q2. [902484] Mr David Burrowes (Enfield, Southgate) (Con): Following last week’s vote, can my right hon. Friend give us an update on action against the genocidal jihadists who not only attack Christians, Yazidis and Muslims, but pillage their churches, shrines and mosques? I welcome the announcement of £30 million to protect cultural heritage, but can we also ratify the Hague convention sooner rather than later?

Mr Osborne: I thank my hon. Friend for raising this important issue. Let me briefly update the House on the military action that has taken place since we met last week. We have 16 aircraft conducting strikes, as well as
Mr Osborne: First, let me welcome the hon. Lady to her place and the warm support she has on the other side. I join her in expressing the sympathy of the whole House to those who have been affected by these terrible floods. A record rainfall has hit Cumbria and Lancashire. The update is that we have just one severe flood warning still in place, power has been restored to 168,000 homes and the west coast main line is open, but we have to be there for the long term for these families.

We continue to support the immediate rescue efforts, and the military have deployed. On recovery and the question the hon. Lady asks, I can today announce a £50 million fund for families and businesses affected in the area. That will be administered by the local authorities to avoid some of the administrative problems to which she alluded in her question. When it comes to rebuilding the infrastructure of Cumbria, Lancashire and other areas affected, we are assessing now the damage to the flood defences and to the roads. Funds will be made available. One of the benefits of having a strong and resilient economy is that we can help people in need.

Ms Eagle: I thank the Chancellor for that answer but, from listening to him, you would not think that he has alluded in her question. When it comes to rebuilding the infrastructure of Cumbria, Lancashire and other areas affected, we are assessing now the damage to the flood defences and to the roads. Funds will be made available to individual families to repair their homes and protect them against future flooding, and we will provide money to businesses that have seen their businesses ruined. There have been heartbreaking stories—we have all seen them on television—about businesses that have been affected. That money is available.

Because we have a strong and resilient economy, we are increasing the money we spend on our flood defences. It is just not the case that that has been reduced. The last Labour Government spent £1.5 billion on flood defences, and we will be spending £2 billion on flood defences and increasing maintenance spending. It is something we can do and we can help these communities precisely because we took the difficult decisions to fix our economy and public finances.

Ms Eagle: I thank the Chancellor for that, and we will hold him to account on the promises he has made today. However, I note that the Government’s own figures show that their planned capital investment in flood defence will only protect one in eight of those households at risk.

I see that the Prime Minister cannot be with us to answer questions today because he is visiting Poland and Romania on the latest leg of his seemingly endless European “renegotiation tour.” He has been jetting all over the place. No wonder we had to buy him his own aeroplane. So can the Chancellor tell us: how is it all going?

Mr Osborne: The good news is we have a party leader who is respected abroad. The Prime Minister is in central and eastern Europe because we are fighting for a better deal for Britain, something that never would have happened if there had been a Labour Government.

Ms Eagle: I have to tell the Chancellor that many of his own Back Benchers are pretty unimpressed with how it is going so far. The hon. Member for North East Somerset (Mr Rees-Mogg) has described the Prime Minister’s renegotiation efforts as “pretty thin gruel”, the hon. Member for Harwich and North Essex (Mr Jenkin) has called them “lame” and “trivial”, and yesterday the hon. Member for Richmond Park (Zac Goldsmith) told the Press Gallery they were “not all that impressive”.

The Chancellor is well known for cultivating his Back Benchers, and there is absolutely nothing wrong with that, so may I ask him the question his own side want answering: given that the Prime Minister has pre-resigned, does he really aspire to be Britain’s first post-EU Prime Minister?

Mr Osborne: I am not sure I would be quoting the views of Back Benchers if I was speaking for the Labour party at the moment. Most opposition parties are trying to get momentum; they are trying to get rid of it. We are fighting for a good deal for Britain in Europe, we are fighting to make the European economy more competitive for everyone and we are fighting to make sure that Britain, as a country that is not in the euro, gets a fair deal from the eurozone. That is what we are fighting for, but in the end this is something that we will put to the people of Britain in a referendum. The only reason that referendum is happening at all is that the Conservative party won the general election.
Ms Eagle: Instead of obsessing about issues in the Labour party, the Chancellor should be condemning the appalling activities in Conservative Future and attacking the Tory bullying scandal. I notice he did not answer the question about his own prime ministerial activities; I am not sure, but he might be worried about somebody a few places down from him on the Treasury Bench. [Interruption.] She knows who she is. If the Chancellor will not listen to the doubts of his own Back Benchers, perhaps he will listen to someone who has written in. I have got here a letter. It is from Donald of Brussels. He writes:

“Uncertainty about the future of the UK in the European Union is a destabilising factor.”

He’s right, isn’t he?

Mr Osborne: Since the Conservative party announced its policy for a referendum, we in this country have received the lion’s share of investment into Europe. That is because we have built a strong economy, we stand up for Britain’s interests abroad and we have made this a competitive place to grow and build a business. While we are quoting missives, let me tell the House that someone called Tony has been writing today. He happens to be the most successful Labour leader in history, and he describes the current Labour party as a complete tragedy. May I suggest that the hon. Lady asks some serious questions, about the health service, the economy, social care? She can ask any of these questions. She has got one more question; let’s hear it.

Ms Eagle: I prefer this quote from Tony:

“Just mouth the words ‘five more Tory years’ and you feel your senses and reason repulsed by what they have done to our country.”

We all know that the Chancellor is so preoccupied with his own leadership ambitions that he forgot about the day job, and that is why he ended up trying to slash working families tax credits in the Budget. Is it not about time that he focused on the national interest rather than his own interest? Three million UK jobs are linked to trade with the EU. Half our exports go there. That is what they are putting at risk by flirting with Brexit, and that is why we on this side of the House know that Britain is better off in.

Mr Osborne: I thought that the Labour party voted for the referendum when it came before the House of Commons. We are fighting for a better deal for Britain in Europe. The truth is that this week we have shown that we have an economic plan that is delivering for Britain. Whether it is well-funded flood defences, putting money into our national health service, backing teachers in our schools or introducing a national living wage, we are delivering security for the working people of Britain. Their economic and national security would be put at risk if the Labour party ever got back into office.

Q4. [902486] Caroline Nokes (Romsey and Southampton North) (Con): I recently visited the apprentice workshop of David Wilson Homes and saw at first hand the work the construction industry is doing to support apprenticeships in Hampshire. What more can schools do to promote apprenticeships as a valuable alternative to post-16 academic study?

Mr Osborne: My hon. Friend raises an important point. Schools have a legal duty to provide pupils with information on the full range of training and education available. Schools in her constituency can tell their pupils about the increase in the number of apprenticeship places—3 million in this Parliament—we are funding. That is a huge commitment to young people in this country and a big commitment to the construction industry. We want homes to be built. One of the challenges is getting skilled people into that industry, and no doubt that was raised by the business she spoke to, but the 3 million apprentices will help.

Angus Robertson (Moray) (SNP): Occasionally, highly toxic and dangerous materials are transported around the country. Are not the public right to expect the highest safety standards and full co-operation between the responsible public agencies?

Mr Osborne: Absolutely—that co-operation is expected. Perhaps the right hon. Gentleman is talking about the transportation of nuclear materials from the Faslane base on the Clyde. I have met the local teams and seen how they transport the nuclear materials. If he has something else he wants to ask me about, go ahead.

Angus Robertson: There are growing reports in the north of Scotland about plans to transport on public roads dangerous nuclear material, potentially including nuclear weapons-grade uranium, from the Dounreay nuclear facility to Wick airport. It is believed that from there it will be flown to the United States. What will that nuclear material be used for, and has the Chancellor or any of his colleagues spoken with a single Minister in the Scottish Government about this?

Mr Osborne: The transportation of nuclear materials across this country has happened over many decades. There are established procedures for that, and the Royal Marines and the police service in Scotland provide the security. If the right hon. Gentleman has specific concerns about the plans for that transportation, he can raise them with us. As I say, arrangements are in place to ensure that we protect the public.

Q5. [902487] Steve Brine (Winchester) (Con): The Chancellor will know that the Prime Minister said in his recent conference speech that we have to get away from the “lock ’em up or let ’em out” mentality in respect of prison reform. That has to be right because the prison system is costing our constituents a fortune. Does the Chancellor agree that the time for rehabilitation that works is now, and that we should not be afraid to look at other jurisdictions to find examples and new ideas to tackle this ongoing state failure?

Mr Osborne: My hon. Friend is right to raise prison reform. People who commit crimes should go to prison, but prisons should be suitable places to rehabilitate prisoners. Some of our Victorian prisons are not suitable, which is why we will close them, knock them down, build desperately needed housing in our cities, and build modern prisons on the outskirts of our cities. I am incredibly proud that a Conservative Government are taking on this progressive social reform.
Q3. [902485] Dr Rupa Huq (Ealing Central and Acton) (Lab): They are a great British institution and earn billions for our economy, so I am sure the Chancellor will share my concern that two curry houses a week are closing due to Government policies and the fact that the proposed specialist colleges have failed. As a fan himself, will he review the situation? He once likened the elements of a strong economy to those of a good curry, so will he take action to head off the coming curry crisis?

Mr Osborne: We all enjoy a great British curry, but we want the curry chefs to be trained in Britain so that we can provide jobs for people here in this country. That is what our immigration controls provide.

Q12. [902494] Karl McCartney (Lincoln) (Con): My right hon. Friend is well aware, from my repeated representations to him and his colleagues, of the need for a southern relief road and eastern bypass for Lincoln, which have been delayed by bureaucracy for nearly 100 years. He and his Government colleagues are well acquainted with the need to drive growth and local economic wellbeing by utilising appropriate infrastructure improvements to fuel the midlands engine. What would he say to my constituents, should he visit the beautiful city of Lincoln, other than to tell them that any new road is eventually better than no road?

Mr Osborne: I congratulate my hon. Friend on securing £50 million of extra funding for Lincoln and ensuring that a bypass will go ahead. I have spoken to him. I know he has concerns that the bypass will not be big enough and that it should be a dual-lane bypass. Let us continue to have those conversations. We both need to ensure that local authorities agree with his assessment, and I am happy to help him with that task.

Q6. [902488] Alison Thewliss (Glasgow Central) (SNP): Since the Chancellor’s Budget in July, I have asked time and again how he intends to make women prove, in specific cases that the hon. Lady refers to in her question, or, again how he intends to make women prove, in which women have been victims of domestic abuse—or, indeed, rape—and that is why we are consulting and discussing changes to protect vulnerable women.

Mr Osborne: It is perfectly reasonable to have a welfare system that is fair not just for those who need it but for those who pay for it. We have identified the specific cases that the hon. Lady refers to in her question, in which women have been victims of domestic abuse—or, indeed, rape—and that is why we are consulting and discussing changes to protect vulnerable women.

Q14. [902496] Wendy Morton (Aldridge-Brownhills) (Con): More than 4,000 apprenticeships have been created in my constituency since 2010, and I recently met representatives of In-Comm Training and a group of small local businesses to discuss skills and apprenticeships. What are the Government doing to help small businesses to help people into training and employment, thereby securing the economy of the midlands engine for future generations?

Mr Osborne: The great news is that jobs are being created in the midlands engine, including in my hon. Friend’s constituency, and we are investing in infrastructure there as well. We are also investing in the skills of the next generation through the apprenticeships she mentions, and we are backing small businesses by cutting the corporation tax they pay and by increasing employment allowance so that they can take on more people without paying the jobs tax.

Q7. [902489] Dr Philippa Whitford (Central Ayrshire) (SNP): Médecins sans Frontières reports that despite giving GPS co-ordinates several of its hospitals have been bombed by coalition and, in particular, Assad forces in Syria, Yemen and Afghanistan, killing medics as well as patients. With so many forces involved in airstrikes, will the Chancellor explain how the Government propose to avoid this happening in future?

Mr Osborne: The hon. Lady mentions the tragic bombing of the hospital. A review is going on to ensure that the coalition has accurate information for its strikes. When it comes to Yemen, we are working with the Saudi Government to make sure that they can review this information and that it is accurate. I am afraid we have no control over the Syrian Government and Assad, which is one of the reasons we would like to see Assad go.

Q15. [902497] Mr Alan Mak (Havant) (Con): The regeneration of Dunsbury Hill Farm in my constituency will create up to 3,500 new jobs, which is good news for an area where unemployment has halved since 2010. Will the Chancellor commit to continuing investment in the Solent regional economy, an area that much prefers his big Red Book to any other type?

Mr Osborne: I am delighted to hear about the regeneration of Dunsbury Hill Farm. It is part of the good news in my hon. Friend’s area, where, thanks to local businesses and to his work as a new MP in attracting infrastructure and investment into his constituency, the claimant count is down by 25% in the past year alone. I am glad he likes the Red Book of the Government and does not have so much time for the little red book branded by Opposition Members.

Q8. [902490] Gavin Newlands (Paisley and Renfrewshire North) (SNP): During the autumn statement, the Chancellor casually removed vital bursary support from student nurses. I have since spoken to a number of nurses and some of the 4,000 nursing students at my local university, all of whom say that they would not have been able to study nursing without vital bursary support from the Scottish Government. What will he say to the aspiring nurses across the rest of the UK who may be prevented from pursuing their dreams of becoming a nurse?

Mr Osborne: Currently, two thirds of people in England who apply for nurse training courses are turned down. That cannot be right, as it means hospitals increasingly rely on agency staff or overseas nurses. We are reforming the education of nurses so that those who apply for nursing places are much more likely to get them.

John Stevenson (Carlisle) (Con): Carlisle and Cumbria have experienced a traumatic few days, with the devastating floods. It was good that the Prime Minister saw at first hand the tremendous work of the emergency services, the issues relating to the flood defences and of course
the direct impact of those floods on local families. As part of the recovery, Cumbria Community Foundation, a highly respected, county-wide charitable organisation, has launched a flood appeal. I wrote to the Prime Minister asking for the Government’s support for the appeal, as it would help many affected people right across the county. Would the Chancellor be able to offer such support from the Government towards this much-needed fund?

Mr Osborne: First, everyone here would pay tribute to the people of Carlisle, the extraordinary resilience they have shown and the acts of friendship that neighbours have shown to those affected by the terrible floods. Before the Prime Minister left for central Europe this morning, he asked me to make sure we would be able to help on the specific point my hon. Friend raises. Friend raises, and did raise with the Prime Minister, and I can say that we will support the work the Cumbria Community Foundation does and we will match, by up to £1 million, the money it is raising for its local flood appeal.

Q9. [902491] Daniel Zeichner (Cambridge) (Lab): When the Chancellor tripled student tuition fees, he set the repayment threshold at £21,000. He has now frozen the threshold, and the Institute for Fiscal Studies tells us that many students will bear many extra thousands of pounds in repayments. Given that he has broken his promise, will he send students an apology or just the bill?

Mr Osborne: There seems to be collective amnesia among Labour Members: they introduced tuition fees and the payment threshold was £15,000. We have increased it to £21,000, which enables us to fund the lifting of the cap and more people who are qualified to go to university. I would have thought, and I would have hoped, that on this day the hon. Gentleman welcomed the big investment we are making in Cambridge, not least with the renovation of the famous Cavendish laboratory.

Huw Merriman (Bexhill and Battle) (Con): The Bexhill-Hastings link road will finally open this month, delivering a business park, new homes for a new labour market and a countryside park. The road has been talked about for decades but it has been commissioned and built in the past five. Will the Chancellor join me in welcoming new business to relocate to Bexhill and Hastings, and to expand?

Mr Osborne: I would certainly encourage businesses to relocate to my hon. Friend’s area. He is right about the link road: for decades people called for it, and although for all those years there was a Conservative MP for Bexhill, there was a Labour MP for Hastings for many of those years and nothing happened. Now that we have Conservative MPs in both Bexhill and Hastings, we are getting the investment the local area needs.

Q10. [902492] Alison McGovern (Wirral South) (Lab): On 7 September, the Prime Minister told me that he could not remove refugees from the migration target because of the requirements of the Office for National Statistics, but I wrote to the ONS and it told me that in fact this would be possible. Can the Chancellor therefore demonstrate that Britain will do its bit and remove refugees from the migration target?

Mr Osborne rose—[Interruption.]

Mr Speaker: Order. Let us hear the Chancellor.

Mr Osborne: Let me say something surprising: we talk to each other in this Government! The Cabinet actually gets round the table and has meetings. We discuss things, we agree, and then we move forward—the Labour party should try it.

The Office for National Statistics is independent, but Britain is doing its bit by taking 20,000 refugees from the Syrian refugee camps. We have always provided a home for genuine asylum seekers.

Mrs Anne Main (St Albans) (Con): Under current toy regulations, small children can be engulfed in flames by 3 cm in one second. Will the Chancellor encourage my right hon. Friend the Prime Minister to intervene to see whether the Business Secretary can introduce a statutory instrument to improve the flammability of children’s play and dress-up costumes?

Mr Osborne: My hon. Friend is right to raise that case. We all saw the tragedy that befell the family of the “Strictly Come Dancing” presenter and the campaign that her family have undertaken to change the regulations. It is true that we do not have the same flame-retardant regulations for children’s fancy dress costumes. That seems wrong. I know that my right hon. Friend the Business Secretary is looking at the matter and will ensure that that changes.

Q11. [902493] Stephen Timms (East Ham) (Lab): Will the Chancellor take this opportunity to correct the bizarre claim made yesterday by Donald Trump about parts of London being no-go areas for the Metropolitan police? Will he point out to Mr Trump that relationships between the Muslim communities of London and the police are in fact excellent?

Mr Osborne: The right hon. Gentleman speaks for everyone in this House. The Metropolitan police do a brilliant job, and they have fantastic relations with British Muslims. British Muslims have made a massive contribution to our country. Donald Trump’s comments fly in the face of the founding principles of the United States, which have proved such an inspiration to so many people over the past 200 years. The best way to defeat such nonsense is to engage in robust, democratic debate and make it very clear that his views are not welcome.

Derek Thomas (St Ives) (Con): Cornwall Hospice Care, which has one hospice on the border of my constituency, is well appreciated and respected by my constituents, but it cannot run to capacity because it receives only 11% of its funding from the NHS. Will the Chancellor work with me and my other colleagues in Cornwall to see what more money can be put into our hospices, and Cornwall Hospice Care?

Mr Osborne: I know that my hon. Friend is a strong champion of his community and of the hospice he mentions. We have taken steps to help the hospice movement, not least by removing the VAT it paid in the previous Parliament. We want to get the right balance. It is good that our hospices are funded in part by local
charities and supported so strongly by the local community, but they also need the backing of the NHS. Of course, as we have a strong economy, we are now putting that money into the NHS so that it can help the hospice movement.

Q13. [902495] Ian Mearns (Gateshead) (Lab): If business rates are localised without equalisation, my own authority of Gateshead will lose £9.4 million a year on top of the proposed severe cuts to the revenue support grant. The seven north-east local enterprise partnership authorities will lose £186 million a year and the combined 12 authorities in the north-east £223 million a year. Meanwhile, the City of London will gain £222 million and Westminster £440 million. How does that help the Chancellor’s vision of the northern powerhouse?

Mr Osborne: The top-up and tariff system will apply as we devolve business rates to reflect the discrepancies the hon. Gentleman identifies. I would have thought that the Labour party supported the devolution of business rates. It is a massive opportunity for local areas to grow and to see the benefits of that growth. When it comes to the northern powerhouse, we have the fantastic announcement today of the new train franchises, which mean more than £1 billion going into new trains, faster journeys, and better journey experiences for people in the north of England. He should get behind it.

Mr Peter Bone (Wellingborough) (Con): An important report was published today showing that the TV debates at the general election were a great success, engaging people who are not normally interested in politics, particularly young people. Will the acting Prime Minister—I know he might have a personal interest in this matter—encourage TV debates at the next general election?

Mr Osborne: The TV debates are decided in discussions between the political parties and the broadcasters. I think that my right hon. Friend the Prime Minister did exceptionally well in them last time.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): I understand that the Home Secretary has banned 84 hate preachers from entering the UK. Will the Government lead by example and consider making Mr Donald Trump the 85th?

Mr Osborne: I think that the best way to confront the views of someone like Donald Trump is to engage in a robust, democratic argument about why he is profoundly wrong about the contribution of American Muslims, and indeed British Muslims. That is the best way to deal with Donald Trump and his views, rather than trying to ban presidential candidates.
Point of Order

12.36 pm

Tim Farron (Westmorland and Lonsdale) (LD): On a point of order, Mr Speaker. The Secretary of State for Environment, Food and Rural Affairs was questioned on Monday about the availability of funds from the EU solidarity fund to help constituents, such as mine in Cumbria, who are suffering the after-effects of the floods. She was not aware of the fund at the time. Have you since received any representations from Ministers indicating that they wish to make a statement to the House on how the Government can claim funds from the EU solidarity fund to help those constituents?

Mr Speaker: I am grateful to the hon. Gentleman for his point of order, and I well remember the exchange to which he alludes. The short answer is that I have received no indication of any wish on the part of a Minister to make a statement on that matter. However, the hon. Gentleman’s assiduity, and indeed his ingenuity, are as close to legendary as makes no difference. Therefore, if he is dissatisfied in days to come, I have a hunch that he will try to ensure that the matter can be aired, not with me, but with a Minister.

Armed Forces Covenant (Implementation) (United Kingdom)

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

12.37 pm

Sammy Wilson (East Antrim) (DUP): I beg to move, That leave be given to bring in a Bill to establish an armed forces covenant scheme; to make provision about the requirements and obligations upon public authorities and agencies in relation to serving and former members of the United Kingdom’s armed forces contained within that scheme; to establish a means of providing audit and accountability in relation to the performance of the scheme against its objective; to amend the Equality Act 2010 and section 75 of the Northern Ireland Act 1988; and for connected purposes.

Our armed forces are one of the institutions that bind the United Kingdom together. The sacrifices that they have made over generations are a common loss that presents us with an obligation towards those who have volunteered to put themselves in harm’s way on our behalf. Memorials in every art and part of the United Kingdom stand as a sad testimony to their sacrifices. For these reasons, the fulfilment of the military covenant should be a cause that demands our wholehearted support.

The concept of the covenant is not a new one, but the legacy of the terrorist campaigns in Northern Ireland, the Iraq wars and the Afghanistan conflict have led to renewed focus on what it means and how it is to be delivered. The term “moral” is rarely used in these post-modernist times, but it is right to describe the covenant as a “moral obligation” to members of the armed forces and their families. That is exactly what it was, is, and forever will be. Therefore, it is an obligation that should be fulfilled in letter and in spirit across the United Kingdom. Sadly, it is not, and that is why I present this Bill today.

At this point, I pay tribute to Mrs Brenda Hale, a DUP Member of the Northern Ireland Assembly who lost her husband in Afghanistan and who has championed this cause on behalf of all servicemen and ex-servicemen and women in Northern Ireland.

In Northern Ireland, by the Government’s own admission, the military covenant is not being fulfilled. The Northern Ireland Office has claimed that 93% of it is being fulfilled. That figure has not been independently assessed, and when I outline some of the problems, Members may wonder how the NIO reached it. However, for the moment, let us take its word and ask two simple questions. When in battle, does a member of the Royal Air Force, the Royal Navy or the Army risk 93% for their country and their comrades? Of course they do not: they risk everything; they risk all. When in battle, does a member of the Royal Air Force, the Royal Navy or the Army who comes from Northern Ireland or lives in Northern Ireland risk only 93% while those in Great Britain risk 100%? Of course they do not: they risk all, just the same as servicemen based in other parts of the United Kingdom.

So where are we failing in our moral obligation? There are four primary areas in which the covenant is not being fulfilled. The first area is priority of treatment in the national health service for wounded, injured and sick veterans. Subject to the clinical needs of others,
wounded, injured and sick veterans in Great Britain are entitled to priority national health service treatment for conditions that are attributable to their service in the armed forces. Priority treatment is not available in the same way for veterans in Northern Ireland, not only because they are often reluctant to declare previous armed forces service on security grounds, but as a result of restrictions contained in section 75 of the Northern Ireland Act 1998.

The second area is priority for social housing. Local authorities in Great Britain are required to consider service leavers as having a local connection, and they are given points accordingly. In addition, further priority is often given to veterans on the waiting list for social housing in Great Britain. Again, this is not the case in Northern Ireland because of section 75 of the Northern Ireland Act.

Thirdly, provision for in vitro fertilisation treatment is not available on the same grounds for veterans who require such treatment because of service-related injuries. There are three entitlement cycles in Scotland and England, but only one is available in Northern Ireland. Each cycle costs about £3,500, although the numbers involved are small.

The fourth area is the waiving of domestic rates or council tax for unoccupied property. In Great Britain, local authorities offer a 50% discount on council tax in respect of empty properties owned by service personnel who live in Ministry of Defence property elsewhere as a result of serving in the armed forces. This valuable concession is not available in Northern Ireland.

In looking at issues as important as health and housing, it is legitimate to question how a failure rate of only 7% is arrived at by the Northern Ireland Office. This failure of delivery is not simply due to a slow or disconnected bureaucracy, but to the particular circumstances in Northern Ireland, especially the section 75 provision which requires that key groups are entitled to protection and is now interpreted as a legal barrier to the implementation of the covenant in Northern Ireland.

Lord Ashcroft’s review of the veterans policy, which was commissioned by the Prime Minister, recognised that barrier and proposed that Parliament amend section 75, “to enable Service Leavers and veterans to receive the recognition and provision they deserve.”

Neither the Ministry of Defence nor the Northern Ireland Office has acted on that recommendation so far, despite the fact that section 75 was amended to include Travellers. It is hard to understand why members of the travelling community should be regarded by the Northern Ireland Office as being more worthy of preferential treatment than members of the armed forces. That is why I and my party have chosen, through this Bill, to highlight the inaction.

Lord Ashcroft’s proposals would fit with the approach taken in the United States of America, where the landmark Civil Rights Act 1964 provided specific protection for Government action for veterans. Alternatively, my party’s Westminster manifesto proposed that, rather than exempt action for veterans from section 75, they should be afforded the same protections as section 75 groups. That proposal is not universally accepted in Northern Ireland, and I have no doubt that that is one of the reasons for the NIO’s reluctance to make changes to the 1998 Act.

Sinn Féin and the Social Democratic and Labour party have opposed the changes needed to enable the full implementation of the military covenant. Many find their attitude disappointing and disgraceful. Those signing up to join the armed forces are not exclusively from the Protestant and Unionist community. The services recruit from all areas, faiths and political allegiances in Northern Ireland, yet both Sinn Féin and the SDLP seem happy to abandon them.

In conclusion, a moral obligation is not met unless it is wholeheartedly and fully met. In Northern Ireland, it is not being met, and thus the moral obligation is not being fulfilled in the United Kingdom as a whole. Today I have shown the failures and offered this House solutions. This Parliament must now commit itself and act to fulfil the moral obligations to members of the armed forces and their families.

Question put and agreed to.

Ordered,

That Sammy Wilson, Mr David Nuttall, Kate Hoey, Jim Shannon, Gordon Henderson, Mr Gregory Campbell, Mr Jeffrey M. Donaldson, Tom Tugendhat, Mr Nigel Dodds and Ian Paisley present the Bill.

Sammy Wilson accordingly presented the Bill.

Bill read the First time; to be read a Second time on 29 January 2016, and to be printed (Bill 106).
I beg to move, that this House, on this Opposition Day, wishes to debate the matter of mental health.

Mr Speaker: I can inform the House that the amendment has not been selected.

12.48 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): I beg to move.

That this House believes that mental health should be treated with the same priority as physical health and recognises the importance of promoting good mental health from childhood through to adulthood; believes that not enough progress has been made in translating this House’s commitment to parity of esteem between mental and physical health into practice; notes with concern that the King’s Fund has reported widespread evidence of poor-quality care across mental health services, and that the latest available figures show a rise in suicide rates and the number of detentions under the Mental Health Act 1983 increasing by 10% per cent in the past year alone; further notes the delay in the publication of NHS England’s Mental Health Taskforce report; notes the concerns that have been raised with the Scottish Government regarding the rate of inappropriate admissions of young people to non-specialist facilities for mental health treatment which have increased by 38% per cent since 2011; is concerned by the absence of data on NHS spending on mental health services since 2011; opposes the Government’s decision not to enshrine the right to non-specialist facilities for mental health treatment which have increased by 38% per cent since 2011; is concerned by the absence of the police and bad for the patients, and is a reflection of the terrible pressures on the acute mental health sector.

It is a privilege to open this debate as the first shadow Minister for mental health. The fact that we are having this debate is testament to just how seriously the Opposition consider mental health. The issue affects one in four of us every year, yet it has been neglected for far too long. Mental health has come out of the shadows in recent years, and I know that many Members on both sides of the House feel very strongly about this issue. There have been many important steps forward, but talk to anyone with a mental health condition and they will tell you that they still face stigma, prejudice and discrimination. Sadly, there remain many areas in which there has not been the progress for which we had hoped.

Labour Members have deep concerns about our nation’s mental health and the services and support that are available. Three years ago, my Labour colleagues in the House of Lords won the fight to ensure that the Government wrote parity of esteem between mental health and physical health into law. However, the gap between the rhetoric we hear from this Government and the reality for patients on the ground is growing wider.

I am sure Members on both sides of the House have many constituency cases that echo such concerns. In my first few months in this position, I have been struck by the thousands of messages I have received from people up and down the country. They are desperate to see a change in how our society approaches mental health. This strength of feeling is not surprising. On this Government’s watch, there has been an increase in the number of patients who report a poor experience of community mental health care. More patients have to travel hundreds of miles just to get a bed. The number of patients who report a poor experience of community mental health care. More patients have to travel hundreds of miles just to get a bed. The number of children being treated on adult wards, which the Mental Health Act 1983 rightly says should not happen, has risen again this year. The number of people becoming so ill that they had to be detained under the Mental Health Acts leapt by 10% in the past year. The level of suicides, particularly among men under the age of 45, has been at its highest since 2001.

Ms Karen Buck (Westminster North) (Lab): Does my hon. Friend share my concern about the scale of the stress—by common agreement, often inappropriate stress—on the police as a consequence of the pressure on emergency mental health services? My local police have advised me that they sometimes spend half a shift with severely mentally ill patients who are queuing for access to acute mental health hospitals. That is bad for the police and bad for the patients, and is a reflection of the terrible pressures on the acute mental health sector.

Luciana Berger: I thank my hon. Friend for making that very important intervention. There are too many stories of our blue light services—not just the police, but our ambulance and fire services—being under incredible pressure in contending with such issues. I believe that the Government must do more to address that issue.

Norman Lamb (North Norfolk) (LD): I am pleased the hon. Lady has called this debate. Does she share my view that yesterday’s report on perinatal mental health makes incredibly disturbing reading? Many women have lost their lives because of the absence of services. We must commit to making sure that every part of the country has good services to ensure people get through such difficult times.

Luciana Berger: I will come on to the very serious issue of perinatal mental health that the right hon. Gentleman raises. Again, we should all be very concerned about that issue.

I am very concerned that there has been a psychiatry recruitment crisis, with a 94% increase in vacant and unfilled consultant posts. The NHS constitution treats mental health and physical health differently. The Government claim to be increasing mental health budgets, but patients and professionals tell a different story—ever since Ministers discontinued the annual survey of investment in mental health three years ago, we do not have an accurate picture of spending on mental health in our country.

Paul Blomfield (Sheffield Central) (Lab): My hon. Friend is making an important point about the transparency of spending. Last June, I asked the then Health Minister, the right hon. Member for North Norfolk (Norman Lamb), who is in his place, when figures would be published, and he told me that the Government were working with NHS England to provide meaningful data. Last month, the hon. Member for Central Suffolk and North Ipswich (Dr Poulter) tabled a question for written answer asking when the information would be available. It is still not available. Does my hon. Friend agree that the Government should come clean?

Luciana Berger: I thank my hon. Friend for his very important intervention. One of the key points of my speech is that there is so much we should do to shine a spotlight on what is happening to mental health funding right across the country.
David Rutley (Macclesfield) (Con): The hon. Lady is of course right that this subject is vital. The Government are working hard on it. Will she join me in welcoming the Government’s promise and commitment to bringing in an extra £600 million for mental health services, as set out in the autumn statement?

Luciana Berger: My concern partly rests on the fact that, given the cuts we saw during the past five years, we are only returning to the levels of spending on mental health that we had back in 2010. I have asked a number of questions about how the £600 million might be presented, but I am waiting for the answers to see how the Government will allocate that money. I will come on to the pledges that the Government have made and what is actually happening in reality.

Mr Robin Walker (Worcester) (Con): rose—

Luciana Berger: I will make a little progress, because I have my speech to get through and I am conscious that many Members on both sides of the House want to contribute to this debate.

We are calling for three things that we believe will make a difference. First and foremost—several interventions have referred to this—we are asking the Government to restore transparency to address the murky picture of mental health funding. Secondly, we are asking Ministers to address the fundamental inequality that currently exists in our NHS constitution. Finally, we are asking the Government to prioritise prevention and to implement the Government’s promise to increase transparency in the performance of mental health services?

Luciana Berger: I do not share the hon. Lady’s view. Just in the last week, I have written down a list of 10 things about which I have asked the Government for figures, but about which I have been told that they do not hold information centrally. Many of the statistics that were available previously are no longer available. The central request we are making today is to restore the transparency, particularly on how much is spent on mental health, which the Government took away in 2011-12. Many Members on both sides of the House would like to know those figures.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): My hon. Friend is making a very powerful speech. On prevention, is she as concerned as I am that, given the cuts we saw during the past five years, we are only returning to the levels of spending on mental health that we had back in 2010. I have asked a number of questions about how the £600 million might be presented, but I am waiting for the answers to see how the Government will allocate that money. I will come on to the pledges that the Government have made and what is actually happening in reality.

Mr Andrew Mitchell (Sutton Coldfield) (Con): The hon. Lady is making an important speech, but may I encourage her to be as bipartisan or as all-party in her approach as possible on this vital issue? It is very good to see the Leader of the Opposition and the Heath Secretary in their places, both of whom have a long-standing interest in this issue. Will the hon. Lady at least accept that the all-party campaign led by the right hon. Member for North Norfolk (Norman Lamb)—very substantially assisted by Alastair Campbell, who has some considerable expertise in this area—was successful, beyond the scenes, in persuading the Chancellor to produce an extra £600 million for mental health? All of us will try to ensure that that money is spent well, but let us try to do so with an all-party or bipartisan approach.

Luciana Berger: I know that the right hon. Gentleman has worked hard on these issues, as have many Members across the House. My job is to hold the Government to account for the promises they have made, and that is what I am endeavouring to do. Where there are opportunities for us to work together we should be keen for that to happen, but the Government have not delivered on their previous pledges. I am keen to know the detail of how that £600 million will be allocated and over what period, and we look forward to that information coming forward.

The spend of clinical commissioning groups is just one pledge on mental health that has not translated into reality, and—unfortunately—another is the commitment to spending £250 million on child and adolescent mental health services this year. In response to a parliamentary question, the Government have admitted that there will be a £77 million shortfall on what they have pledged to spend this year. With those spending promises so far unfulfilled, Labour Members are concerned about the
lack of transparency on mental health spending. That is why we are calling on the Government to reinstate the annual survey of investment in mental health services. It is not only in funding that equality for mental health has yet to be achieved, because a huge disparity remains at the heart of our NHS. The NHS constitution sets out the rights to which patients, the public and staff are entitled, and the pledges that the NHS is committed to achieving. The constitution enshrines our rights to access drugs and other treatments, but it does not extend that right to talking therapies. Recently, the Government consulted on adding a right to psychological therapies to the NHS constitution, but they decided not to include it in its latest version. That decision reinforces the existing bias in the system against mental health, and if the Government are serious about fair access to cost-effective mental health treatment, they must address that fundamental disparity.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I am disappointed with the tribal attacks on the Scottish health service in the motion, and it does not say much for the new politics promised by the Leader of the Opposition. Has the hon. Lady reflected on the situation in Wales—the only part of the UK where the Labour party is in charge—because the Academy of Medical Royal Colleges in Wales, which represents 16 colleges and facilities, said last month that mental health services in my country face significant inequalities? How will the hon. Lady respond to those concerns?

Luciana Berger: I have heard from my colleagues in Scotland about the challenges that they face with mental health services, and it is right that we should raise that issue during this debate. I have also had the opportunity to meet my colleagues in Wales and see the fantastic work that they are doing. Their pioneering piece of mental health legislation, which came into force in 2012, is the first for any developed country in terms of how it treats mental health, and it ensures that patients have a proper dedicated plan that considers not only their health needs, but their support, personal care, wellbeing, education and training. I look forward to working with my colleagues in Wales and to supporting them in the fantastic work that they are doing.

Mr Ivan Lewis (Bury South) (Lab): My hon. Friend made an important point about access to talking therapies. One of the biggest consequences of not having such access is the fact that the only option available to clinicians is medication—often in very inappropriate circumstances—which can lead to people becoming dependent, sometimes for a long period of time. This is not just a minor matter about whether this provision is in the constitution; that lack of access leads to inappropriate intervention that can have a lifelong effect on many people.

Luciana Berger: I thank my hon. Friend for his important intervention. I am sure that too many of us hear from our constituents about how that sort of experience has been replicated across the country. We know that the number of prescriptions issued for mental health issues has risen exponentially and is into the millions for people who have to access drugs. Sometimes that is because they cannot access talking therapies, which should be of serious concern to us all.

Lucy Frazer (South East Cambridgeshire) (Con): Does the hon. Lady welcome the Government’s commitment to introducing waiting time standards so that patients do not have to wait a long time before accessing a talking therapy? This Government introduced that measure, but the Labour Government did not.

Luciana Berger: The Labour Government created the services in the first place. In order to introduce a waiting time standard those services have to exist, which was not the case previously. We had to address the chronic underfunding of mental health that existed pre-1997, and we introduced the improving access to psychological therapies programme, of which we are incredibly proud. As things develop, it is right that those waiting time standards come forward. The Labour party had waiting time standards in place for all consultant-led services, which included physical and mental health. I am proud of that fact but disappointed that in too many cases the same equality is not also applied to mental health. If the Government are serious about fair access to cost-effective mental health treatment, they must address that fundamental disparity. That is why we are calling on the Government to commit to ensuring that all patients, regardless of whether they need a drug, a physical health treatment or a psychological therapy, have the same rights.

James Morris (Halesowen and Rowley Regis) (Con):...
The right hon. Member for North Norfolk (Norman Lamb) mentioned perinatal mental health problems, which affect up to 20% of women at some point during pregnancy and/or the year after the birth of their baby. Left untreated, perinatal mental health problems cost our economy £8 billion a year. Is it not appalling that even if those women seek help, they are not always guaranteed the specialist support they need? The number of mother and baby units has dropped since 2010. The Government’s pledge to spend £15 million on perinatal mental health this year was welcome, but as of this month—according to an answer I received to a parliamentary question—the Government have spent just one fifteenth of what they promised. That is a bitter disappointment because intervening early in perinatal mental health does not just help to improve the health and wellbeing of the mothers affected, but it also improves that of their children.

James Morris: May I take the hon. Lady back to her point about the IAPT programme that was introduced by the previous Labour Government and is an illustration of where both parties have delivered success? It may be good to enshrine psychological therapies in the NHS constitution, but we need to build more capacity in the system to deliver on access standards. This is not something that we can just write into the constitution; we need to increase choice and access to psychological therapies across the country.

Luciana Berger: I do not think it is an either/or situation; it is about how we do both, and I will come on to that in the rest of my remarks.

We know that 75% of people who have mental health problems in working life first experienced symptoms in childhood or adolescence, yet only about 6% of the mental health budget is spent on child and adolescent mental health services. We need to do more to focus attention on children, young people and, crucially, prevention, and here we must look to our places of learning, our workplaces and our communities. We need schools and colleges that promote good mental health. We need to ensure that all children have access to high-quality social and emotional learning so that they acquire the skills to express how they feel and develop an understanding and awareness of good mental health. We were concerned to read the 2013 Ofsted report on personal, social, health and economic education, which stated that mental health education was often omitted from the curriculum owing to a lack of teacher training. The Government have funded the PSHE Association to publish guidance and lesson plans to support teaching about mental health, but how are the Government ensuring that schools are actually using it?

We need communities that promote good health and wellbeing. Poor housing, fuel poverty and neighbourhood factors, such as overcrowding, feeling unsafe and a lack of access to community facilities, can have a harmful impact on mental health. These, along with abuse, bullying, trauma, deprivation and isolation, are just some of the levers of mental distress in our communities that we must address.

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on setting out such a strong case. Does she agree that the pressure on local government over the last few years has had a negative impact on community cohesion in relation to mental health and led to a growth in loneliness and other such things that spawn mental health problems?

Luciana Berger: My hon. Friend’s intervention brings me neatly on to my next remarks. I am enormously concerned about the impact of the Government’s deep cuts to local authority budgets over the past five years, of the additional £200 million in-year cuts to public health and of the cuts coming further down the line. I am concerned about their impact on our communities and the services that serve them, such as our libraries, drop-in centres, leisure centres, befriending services—my hon. Friend talked about loneliness—children’s centres, which support parents and young children, and citizens advice bureaux, which support people early on. They are the glue that support and keep our communities together, and I am concerned about what might happen over the next few years.

We need a social care system that is integrated with our physical and mental health services, and we will continue to push the Government to address the fragmentation across these systems. Billions have been slashed from social care budgets and the number of people receiving social care support for mental health has fallen by a quarter since 2009-10. This is seriously impacting on mental health trusts’ ability to discharge their patients. I hear that time and again when I visit mental health trusts across the country. They have patients they cannot move out because the social care is not available for them to move into.

We need workplaces that promote a good work-life balance and where mental health is recognised, understood and supported. Some 70 million working days are lost every year owing to stress, depression and other mental health conditions. Mental health problems cost employers in the UK £30 billion a year through lost production, recruitment and absence. As the chief executive of NHS England has rightly pointed out, the NHS has to get its own House in order. Across the health service, staff tell me they are concerned about their wellbeing and that of their colleagues. Longer hours, fewer resources, greater demands and an incredible amount of goodwill are creating a perfect storm within the NHS. The figures from the NHS staff survey show that the proportion of staff reporting work-related stress has increased from 29% in 2010 to 38% in 2014.

Dr Andrew Murrison (South West Wiltshire) (Con): In the spirit of bipartisanship touched on by my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell), will the hon. Lady accept the clear evidence showing a link between good mental health and employment and comment on the number of jobs created over the past five years, which, I have no doubt, has helped to promote good mental health?

Luciana Berger: I am interested in the hon. Gentleman’s intervention as I am about to talk about unemployment and unemployment support. I am concerned by the number of constituents coming to see me about the increase in precarious employment and their ability to budget and sustain themselves from week to week.

For those who are unemployed or lose their job because of their condition, the hope of getting back into work under the Government is unjustifiably slim.
The latest statistics reveal that fewer than 9% of people with mental health conditions receiving employment and support allowance have been helped back into work by the Work programme. In fact, 83% of people surveyed by the charity Mind reported that the Work programme had made their mental health condition worse. How can it be right that programmes that are supposed to help people into work are doing the opposite?

These issues alone cover the work of at least five Departments, and it does not stop there: the arts have long played an important role in helping people with mental illness; the Ministry of Justice must do much more on mental health in our prisons; and all front-line professionals, especially those in our police and emergency services, need training and support in how to respond to mental health issues.

I come now to our third and final call: we urge the Government to implement a truly cross-departmental plan to improve their response to mental health issues within our society. “No Health Without Mental Health”, published in 2011, promised to be a cross-Government outcomes strategy for people of all ages, but we are fast approaching its fifth anniversary and progress has been limited. We need a new strategy with teeth that will co-ordinate work across all Departments and set priorities, measure progress and evaluate success. We have been eagerly awaiting NHS England’s taskforce report, which was due to be released this autumn, yet we heard the other week in the Chancellor’s autumn statement that it has been delayed until next year, when the NHS England planning guidance will already have been issued. What influence or impact do the Government hope the report can have if the NHS guidance for the coming year will not take it into account?

In conclusion, mental health matters—in our schools, our workplaces and our communities. It matters to our fulfilment as individuals and to the economic success of our society. There have been important strides forward, which we welcome, but we are also concerned that too much is at risk. We hear too often that our mental health system is in crisis. We are concerned that the right help and support is not there for people when they need it; we are worried that not enough is being done to prevent people from having to turn to these services in the first place; and we are anxious that, in some areas, changes taking effect across Departments are making things worse for our nation's mental health. Much needs to change, and we are asking for three things that will make a difference. I commend the motion to the House.

1.17 pm

The Secretary of State for Health (Mr Jeremy Hunt): I congratulate the shadow Minister on securing this debate. She spoke powerfully about the shortcomings in mental health provision, and although she was reluctant to recognise the progress being made, she deserves credit for having secured her first debate on her new portfolio.

President Obama recently talked of the need to bring mental health out of the shadows, and I would like to start by saying how important hon. Members on both sides of the Chamber on their bravery in doing exactly that. I recognise the bravery of my hon. Friend the Member for Sutton Coldfield (Mr Mitchell), who is part of the new cross-party campaign, and who opened up about his mental health challenges during a difficult period in his life.

I also thank my hon. Friend the Member for Croydon Central (Gavin Barwell) for his private Member’s Bill, supported by the Government, that repealed the laws preventing people with mental health conditions from being Members of Parliament, jurors or company directors. I also thank my hon. Friends the Members for Vale of Clwyd (Dr Davies) and for Eastleigh (Mims Davies). I thank the hon. Member for Ashfield (Gloria De Piero) for her leadership of the all-party group, and I thank the right hon. Member for North Norfolk (Norman Lamb)—no one has done more in the House to campaign for mental health. In particular, I would like to recognise the bravery of his son, Archie, who spoke about his mental health challenges. Anyone who saw the joint interview on ITV News will have been extremely moved. I would also like to recognise someone who is not a Member and is not usually praised by Conservative Members: Alastair Campbell is a very powerful advocate for mental health; his bravery and openness is a reminder to us all that depression affects people in all walks of life.

Hon. Members have sent a strong message to the public: when it comes to mental health conditions, you are not alone. One in four adults experiences mental health problems every year. They affect everyone, including our elected representatives. By speaking out, hon. Members send a message to other parliamentarians who may be suffering in silence. Despite the incredible privilege of working in this place, public life can be incredibly stressful. It can destroy not just people’s hopes but their marriages, relationships and families. Being an MP does not make us immune to the pressures that affect everyone. With the support of wonderful campaigning organisations such as Mind, Rethink, the Samaritans and Young Minds, this kind of courage has made a real difference.

In the past couple of years, we have seen huge determination from those on both sides of the House to improve mental health provision. One reason for that is that society’s understanding has improved a huge amount in the past decade. We should celebrate the fact that we know much more than we ever did before about the workings of the brain, the causes, treatment and prevention of mental ill health, and links to other societal issues, such as debt, unemployment and family breakdown. As a result, between 70% and 90% of those treated for serious mental illness see a reduction in their symptoms and an improved quality of life. That percentage is even higher if the illness is caught earlier. The best example is early intervention for psychosis, which can reduce suicide risk from 15% to just 1%.

We should also recognise the progress made on depression. The World Health Organisation describes depression as more disabling than angina, arthritis, asthma or diabetes, but we know it can be treated as successfully as any of them. The BMJ’s research, published today, mentions that talking therapies for moderate and
severe depression can be as effective as drugs. Our own programmes of talking therapies have a 50% recovery rate, post-treatment.

Norman Lamb: I appreciate the way the Secretary of State is addressing this subject. We are all on a journey on this. He will remember that last October we published a document that painted a vision of achieving genuine equality by 2020; that was not rhetoric. Central to that was introducing comprehensive waiting times standards, so that there was a complete equilibrium of rights: the same right to access timely treatment for both physical and mental health problems. Does he remain committed to that absolutely critical principle?

Mr Hunt: I am committed to that principle. As the right hon. Gentleman knows—we have discussed this many times—access to treatment is vital, but so, too, is the quality of treatment at the start of the process. We need to make sure that we keep a close eye on both. I think it was right to ask Paul Farmer of Mind to lead an independent review of the best way to make progress towards parity of esteem during this new Parliament. I want to wait and see Paul Farmer’s recommendations before we decide how to implement the vision that the right hon. Gentleman played such an important part in developing.

Caroline Flint (Don Valley) (Lab): We all know that one Department’s policy can cause pressures on another area. I read today that the Secretary of State for Justice is announcing a reduction in prison sentences, with more people perhaps serving their sentences in the community. I would not necessarily disagree with that, but will there be discussions with the Department of Health about what pressure that would put on community mental health services? Mental health issues, as well as addiction issues, are often behind offenders’ criminal behaviour. I implore him to look at how one Department’s policy will have a knock-on effect on an already pressurised mental health service.

Mr Hunt: The right hon. Lady makes a very important point. I reassure her that there are very good and close ongoing discussions with the Ministry of Justice. The mental health of the prison population is another area in which we have failed to do as much as we need to. There are so many obvious things that we could do that would be of huge benefit, not just to the individuals concerned, but to the rest of society through reducing reoffending rates. We are absolutely committed to making real, tangible progress on that.

Set against improvements in the potential of mental health treatment are troubling societal changes that increase the demand and need for mental health support. Globally, there has been an 80% increase in those living alone since the turn of the century. In the UK, the percentage of households in which people live alone has risen to nearly a third. For children and young people, there is not just exam pressure and insecurities around body image, but the risks of social media. The Office for National Statistics found a clear association between more time spent on social networking sites and child mental health problems. Children who spend more than three hours a day on social media are twice as likely to suffer poor mental health.

Rushanara Ali (Bethnal Green and Bow) (Lab): The Secretary of State talks about the pressures on children. One in five children is in need of treatment and is being turned away, including from A&E. There is a real crisis in service provision, with £200 million reduced from the mental health budget. As he reflects on how big a challenge this is, does he not think his Government’s response is completely inadequate? That is not good enough, despite the good efforts being made. He needs to step up and improve the situation, particularly for young people.

Mr Hunt: I accept that we need to improve the provision of mental health services for children, but I do not accept the hon. Lady’s characterisation. She will know that in the final Budget before the general election, the previous coalition Government committed £1.25 billion over this Parliament to improving child mental health provision and perinatal mental health support. That has been honoured by this Government, and we are in the process of working out how to roll that out. It is something that the Minister for Community and Social Care, my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), spends a lot of time thinking about.

Before we discuss precisely what things need to happen—I think they should be done in a bipartisan spirit—we should recognise that really important progress has been made in recent years. I want to start with some of the achievements made by the previous Labour Government, who increased funding for the NHS and, within that, for mental health services. They oversaw a significant expansion of the mental health workforce and big improvements in in-patient care, with 70% of mental health patients being seen in private rooms. They increased the use of new drugs and therapies, including psychotherapy. Those were important steps forward.

Under the coalition Government in the previous Parliament, we saw a record investment of £11.7 billion in mental health services at a time of huge pressure on public finances. We passed the parity of esteem clause in the Health and Social Care Act 2012, something we Conservative Members are incredibly proud of. The first access targets were set for talking therapies for psychosis. We are starting to end the distortion that the right hon. Member for North Norfolk talked about, which saw targets for physical health access sucking resources away from local mental health provision over a sustained period.

We have seen particular progress in two areas. It is important to mention them; it provides encouragement that when we decide to focus on improving specific areas of mental health provision, we can make real progress. First, on talking therapies, the NHS is now recognised as a world leader. The number of people getting help from talking therapies quadrupled from 182,000 people starting treatment in 2009-10, to 800,000 starting treatment last year. The total number of people helped in the previous Parliament was 3 million, compared with just 226,000 people helped in the Parliament before that—a thirteenfold increase.

We are hitting the new access target to reach 15% of those needing it, although we are not quite hitting the recovery target; I hope we can put that right soon. That model is being looked at very closely by Scandinavian
countries, and a pilot, based on what we have done here, is starting in Stockholm. We can be very proud of that important progress.

The last Parliament saw a 50% increase in dementia diagnosis rates, up from 41% at the start of the Parliament to 67% at the end of the Parliament—the highest dementia diagnosis rate in the world. We have 1.3 million dementia friends and 120 dementia-friendly communities. We have seen a doubling in funding for dementia research, with a new ambition to find a cure or disease-modifying therapy by 2025. In the spending round, the Prime Minister announced funding for a new dementia research institute; that will be another important step forward.

James Morris: The Secretary of State talks about the amount of money put into dementia research for very good reasons, but is there not a strong argument for building a research and evidence base around mental health? We need a commensurate investment in research on mental health, so that we can understand more about prevalence.

Mr Hunt: My hon. Friend is absolutely right, and I commend him for the work he does on the all-party group. The truth is that it is still early days when it comes to a proper understanding of mental illness. According to the latest Times Higher Education league table, this country has five of the top 10 health research universities worldwide, so we have a huge contribution to make to that research; he is absolutely right to make that point.

Debbie Abrahams: I have already mentioned the 590 suicides associated with the work capability assessment. In addition, the Royal College of Psychiatrists has raised concerns about the cut to the employment and support allowance work-related activity group, given that many of those affected have mental health or behavioural disorders. According to the RCP, there is potential for exacerbating mental health issues and self-harming, and even for people to take their own lives. Will the right hon. Gentleman meet the Secretary of State for Work and Pensions to deal with this matter?

Mr Hunt: We have close working relations with the Department for Work and Pensions, which I shall come to explain. I would urge caution, however, on the issue of suicide rates. The BMJ study said that no conclusions could be drawn about cause and effect from it. When it comes to work, we need to remember the many studies that talk about the improved health and wellbeing that comes from being in work, and the tremendous progress made, with 2 million additional jobs created over the last Parliament.

Mr Ivan Lewis: I acknowledge the progress made, but let me tell the Secretary of State that what really winds up people outside this place is the rhetoric-reality gap. When they hear politicians on all sides making grand statements about access to treatment, but the reality is different, it damages the integrity of politics. There are two options for the Secretary of State. The first is using political will at a national level to say to local commissioners that they have to prioritise mental health and close the gap in terms of parity of esteem. The second is to address the fact that commissioners on the ground do not have adequate resources; they have to make impossible choices because sufficient resources are not being made available.

Mr Hunt rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before the Secretary of State answers the intervention, let me say that long interventions are not appropriate on a day when so many Members wish to speak. If Members wish to make a speech, they may do so, but an intervention has to be short.

Mr Hunt: If the hon. Gentleman has listened to what I have been saying, he will know that I have been very honest about the problems and about the gap between what we want to deliver and what we are delivering. I shall come on to talk about some solutions, but it is important that Opposition Members recognise that we have had a real and specific focus on mental health over the last five years, during which very important progress has been made. If we continue to broaden out our focus, we hope we can make progress in other areas as well.

Let me talk openly about where more progress needs to be made. First, we have far too much variation in the quality of services across the country, and opacity about where services are good and where they are unsatisfactory. It is wrong that I, as the person responsible for the health service, cannot tell people in simple terms the relative quality of mental health provision in North Shropshire versus South Shropshire or in Cirencester versus Sheffield. We need to know that. We know from other areas of the health service that once we can be transparent about the variations in care, people will measure themselves against their peers and huge improvement can be made.

Mr Mitchell: My right hon. Friend deserves great praise for not only the content but the tone of his speech. Further to the point made by the hon. Member for Bury South (Mr Lewis), does my right hon. Friend agree that while any gap between reality and rhetoric is to be regretted, what really irritates our constituents is the making of bogus party political points on the subject? I hope that he will ensure that his tone and his content are reflected by his Department. I wish him every success in working with the hon. Member for Liverpool, Wavertree (Luciana Berger), who clearly cares deeply about this matter, to ensure that we have an all-party approach to it.

Mr Hunt: My right hon. Friend is, of course, absolutely right, and I think we do a great disservice to the many people suffering from mental health conditions if we allow this to become a partisan issue. Of course Oppositions must hold Governments to account for their promises, but we should never try to suggest that one side of the House cares more about this issue than the other or that the efforts on one side have somehow been compromised by a lack of interest in or commitment to the issue. It is clear from the number of Members of all parties speaking in today’s debate that the determination to improve mental health provision is shared right across the House.

We urgently need to address other issues, including the increase in eating disorders such as anorexia, which can be a killer. Between 5% and 20% of anorexia sufferers tragically die, and we have to do something
urgently about that. We need to deal, too, with the pressures on child and adolescent mental health services, with which all Members will be familiar through their constituency surgeries. Referrals were up 11% last year, and we need to make sure that CAMHS is able to deal with that extra demand, as well as looking at what can be done to improve early intervention so that we reduce the increase in those referrals.

Marie Rimmer (St Helens South and Whiston) (Lab) rose—

Mr Hunt: Let me make some progress, and I shall give way later.

We need to look at the use of police cells, which has often been spoken of here. We have seen a 55% reduction in the use of police cells over the last three years, but they were still used 4,000 times last year. Particularly for children, that is totally inappropriate, and it is often inappropriate for adults, too. Out-of-area placements for non-specialist care are another issue, and the Minister for Community and Social Care is working extremely hard and is committed to implementing a plan to turn this around by March next year.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Secretary of State talked about cross-party support for action to tackle suicide and related issues. In our debate on assisted dying, there was a lot of support for doing more to tackle the problems of anyone who suggested that they wished to commit suicide. Why, then, does the right hon. Gentleman refuse to acknowledge the impact of benefit cuts and changes in assessment processes, as mentioned by my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams)?

Mr Hunt: The BMJ was very clear in saying that conclusions about cause and effect should not be drawn, but let me make a broader point about suicide. Suicide rates—under the last coalition Government and the previous Labour Government—have been above and below the 20-year long-term average, but I think they are an important bellwether of the effectiveness of mental health services. I think we should be bold and ask whether we could have a zero-suicide ambition. No country in the world has delivered that, and it would require a big rethink of the way we approach mental health services. Nevertheless, I think that we should be bold and ambitious and think in terms of that objective, and then think about all the factors that may contribute to people being in a highly distressed state and unable to get the support that they want.

Neil Gray (Airdrie and Shotts) (SNP) rose—

Mr Hunt: I want to make some progress, but I have not yet taken any interventions from the Scottish National party, so I will give way to the hon. Gentleman before I move on.

Neil Gray: I thank the Secretary of State. What assessment has he made of the effect of the changes in employment and support allowance, particularly those relating to the work-related activity group, on those who suffer from mental ill health?

Mr Hunt: We are working very closely with the Department for Work and Pensions to improve mental health provision for people who are looking for work—not just those who are experiencing difficulties in finding work because of stigma and bias among employers, but those who are in work but may fall out of the workforce because of a mental health condition.

We cannot do everything, in this area of health provision as in others, but that does not mean that we should not make tangible and measurable progress towards the ambitions that are shared by Members in all parts of the House. The first important step involves funding. The Chancellor delivered a record settlement for the NHS in the recent spending review, confirming a £10 billion real-terms increase in its funding over the course of this Parliament. That is very significant for mental health, because not only will there be a rise in the baseline funding of the clinical commissioning groups that hold local health budgets, but those CCGs are committed to increasing the proportion of their funding that goes into mental health.

Marie Rimmer rose—

Mr Hunt: I will proceed with my speech for a little longer, if I may.

We are seeing the prospect of very real progress, and we as a Government need to give careful thought to which areas to prioritise. We do not have a monopoly of wisdom in this area, which is why we set up the independent mental health taskforce that is led by Paul Farmer, the chief executive of Mind. We will receive its report early in the new year. It will follow a successful independent report produced by the cancer taskforce, chaired by Harpal Kumar. I think that it is a good way of uniting the Government, Members in all parts of the House, and the mental health campaigning charities, so that we can decide together on the key areas that we want to transform in the coming years.

We are still working on the detailed planning, but we have already announced the provision of £2 billion of additional mental health funding over the course of this Parliament, which will benefit CAMHS, perinatal mental health treatment, the treatment of eating disorders, and talking therapy. Some of that funding is a result of promises made by the coalition Government which we have said we will honour, and some is a result of promises that we ourselves have made.

I agree with the hon. Member for Liverpool, Wavertree that as we increase investment in mental health, we need greater transparency in respect of the way in which that money is spent. I am pleased to say that next June, following consultation with the King’s Fund, there will for the first time be independently assured Ofsted-style ratings that will tell us very simply, CCG area by CCG area, whether mental health provision in the health economy as a whole is outstanding, is good, requires improvement, or is inadequate. As far as I know, ours is the first country in the world to do that. The hospital sector underwent the same process in the wake of Mid Staffs, and, on the basis of that experience, I believe that it will lead to a dramatic reduction in variation and an improvement in care as people are given independent information about how their services compare with those of their peers. That increased transparency will also mean the development of a new mental health data
set, which will enable us to collect more and better data and then share them with the House, debate them, and learn what needs to be learnt.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op) rose—

Mr Hunt: I will give way once more.

Jonathan Reynolds: I recognise the thoughtful case that the Secretary of State is making in saying that things are not good enough but they are getting better, but I must say to him—in a non-partisan way—that when it comes to funding, the stories about funding in my area do not match what we are hearing from him today. There is a story on the Manchester Evening News website about a £1.5 million cut in Greater Manchester.

Mr Hunt: We, as a Government, make commitments and choices in terms of where we want resources to go, and we then have a duty to ensure that they are followed up locally. As we know from our experience of the health service, sometimes—under all Governments—that advice is followed, and sometimes it is not. The introduction of proper independent ratings, area by area, will enable us to expose the areas that are not making the commitment to mental health that they should be making. As has been pointed out many times by Members in all parts of the House, failing to invest what is needed in mental health is a false economy. It stores up problems for accident and emergency departments and for the providers of mental health services, because late intervention means more expensive intervention, and it is of course a very real human tragedy for the individuals concerned.

Luciana Berger rose—

Mr Hunt: As the hon. Lady is the shadow Minister, I will give way, but for the last time.

Luciana Berger: I thank the Secretary of State. Will he clarify the commitment that he has just made? Does it extend to ensuring that we will be shown a clear picture of mental health spending in every area?

Mr Hunt: I believe that we will be able to do that, but I will write to the hon. Lady to clarify exactly what we think we are able to do. I am certainly committed to ensuring that the House is given information about the quality of provision throughout the service, and investment is a factor in determining whether the standard of that provision can be as high as we want it to be.

The hon. Lady rightly spoke of the importance of cross-Government work. We have established an innovative unit with the Department for Work and Pensions, and have set up a series of pilots to help people with mental health conditions to get back to work. We urgently need to do more to reduce the stigma perceived by employers. According to the findings of one survey, up to 40% of employers would avoid hiring someone with a mental health problem. We also want to help those who are at risk of leaving work because of mental health problems. We are working closely with the Department for Education as well. We have launched a pilot programme to create a single point of contact for schools that are concerned about pupils with mental health challenges. It now covers 22 areas and 27 CCGs.

If we are to tackle this issue, however, we need to achieve something that the Government alone—indeed, the House alone—cannot deliver. We need further progress throughout society in reducing that stigma. Bill Clinton once said:

“Mental illness is nothing to be ashamed of, but stigma and bias shame us all.”

Let me end by paying tribute to the Time to Change movement, founded by Mind and Rethink, and the Dementia Friends movement, led by the Alzheimer’s Society. I also pay tribute to Members in all parts of the House who have participated in mental health campaigns, and reassure them that they have the Government’s full support as we try to change attitudes on this vital mission. Someone once said that the greatest cruelty was our casual blindness to the despair of others. Let us resolve today that when it comes to mental health, no one can ever say that about the House of Commons.

1.48 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I congratulate the hon. Member for Liverpool, Wavertree (Luciana Berger) on initiating such an important debate. It is a privilege to contribute to it.

I must begin by declaring a professional interest, having worked as a forensic and clinical psychologist for 20 years in the NHS and beyond, specialising in mental health, at consultant level for 10 of those years. I continue to maintain my skills and engagement in line with the professional requirements of my registration with the British Psychological Society and the Health Care Professions Council. Earlier in the year, I had the privilege of contributing to the evidence taken by the Youth Select Committee during its inquiry into child and adolescent mental health services.

I want to say a little about three topics: the adult mental health service and strategy, child and adolescent mental health services, and mental health services for veterans. Mental health is an extremely wide field, ranging from major mental illnesses such as psychosis and depression and anxiety disorders to trauma and eating and adjustment disorders. Developmental disorders such as attention deficit hyperactivity disorder and autistic spectrum disorder are also sometimes included in the sphere of mental health, and I would welcome future debates about those important conditions, because I fear that we shall not have time to do them justice today.

The British Psychological Society has reported that one in four people in the UK will experience a diagnosable mental health problem, with mental health problems accounting for up to 23% of all ill health in the UK and being the largest single cause of disability. In Scotland the figures are currently one in three. Mental disorders are strongly related to risk of suicide, and it should be known that high levels of comorbidity with substance disorder and physical ill health are prevalent.

Mental health services across the UK are not the finished article wherever you go. We are continually striving towards improvement, and that should always be guided by patient need and by research underpinning most effective clinical practice.

When I started practising in the 1990s in Scotland, the funding of mental health services severely lagged behind other areas of NHS funding. That resulted in
far too few practitioners and what seemed to be never-ending waiting lists for both patients and clinicians. At the start of my career, patients routinely waited to see psychologists in mental health specialties for six to 12 months, and in some areas for over a year. That was clearly ineffectual, often meaning that problems were exacerbated over time and that a mainly medical model persisted. That is not what patients wanted, nor did it fit with best practice; evidence indicates that patient recovery is improved with access to talking therapies alongside medical management. That is evidenced clearly in National Institute for Health and Care Excellence guidelines.

In 2014, the HEATs—health improvement, efficiency, access targets—were adopted in Scotland and across the UK, meaning that patients should be seen from referral to assessment in 18 weeks. In Scotland in 2014, 81.6% of patients were seen in 18 weeks and the number of people seen was 27% higher than in the same quarter the previous year. Demand is increasing, which is a good thing: it means that we are starting to tackle stigma and that access is improving.

Matched stepped care involving psychological therapies and practitioners at differing levels, depending upon clinical effectiveness of therapy type for different disorders, was rolled out in all boards within NHS Scotland, and NHS Education for Scotland took a primary role in workforce capacity modelling and training. Use of self-guided help has also been developed. Technological advances are important in terms of access for patients in this modern world and in relation to early prevention. Suicide rates have been brought down and the target met of training high levels of front-line staff in suicide prevention and risk identification. Quality ambitions have also been developed as benchmarks in relation to person-centred, safe and effective care.

I fear, however, that demand on mental health services will continue to increase dramatically. Evidence suggests that recession increases mental health problems, including depression, suicidal behaviours and substance abuse. Unemployed individuals, particularly the long-term unemployed, have a higher risk of poor mental health compared with those in employment. Stress is now the most common cause of long-term sick leave in the UK and the more debt an individual has the more likely they are to suffer a mental health problem. A social and policy climate of austerity, affecting the most vulnerable to a greater degree, is a likely aggravator of mental ill health.

I welcome pledges from both the Westminster and Scottish Governments to increase spending on mental health significantly: the figure is £100 million in Scotland. Mental health services, however, have not achieved parity with physical health services over the decades since I started in the field and we need to be clear that much more is needed to fill the gap. I commend Ministers and MPs to visit mental health services and spend quality time with clinicians on the front line. Managerial statistics often occlude a multitude of issues and it is only with that front-line insight that the true patient journey and daily clinical barriers can be identified. Those often include excessive paperwork, repeated reviews and service changes that diminish morale.

Mental health problems in childhood are extremely serious. They can destroy educational potential at worst and impede it when problems are less severe. Difficulties must be assessed and recognised at an early stage. HEATs for child and adolescent mental health services were set at 18 weeks as of December 2014. NHS Scotland data suggested a significant reduction from 1,200 waits of over 26 weeks in 2008. In the quarter ending June 2015, 76.6% of CAMHS patients were seen in 18 weeks and the average wait was nine weeks. In the past two years, there has been a 35% increase in demand due to productive work completed on stigma and in improving access, and since 2009 £16 million has been invested in the CAMHS workforce; it is at its highest ever level. To improve waiting times further, £15 million more has been pledged to CAMHS in Scotland. Widespread staff training has been undertaken in modalities such as cognitive behaviour therapy, family therapy, interpersonal therapy and specialist interventions such as for eating disorders, with a focus on seeing patients as close to home as possible. More progress is required across the UK and in Scotland to meet the 90% target.

I must say that in-patient treatment for children and adolescents should be a last resort. It takes children away from family and pathologises their difficulties. Best practice highlights intensive outreach approaches enabling children to be seen at home and treated in their natural environment, so maximising key family and peer supports. Children who need in-patient services suffer psychosis, intractable eating disorders, severe obsessive compulsive disorder and a variety of neurological conditions and neuro-developmental disorders. Currently there are 48 beds available in Scotland and this year £8 million was pledged to build a unit for children and adolescents with mental health problems in Dundee. My clinical experience suggests a lack of available beds in forensic and in learning disability child and adolescent mental health services. Constituents who have contacted me have also suggested that further work needs to be done to improve access to specialist eating disorder in-patient care outwith the private sector.

Increases in the number of children presenting with self-harm and receiving brief overnight admission have been high. Clinically, this is quite a difficult decision. Often, clinicians are faced with the issue of sending adolescents for a brief stay miles and miles from their home—which makes it difficult for carers and parents to visit them—or admitting them briefly overnight. Surely the optimum treatment would be to see and assess them and to ensure that children are safe and able to go home with the strongest possible package of care as quickly as possible.

Chloe Smith (Norwich North) (Con): I value greatly the contribution from the hon. Lady, who has huge expertise. I get the feeling that there is much medical expertise to come from the paper she may have been citing a lot in her speech. As the Front-Bench spokesman for her party, could she explain whether she thinks the points made in amendment (a) were valuable? In the absence of that, does she support the motion as it stands? How does she urge Members to vote today?

Dr Cameron: I do not support the motion and how it reflects Scottish Government care. As I have said, for children who have mental health difficulties, clinicians have to make a sensitive judgment regarding the length of potential stay, and whether the problems are intractable and the children should be admitted to a specialist unit,
which can often be some miles from their home. Many of cases of self-harm attempts require psychiatric assessment and monitoring, overnight care and monitoring, and then a package of intensive home care to try to reduce the chance of another such incident. I hope that answers the hon. Lady’s question.

Recommendations, however, do have to be made in relation to CAMHS. They include having a wider appreciation of children’s mental health beyond any problems, providing education and awareness in schools, and having access potentially to mental health clinicians in school settings and not just clinics. As with diet and exercise, good mental health should be normalised. Those are all fundamental living skills that impact on all aspects of functioning and deserve more of a health and well-being slant, rather than a pathologising label.

Carol Monaghan (Glasgow North West) (SNP): Does my hon. Friend agree that it is invaluable to have these services in schools as that normalises the feelings of low self-esteem that many of these young people are experiencing, and does she also agree that to have counsellors based in the school is very important for young people’s mental health?

Dr Cameron: Yes, access to such mental health services in schools is certainly merited, as well as mental health awareness and training, and particularly training for staff in schools so that they can pick up at a very early stage if someone is experiencing a mental health problem and then try to access services at that very early stage. Specialist training for teachers would be a positive step forward so that they recognise the signs of mental distress in children. We also need to modernise our approaches to mental health for children and adolescents and embrace the IT and social media method of communicating with young people, because that is the modern world and that is often where they communicate from.

There is a project in Scotland called SafeSpot, an application, website and school intervention to promote positive coping skills, safety planning and access to information about mental health services for young people. The project is going very well and the app is freely available on iTunes and in Android stores. The SafeSpot app and website will be used within Greater Glasgow and Clyde health board, and Dundee health board is also looking at access to it. It was designed by a clinician, Dr Fiona Mitchell, specialist registrar in child and adolescent psychiatry, and I commend her on her innovative work in that regard.

There remains a lack of empirical data regarding effective interventions for young people with comorbidity issues, by which I mean mental health coupled with learning difficulties or substance use, and that requires to be built upon. Looked-after and accommodated children are some of the most severely disadvantaged in terms of services and magnitude of difficulties, particularly those who also may have violence-risk needs or self-harm needs. Further service provision for specialist groups and underpinning research will be crucial.

Given that the weight of evidence for child and adolescent mental health services is in favour of psychological, rather than pharmacological, interventions for the majority of child mental health presentations, clear structures should be in place to support the delivery of effective, evidence-based psychological therapies for children and adolescents. Those from socially disadvantaged backgrounds have always tended to have a poorer uptake of CAMHS. An assertive outreach may be required so that some of the most vulnerable and disadvantaged children and families do not slip through the net.

Specialist service delivery in areas of developmental disorder such as autism, children in the criminal justice system, and children with comorbidity requires to be thought through and planned, so that those children and their families are able to access facilities without feeling they are being passed from pillar to post. It is extremely difficult for families in particular to access early diagnosis of developmental disorders such as for those with autistic spectrum disorder, which means that their needs can go unmet for years and their attainment may diminish.

I continue to believe that the mental health of veterans is an area that is underfunded across the UK and that those who have been willing to lay down their lives for their country should have consequent health, including mental health, needs prioritised. The Minister agreed a few months ago during my Adjournment debate that much more would be done. I would like to have a statement on what more is being, and will be, done, particularly as we are now in a new conflict and the numbers of those in our armed services who witness or experience trauma will increase.

As a clinician in mental health, I make the following plea to the House. To me, mental health services are beyond party politics and it is crucial we tackle this meaningfully in a cross-party manner that brings about real continued progress on the ground for service users and staff, and that we share best practice across the UK and a “what works” philosophy.

I welcome the announcement of improved access to data, which is also crucial in terms of taking forward and ensuring best practice. I say in conclusion that I sense a real note of collegiality across the House and a will to take this important issue forward. I look forward to fully partaking in that, and my party wishes to see mental health services continue to improve in Scotland, the UK and beyond.

2.6 pm

Dr Liam Fox (North Somerset) (Con): One of the ways in which we can measure how civilised a society we are is how well we deal with our most vulnerable citizens, and there are few groups more vulnerable in our society than those who suffer from mental illness, yet from when I began working in the health service as a doctor back in the early 1980s to right through my time as a Member of Parliament, mental health services have been the Cinderella subject in the national health service. Let us be very frank: we would never accept the level of care in cardiac disease, orthopaedic disease or cancer for our constituents that we are forced to accept in the treatment for mental illness.

There can be few areas where our advocacy role as Members of Parliament is more important than mental health, because the people involved are very often among the least able and least willing to stand up for themselves in the debate about how the NHS cake is going to be divided.
[Dr Liam Fox]

We have a role, also, in dealing with what the Secretary of State and the Opposition Front Bench, the hon. Member for Liverpool, Wavertree (Luciana Berger), talked about as the last taboo. We do have to make societal changes and we can be instrumental in that, and I pay tribute, as the Secretary of State did, to our colleagues in this House who have used their often painful personal experiences to give colour to our debate and to take this issue forward. In all 23 years that I have been in the House of Commons, I cannot remember an attendance as high as that today for a mental health debate. That is indicative of how far we have come.

I very much welcome the Government changes both in terms of the funding they are proposing and the attitudes that have been fostered in recent years, not least, I have to say, during the coalition Government—it was one of the great achievements of that coalition Government that they put mental health much further up the agenda. I am particularly pleased at the announcement the Secretary of State has made about transparency on clinical commissioning group outcomes, because it is not the spending that we need to see, it is the outcomes. That is the crucial element, and I look forward to the details he will be bringing forward on that.

However many rights we give patients, it is the capacity—constraints that will ultimately determine what those outcomes are, and I want to deal with just two or three of them. The Government’s IAPT—improving access to psychological therapies—programme is a great programme. Getting access to talking therapies is, as the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) said, extremely important, and I was asked to do a short piece for the “Victoria Derbyshire” programme on the BBC in which we looked at the difference between the best and the worst in the provision of talking therapies.

It is unacceptable, in a national health service that is funded from the single basis of taxation, that in some parts of the country 100% of patients are seen within the Government’s target time, whereas at the other end of the scale, in East Cheshire, which is the worst area, only 4.6% of patients are seen within that time. We can accept something of a discrepancy between the best and the worst, but we cannot accept that level of discrepancy in a health service that is supposedly funded on an equal basis across the whole country.

As the hon. Member for Liverpool, Wavertree and others have said, experience suggests that when there is better access to talking therapies, doctors are less likely to prescribe medication, including antidepressants. That is an extremely positive development, because one thing that has worried me about the lack of capacity in mental health services is what I would describe as the medicalisation of unhappiness. Because medical professionals simply do not have the time to talk to patients about the causes of their symptoms, they deal with the symptoms themselves. That is not good medical practice.

The second area that I am concerned about is child and adolescent mental health services. In the 23 years that I have been in the House of Commons, Government after Government of both political persuasions have told us that those services will improve, but I have seen very little sign of it. That matters because about 70% of adult mental health problems will have presented by the age of 17. One would have thought that, knowing that, we would prioritise healthcare early on to minimise the damage that is caused by untreated illness, yet we are still not fulfilling our duty on that front.

The biggest problem we face is that of in-patient capacity. When we debated the closure of the old Victorian asylums, it was very personal for me because I worked in one of those old hospitals. It was genuinely a Dickensian nightmare. There was a great fashion, which was supported right across the House, to move towards care in the community. However, the consequence of not having adequate capacity in the community was that a lot of patients fell through the net. The point has already been made about the large population of those with mental illnesses in our criminal justice system. In effect, we closed one type of inappropriate institution and ended up with patients in a different type of inappropriate institution, and called it progress. That is simply not good enough and we need to do much more to prevent patients who are mentally ill from being incarcerated in our criminal justice system, when they should be treated appropriately for their illness.

We also see patients being put in police cells because there is inadequate capacity in in-patient care. How would we feel if women with breast cancer or diabetic patients were put in police cells because we could not find beds for them? It would be on the front page of every newspaper and lead every news bulletin in our country.

Paula Sherriff (Dewsbury) (Lab): Will the right hon. Gentleman give way?

Dr Fox: No, I will not.

I would love the money that is being made available for mental health by the Treasury to be ring-fenced in CCGs. If that money is not ring-fenced, it will go elsewhere, for the very reasons I have set out. We need to ensure that the money that is rightly being made available for mental health treatment ends up there and is not siphoned off into areas where the voice for spending is stronger. I would love us to give more support to the wonderful mental health charities out there, such as Marjorie Wallace’s SANE and Mind. All those charities are hugely important.

In closing, I ask the Secretary of State to look at one thing: the incipient crisis of suicide among men in the United Kingdom—a subject that is not hugely talked about. The culture of our society often makes it difficult for men to admit that they are unable to deal with the stresses of life, anxiety and depression. The statistics relating to the worst manifestation of that—suicide—are deeply worrying. British men are three times as likely to die by suicide as British women. Suicide remains the most common cause of death in men under the age of 35. More than a quarter of the 24 to 34-year-old males who die take their own lives, compared with 13% among women. That is a huge national scandal and we need to give priority to it.

Success or failure in dealing with mental illness in the 21st century in the world’s fifth richest country is not just a judgment on the Government or the NHS, but on our society as a whole and on our basic humanity.
2.14 pm

Mr Ben Bradshaw (Exeter) (Lab): I am sorry to have to say, not for the first time in this House over the last few years, that in spite of all the warm reassurances from the Government that our mental health services are getting better, the experience of my constituents as users of the service, people who work in the service and those who manage the service is completely different.

It is extremely welcome that mental health has risen up the political agenda in recent years. I pay tribute to the many people outside and inside this House who, by speaking of their own experiences, have helped to achieve that. However, the higher public profile has not yet translated into delivery on the ground. In my area, the public are still experiencing services being cut and are still having to wait an unacceptably long time for talking therapies and other treatments.

In spite of the repeated warnings about the scandal of people being sent out of area in recent years and the assurances we have received, there was a 23% increase in the number of patients sent out of area last year, taking it up to more than 500. In Devon, which is one of the worst performing parts of the country, 45 patients were forced miles away from their friends and families.

I recently experienced that problem for myself, when the bright and previously happy teenage daughter of a close friend of the family had a crisis. While on the waiting list to receive treatment, her crisis escalated rapidly and she had to be admitted. There were no suitable beds at all in London, where she and her family live. She was first sent to Southampton, only for the unit there to be deemed unsuitable. She was then sent to Manchester.

Paula Sherriff: In my area of Kirklees, some children and adolescents wait up to two years for out-patient talking therapies. Does my right hon. Friend agree that that is appalling and completely unacceptable? Does he also agree that early intervention is very important to ensure that people do not suffer too much in later life?

Mr Bradshaw: My hon. Friend is absolutely right. As she clearly articulates, the picture on the ground is very different from the one that is so often painted by the Government.

The House may remember a case that caused headlines a couple of years ago when I raised it in another debate. A 16-year-old girl in Devon was kept in a police cell for two nights because no bed could be found for her anywhere in the country. Her case is not unusual. As we have heard in this debate, more than 6,000 people with mental illnesses were held in police cells last year. A 16-year-old girl in Devon was kept in a police cell for two nights because no bed could be found for her anywhere in the country. Her case is not unusual. As we have heard in this debate, more than 6,000 people with mental illnesses were held in police cells last year.

Mrs Madeleine Moon (Bridgend) (Lab): Would my right hon. Friend like to attend a meeting held by the all-party parliamentary group on suicide and self-harm prevention and the all-party mental health group, at which Dr Robert Colgate will address us on the subject of triaging? By that process, mental health nurses, social workers and GPs can triage a patient for whom they cannot get an immediate appointment and enable appropriate care plans to be put in place while they wait for the next-stage appointment. The meeting is on 29 January, and I hope that my right hon. Friend will join us.

Mr Bradshaw: I am sure that hon. Members will be grateful for that public invitation in spite of the pressure on their diaries from numerous all-party parliamentary groups.

Yesterday, the Health Select Committee was told that, whereas the vast majority of acute hospital trusts were expecting to run deficits this year—a big increase—the figure for mental health trusts was much lower. We might think that that is a good thing, but the reason that acute trusts are running such big deficits is that they are giving priority to ensuring safe care. So, if far fewer mental health trusts are running deficits, is it that they are simply cutting services? I should be grateful to hear the Minister’s view on the difference between the deficits being run by mental health trusts and those run by general acute hospital trusts.

I shall close now, because many people want to speak in the debate. There is probably no one here or outside the House who has not been affected, or whose family has not been affected, by mental illness. We have been hearing warm words from the Government for several years about how things will improve. Indeed, we have heard today that they are improving, but that is not the experience of people on the ground. So I hope that, when the Minister responds, he will focus on action and delivery and not just on words.

Several hon. Members rose—
Madam Deputy Speaker (Mrs Eleanor Laing): Order. The House will be aware that a great many Members wish to speak, so I will now have to impose a five-minute time limit on Back-Bench speeches.

2.21 pm

Mr Robin Walker (Worcester) (Con): It is a pleasure to follow the right hon. Member for Exeter (Mr Bradshaw). Like him, I want to talk about concerns raised by my constituents. However, I also welcome the £2 billion of extra funding that the Government have put into mental health, and the fact that we have put parity of esteem into law. My right hon. Friend the Member for North Somerset (Dr Fox) made a powerful case for the need to invest in in-patient capacity. In Worcestershire, I welcome the improvements made in the Holt ward in Newtown hospital, but there is clearly a need for more investment of that kind. It is also essential that we take on the remaining stigma around mental health, and I echo the words of support for brave colleagues who have spoken out on this issue.

Members of the Worcestershire Youth Cabinet have, over the last year, set themselves the challenge of raising awareness of mental health issues, combating stigma and providing better signposting and co-ordination for young people with mental health problems, and I commend their collective effort in this regard. In particular, I commend the passion with which my young constituent, Darian Murray, has spoken out on this issue, and the leadership he has shown in bringing together different groups from around the county.

Maggie Throup (Erewash) (Con): Does my hon. Friend agree that young people are probably more able than older generations to talk about mental health issues?

Mr Walker: I agree with my hon. Friend. The way in which young people have spoken out about these issues is very impressive. As in many other areas, perhaps they are showing us the way in relation to taking on that stigma.

In that vein, I also welcome the excellent work done for people with learning difficulties by members of the Worcestershire People’s Parliament. In the hustings they organised during the general election, and in their subsequent campaigns on mental health, they have attracted cross-party support in Worcestershire. Attitudes towards mental illness have changed for the better in recent years, and I hope we will see further progress in the years to come.

I welcome the fact that the Under-Secretary of State for Disabled People, my hon. Friend the Member for North Swindon (Justin Tomlinson), has held a reverse jobs fair in his constituency to help people with disabilities of all kinds, but particularly with mental health issues, to find work. I am planning to copy his idea in the new year, and to work with local charities and businesses to promote opportunities for people with mental health and learning difficulties.

I have some concerns about a recent consultation carried out by the Worcestershire Health and Care NHS Trust on vocational centres for mental health. In Worcestershire, we have three such centres providing therapeutic support, re-enablement and support to people who might otherwise have difficulty getting back into work. One of the centres is in my constituency at the Shrub Hill workshop. Another is in the constituency of my hon. Friend the Member for West Worcestershire (Harriett Baldwin) at Link Nurseries. The third is in the constituency of my hon. Friend the Member for Redditch (Karen Lumley) at Orchard Place. Earlier this year, the trust launched a consultation on the future of those services, saying that the commissioners were reducing their budget by a third and implying that they were considering moving from three centres to two.

Many of my constituents contacted me to express their strong support for Link Nurseries and the Shrub Hill workshop, and a number of people gave examples of how the services had helped them to turn their life around. I have no doubt that my hon. Friends in neighbouring constituencies will have heard similar stories from their constituents. It became apparent that it was not necessarily the best use of resource for the trust to run the centres itself, and that there were many charities doing excellent work in that space that it could commission to do that. My hon. Friend the Member for West Worcestershire has been working with staff and supporters of the very popular service at Link Nurseries to see whether the service could be taken over as a social enterprise by staff, who could continue to deliver the service that has been offered with such success.

That is an approach I would support, and I have written to the trust and spoken to local commissioners to encourage them to explore it. I was pleased to see in an update from the trust today that the matter is under active consideration. It is, however, a matter of great concern that although the initial consultation suggested a move from three centres to two and a greater focus on outreach, the trust’s latest thinking appears to involve closing all three of the centres and replacing them with a single one as part of a hub-and-spoke model. It is small comfort that the proposed single hub would be in my constituency. We all recognise the benefit of having more outreach, but I have to question the whole approach of a consultation that appears to be cutting back on an important service, valued by service users, at a time when demand is apparent and the overall budgets of health commissioners are being increased. I urge the Minister to look into this matter and see whether he can do anything to encourage the commissioners to have another look.

Another aspect of mental health provision in Worcestershire that causes me concern is support for A&E. We piloted 24-hour mental health liaison for the A&E at the Worcestershire Royal hospital, and the acute trust and the health and care trust found it incredibly helpful. At the end of that pilot, both trusts asked for that support to continue. I note that the crisis care concordat calls for people to be given access to support 24 hours a day before crisis point, and to be given urgent and emergency access to mental health care. As the Secretary of State said, it is welcome that, since the concordat, the number of people going through mental health crises who are held in police cells has halved nationally. However, I am afraid that in south Worcestershire, the commissioners decided early in 2014 that the 24-hour cover was to be withdrawn, and replaced with a specialist nurse during the daytime and access to telephone support overnight. The Minister has given a helpful reply to written question on this matter.
Helen Whately: My hon. Friend mentions psychiatric liaison in A&E. Does he agree that it is incredibly important for hospitals to have a comprehensive psychiatric liaison service, so that when people go to A&E, there is a specialist capable of giving them the right help?

Mr Walker: I wholeheartedly agree with my hon. Friend. The provision of specialist care in those situations is vital.

The Minister replied to my written question in July, saying that the Government’s mandate to NHS England states that access to crisis services for an individual must be “at all times as accessible, responsive and of high quality as other health emergency services.”

Does this mean that he has the power to mandate that mental health support to A&E services be provided by practitioners, rather than merely through phone support? I urge Ministers to consider the case for all emergency departments, especially those as busy as the one at the Worcester Royal hospital, having 24-hour access to mental health experts.

I draw the Minister’s attention to the case of a constituent who, as a result of the absence of this support early in 2014, went through an acute episode, having left A&E without receiving the help she needed. This involved the calling of multiple police cars and ambulances. That use of the emergency services incurred far greater cost than simply having the support in place would have done. Any savings made from the failure to commission overnight cover would, in my view, be a case of being penny wise and pound foolish. As the Secretary of State said, not investing in mental health can sometimes be a false economy.

Overall, however, I welcome the progress made. I welcome the additional investment, including in my constituency. I hope that the Minister can respond to my concerns.

2.28 pm

Simon Danczuk (Rochdale) (Lab): It is a pleasure to follow the hon. Member for Worcester (Mr Walker). I am very grateful for this debate, as the issue is very close to my heart. It is vital to ensure that everyone has access to the best mental health services. As the Secretary of State pointed out, one in four of us will face some form of mental illness over the next year, but figures from the mental health charity Mind suggest that 75% of those with anxiety or depression get no treatment at all. It is vital that we start taking mental health more seriously, starting with adequate funding and giving mental health the parity with physical health that it deserves.

I wholeheartedly support a protected NHS budget. The most effective treatment of mental health issues, however, is seen at local level in communities. A protected budget means little when funding to mental health services at local level is being slashed. Those in need reach first for their local services, yet the scale of cuts, particularly to local councils, is having a direct and detrimental effect on services that are crucial to helping many people deal with their mental health problems.

The Royal College of Psychiatrists states that a key part of mental health services is good public health funding, yet only 1% of public health spending is focused on mental health. That will be compounded by the fact that the money given to councils for public health will fall by 3.9% year on year; that will be an 18% fall by the end of this Parliament. If we are committed to ensuring parity of esteem between mental and physical health, that is simply not good enough.

Mrs Moon: My hon. Friend may be aware that last year the all-party group on suicide and self-harm prevention conducted a survey of local authorities to see how many had suicide prevention plans and suicide action groups in place. A large proportion did not have any action plan or any groups working on suicide prevention. Is that not something the Government must address if we are to move forward?

Simon Danczuk: My hon. Friend makes a really important intervention on an issue that I was not aware of. The Government should impress on local areas the need to ensure that those things are put in place.

I want to discuss suicide. I pay tribute to the right hon. Member for North Somerset (Dr Fox), who is no longer in his place, for making an excellent speech, not least as regards suicide. It is a particularly important issue in Rochdale, where suicide rates continue to remain above the national average. In our town, the rate is 11.8 per 100,000 people per year; that compares with a rate of 8.9 per 100,000 for England as a whole. The male suicide rate in Rochdale is 18.6 per 100,000, which dwarfs the 14.1 per 100,000 for England as a whole. Those figures show a large rise from 2010, when they were 14.7 in Rochdale and 13.3 in England. Put simply, more people are killing themselves in Rochdale.

Our council, like many others up and down the country, is faced with daunting cuts to its budget. The result in Rochdale is that the council is considering removing funding to the tune of just £20,000 for the award-winning Growth Project. This project works to provide a safe and supportive haven to those with mental health issues on a number of allotments. The work done by the Growth Project has a proven track record of improving individuals’ wellbeing. It promotes good mental and physical health through outdoor activity in a green environment, and participants can literally see the fruits of their labour. To date, the project has 88 beneficiaries, and it embodies the essence of equality for mental and physical health. Although the project is run by a voluntary organisation, fighting mental health issues must not be seen as an act of charity; it is about justice and necessity.

If we are truly to achieve parity of esteem for mental and physical health, it is exactly projects such as the Growth Project in my constituency that will need funding. They do not need to be cut because of pressure on council budgets.

2.33 pm

Maggie Throup (Erewash) (Con): It is a pleasure to follow the thoughtful speech made by the hon. Member for Rochdale (Simon Danczuk). The issue of mental health is such an important one, and it cannot and should not be swept under the carpet any longer. I pay a particular tribute to the right hon. Member for North Norfolk (Norman Lamb) for his work in this place during the last Parliament—he has definitely left a legacy.
How people talk about the issue of mental health is similar to how we spoke about cancer a few years ago. People did not talk about cancer because they hoped it would go away. Similarly, people have not been talking about mental health—they were hoping it would go away, but it has not done. Mental health, sadly, is not going away and the sooner that is recognised, the better. Putting mental health on a level playing field with physical health means that people are now talking about it. The issue of mental health and its impact has recently been recognised by an important group of young people. For the past seven years, Girlguiding UK has carried out a girls attitude survey, which canvasses the opinions of more than 1,500 girls and young women between the ages of seven and 21. As year-on-year surveys can be compared, it is interesting to note that five years ago the area of most concern to those surveyed was alcohol and drug abuse, whereas in the 2015 survey, published in early October, today’s cohort of girls and young women has changed that to mental health. I stress that those surveyed were not just girl guides, but a much wider audience of young ladies and girls across the country. That gives the survey validity and it needs to be taken seriously. What was concerning was that the survey showed a mismatch between what concerns young people and what parents think concerns young people. The girls taking the survey feel that their parents are worried about what they perceive as traditional risks such as smoking, drug and alcohol use and unplanned pregnancy, whereas their own top concerns are mental health and cyber-bullying. As we heard from my hon. Friend the Member for Worcester (Mr Walker), those young people are definitely not sweeping the issue under the carpet.

Further information coming out of the survey indicated that fewer than half the girls surveyed have talked about mental health in lessons at school, despite the majority saying that that is where they would most like to get information about it. In my short time as a Member of Parliament, I have had a number of cases in my advice surgery relating to mental health issues in young people, and this problem is not going away. Headteachers at my local schools have also highlighted to me the problem of mental health issues starting at a very young age. That is why I am planning in the new year to convene a round-table meeting with headteachers, the police, the local clinical commissioning group, charities and other interested parties. I want to find out what more can be done locally and what more should be done to help prevent mental health issues from arising, and I want to see whether there are any grass-roots solutions to the existing problems.

As constituency MPs, we have our own role to play. People turn to us for help on a daily basis, often as a last resort. Their issues vary, with some easier to resolve than others, but these issues can all cause a great deal of stress and pressure, which in turn mounts up and can be, for want of a better phrase, the straw that breaks the camel’s back. We may not have all the answers or be able to secure the right outcome for every constituent, but often we are the only people fighting their corner and we should do everything in our power to avoid situations deteriorating to such an extent that they could have a significant impact on a constituent’s mental health. At this point, I wish to take the opportunity to pay tribute to all our casework staff, who go above and beyond for local residents on our behalf, often with little recognition of their efforts.

Mental health is not exclusively a health issue. It crosses so many boundaries, including education, employability and family life—the list goes on, as we have heard from other hon. Members. Today’s debate, yet again, has served to keep mental health high on the political agenda. But along with the words, we must continue to take action, and I commend the Government on the work they are doing to ensure that we do have that action.

2.38 pm

Mr Kevan Jones (North Durham) (Lab): I welcome today’s debate. We are doing a very simple thing today, but it is very effective; we are again talking about mental health in this Chamber. Both the Secretary of State and my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) talked about a change in attitudes and said that things are changing. I agree totally that things are changing for the better, not just in this place, but in the media and in society. Sadly, in my own party there are some parts that still need to go a bit further in understanding mental health, but we are making great strides and they should be recognised. That is down to the great work that is being done by Rethink, Time to Change and other charities, which are not only those individuals who work for those organisations, but the thousands of volunteers behind them.

Chloe Smith: I hope the hon. Gentleman will welcome this intervention, because I seek only to give him the due credit that he deserves for his place in that all-too-brief history of our actually talking about mental health.

Mr Jones: I thank the hon. Lady for her intervention. I have a simple view on mental health, which is that we need to talk about it more, because that will change attitudes.

What do we do next? Well, we need to hardwire mental health and mental wellbeing into public policy and society. To those who ask why that is important, I say that not only is it the right thing to do, but, even in these times of austerity, it makes economic sense. It saves money as well as lives. We need a system in which every single Government policy is road-tested against mental health and mental wellbeing.

The Secretary of State accused my hon. Friend the Member for Liverpool, Wavertree of being political on this matter. Well, I am sorry, but the Government cannot escape from some of the things that they are doing in this area. It is the Opposition’s job not only to question the statements they make, but to look at the facts. The Chancellor announced an investment of £600 million in talking therapies, which I welcome, but that is set against a cut of almost 8.5% in the previous Parliament. The money will do nothing to replace the beds that have been lost in psychiatric wards. As the right hon. Member for North Norfolk (Norman Lamb) has said, there are people who have to travel ridiculous distances around the country to access those beds. What is the root cause of that? Is it a shortage of beds? Yes, it is in some areas, but another root cause, particularly in London, is the shortage of available housing. Our housing policy has a direct effect on the problem.
Another area of concern relates to the back-to-work interviews and the work capability assessments. My hon. Friends and I have raised that matter on numerous occasions, but the Department for Work and Pensions is not listening. People are still being put through that tortuous process, which is neither good for the taxpayer nor good for the individuals concerned. A 56% cut in the local government budget will have a direct effect on the delivery of mental health and support services. At the moment, a consultation exercise is out on the formula for allocation of public health funding. On that basis, County Durham will lose £20 million a year.

People might say that all those policies have nothing to do with mental health, but they do have a direct impact on the services that we deliver. We need to hardwire mental health and mental wellbeing into all those areas, whether it be schools, society, the family or the criminal justice system.

Many issues face people with mental illness. Personally, I have been to some very dark places, but the most tragic and darkest place is faced by those who commit suicide. We are talking about not just a life being cut short, and the opportunities that are missed in terms of the fulfilment that that person could give both to society and to their families, but families being left bereft and in a very emotional state. In this country, three times more people commit suicide every year than are killed on the roads. We had a great road safety campaign, which addressed the problem of people being killed on our roads. We need the same campaigning zeal to attack the suicide rates in this country.

My own region in the north-east has an unenviable suicide record. We have the highest rate of suicides in the country, with 13.8% per 100,000 individuals taking their lives. Such rates are related to the economic situation. People may try to gloss over that fact, but economic situations do affect people’s lives. We must also address the fact that 78% of that figure are men. Men are terrible at talking about mental health. So, yes, progress is being made, but we do need to have mental health and mental wellbeing running through all Government policies.

I welcome the debate today, because it provides us with another opportunity to talk about mental health on the Floor of the House, which must be a good thing. Now is the time to change those words into action.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. We have less than an hour for Back-Bench contributions in this debate, so I will have to reduce the time limit to three minutes, which makes life a little difficult for Mr Julian Sturdy.

2.44 pm

Julian Sturdy (York Outer) (Con): I will focus my brief contribution on the mental health services in York and in my constituency.

The Minister is aware that Bootham Park hospital, a mental healthcare facility in York, closed on 30 September, after the Care Quality Commission declared the 18th-century Grade 1 listed building unfit for purpose. In fact, it stated that patients were at “significant risk of harm” at the hospital.

The facility had been part of the Leeds and York Partnership NHS Trust, and concerns had been raised about it since 2013, when the CQC inspection declared that the hospital did not meet the required safety standards.

Although improvements were made at a cost of £1.7 million, the CQC visited again and expressed its continued concerns about the safety of some of the wards. As a consequence, significant improvements were called for in January, and the money was made available. However, when the inspectors returned nine months later, in September, no improvements had been delivered. No one denies that there were problems with the facility due to its structure and age. I visited the hospital and saw for myself the problems that were raised by the CQC.

The trust had nine months to rectify those well-known and well-documented problems, yet it did nothing, which led to this important facility being closed, with staff and patients being given just five days’ notice, which is unprecedented and which caused an immense amount of stress and anxiety for patients, families and the hard-working staff.

Things were further complicated when the Vale of York clinical commissioning group chose to transfer York’s mental health services from the Leeds and York NHS Trust to the Tees, Esk and Wear Valley NHS Trust. That was due to allegations that a disproportionate amount of funding was being allocated to Leeds, with York missing out. Was that because Leeds had been prioritised over York? Well, Leeds and York NHS Trust has many questions to answer, and I wish to know who will bring it to account over a situation that never should have arisen. There were plenty of opportunities to solve the problem and the trust had enough warnings. Sadly, action was not taken and the facility was closed.

Finally, in this very brief contribution, let me say that, in the long term, we hope to see a new purpose-built facility in York. From my meeting with the Minister, I know that he feels the same way, and I am confident that he will deliver it, but I want to hear him say it today. We also must deliver parity of esteem across the board, because, at the moment, York is not getting that parity of esteem.

2.47 pm

Norman Lamb (North Norfolk) (LD): Let me say at the outset that I strongly support the motion and I think the whole House should unite behind it. Although Members may disagree with aspects of the motion, it is really important that we send out a united message that we are all agreed on the imperative of achieving equality for mental health. Self-evidently, we still have a long way to go, and we should be impatient for change.

The sentiments in the motion were at the heart of the cross-party campaign that I launched with Alastair Campbell and the right hon. Member for Sutton Coldfield (Mr Mitchell). We managed to get more than 200 leaders from across society to come together to make the united case for equality for mental health and for extra investment. Why is it that so many leaders agreed to join that cause? Is it because there is now a growing recognition that we must end this absolute historic injustice and ensure equal access to treatment?
Mr Kevan Jones: I commend the right hon. Gentleman for his work. Does he agree that those leaders now need to translate that action into policy, both at a national and a local level?

Norman Lamb: I totally agree. We have to set the framework, put the funding in place and deliver services on a local basis. How can anyone in this Chamber possibly justify this: if someone has suspected cancer, they have a right to an appointment with a specialist within two weeks of referral by their GP, but a youngster with an eating disorder has no such right, yet we know that their condition can kill? That is a scandal and an outrage and it must change. There must be equality of access.

When someone does get access to treatment, too often it is a lottery. As we discussed last Friday, we have the continuing scandal—the hon. Member for North Durham (Mr Jones) referred to this earlier—of people being shunted around the country in search of a bed. That would never happen to someone suffering from a stroke or a heart condition. It is inequality of access to treatment, and it is a complete scandal.

Mr Jones: There is an issue with the number of beds, but does the right hon. Gentleman also accept that one of the problems is that people are in those beds for far too long? One of the crisis points in London is access to adequate housing so that people can be discharged into the community.

Norman Lamb: I was so pleased that the hon. Gentleman made that point in his speech, and I pay tribute to him for the work he has done. The answer is not simply to have more beds; we should also be reducing the length of stay, which often is not therapeutic for the individual. Getting them into secure housing is central to their health and wellbeing.

Rehman Chishti (Gillingham and Rainham) (Con): Will the right hon. Gentleman give way?

Norman Lamb: I am afraid that I cannot give way, as I have very limited time.

At the heart of that inequality is the stigma that still attaches to mental health. We have made real progress in combating that stigma, but we have a way to go. My message to the Government is that the inequality of access is morally wrong. We cannot begin to justify one person not getting access in the way that somebody else does in our publicly funded NHS. I am pleased that the Secretary of State has acknowledged that that is a scandal, but the Government now have to deliver that equality of access. We have to deliver by 2020 the vision that he and I set out last October.

That inequality of access is not only morally wrong, but economically stupid, as many Members have mentioned. The Centre for Mental Health reckons that neglecting mental ill health costs us about £105 billion a year, so continuing to neglect it is stupid and completely counterproductive. If we make the investment up front, we will achieve savings further down the track. I therefore welcome the £600 million that the Chancellor indicated in the spending review would be made available over this Parliament for mental health. That is real progress, but it is not enough. We have to keep arguing the case for genuine equality.

We need to do two things. First, we need to spend the money differently. Many hon. Members have made the point that we need to shift resources away from containing people, often in long-stay, secure settings, to early intervention, recovery and ensuring that there is proper crisis support in the community to stop hospital admissions, which can be so damaging to someone’s wellbeing.

Secondly, up-front investment is needed to fund a programme for comprehensive maximum waiting time standards, including for children and young people, so that there is a complete equilibrium, with equal rights of access to treatment. We published that vision last year, and I hope that the Secretary of State will deliver it. If we give up on the right of equal access, if we give up on ending that discrimination at the heart of our NHS, and if we do not end this historic injustice, we will let down countless families across the country, and that would be an utter disgrace.

2.53 pm

Johnny Mercer (Plymouth, Moor View) (Con): I thank the hon. Member for Liverpool, Wavertree (Luciana Berger) for bringing forward this debate. I truly believe that mental health is the social challenge of our generation. Suicide is now the biggest killer of young men under 50 in Britain. Today, 17 of our fellow men and women in this country will take their own lives. This year, thus far, has seen the greatest number of male suicides ever. Suicide kills more young people than any physical illness.

I am currently trying to visit every school in my constituency before the end of the academic year, and the teachers I speak with have been genuinely struck by the dramatic increase in mental health problems in our young people, even since I left school some 15 years ago. With all those statistics, there is also the classic issue of underreporting of mental health conditions, given the stigma surrounding the whole issue, so the real extent may, if anything, be worse.

I believe that how we deal with this challenge will define the future of communities such as mine in Plymouth. I genuinely believe that our approach to mental health is that important. I am determined to win that battle for those in Plymouth who do not have the strength to fight for it themselves. What do we do? It requires a genuine shift in our attitudes—that most difficult of changes to achieve—and a cultural change in how we view and consequently deal with mental ill health.

As the Secretary of State suggested, interventions in mental health can produce the most brilliant results, whether it is the inspirational staff at Marine Academy Plymouth making talking about mental health a part of the school day; South West Trains employing staff specifically to look out for people on the network who are in that 10 to 15-second trance before they throw themselves in front of an oncoming train; or the Royal Marines in Plymouth taking responsibility to talk about mental health away from the medical chain and putting it with the main chain of command in order to totally de-stigmatisate talking about post-traumatic stress and other prevalent mental health conditions in young men.

In any of those examples, early intervention and talking about mental health can have dramatic effects, but even that is not enough on its own, and that is the nub of the problem. The interventions that really work are early interventions, so last weekend I started an executive mental health group in Plymouth to determine
a way of producing a project similar to one running in Trieste in Italy. Now, city council chief, commissioning group heads, police chiefs and healthcare providers will get together every month in the police station and we will have a 24/7 mental health capability in Plymouth to match our 24/7 capability for dealing with physical healthcare.

Rehman Chishti: My hon. Friend is making a brilliant speech. Does he agree that local commissioning group spending should reflect commitments made at a national level on parity of esteem for mental and physical health?

Johnny Mercer: I completely agree, and I draw my hon. Friend’s attention to the comment made by our right hon. Friend the Member for North Somerset (Dr Fox) on how important it is to ensure that CCGs ring-fence the funding so that we get the parity of esteem that I am trying to establish in Plymouth, and which I know the Government are committed to establishing across the country. It might take five months or five years in Plymouth, but I and the others will keep going until we get there, because this problem is actually too big to fail at.

We must be the Government who turn the corner on this. If we are to be so—rightly—fixated on a healthy economy to deliver our manifesto pledges, we must be equally as committed to our less high-profile commitments to those who will not make as much noise if we fail but whose need is of equal, if not greater, importance.

2.56 pm

Jeff Smith (Manchester, Withington) (Lab): I want to make some brief remarks in support of the motion and, just as importantly, to welcome the opportunity to talk about this issue. I do so as someone who, like many Members of this House, and many millions of people across the country, has had my life affected by mental ill health. I grew up in a home where a very close family member suffered from severe depression and had a number of breakdowns. I experienced how it affected the whole family over many years, and not just individual suffering, but the effect on everyday family life of regular hospitalisation and the need for other family members to be home carers. Like most of us probably, I have a number of friends who have been affected by mental ill health, and some years ago a close friend committed suicide as a result of her depression.

I have my own personal experience of mental ill health. Like other Members of the House—I think that there are probably a number of us—I have suffered from depression. As a result of these depressive episodes, I know how it feels to be unable to function normally, to perform even the most basic everyday tasks, because the weight of the depression is so overwhelming. I know how debilitating depression and other mental ill health can be. It is quite difficult to explain to people who have not experienced that just how debilitating it can be.

I am really heartened that mental health is increasingly being not only recognised, but acknowledged and spoken about. People increasingly accept that it is an illness that should be without stigma or taboo. The more that mental health is discussed, the clearer it becomes that it is something that affects people in huge numbers from all walks of life, all backgrounds and all ages. More and more I think my experience is not unusual.

As a councillor for many years before coming to this House in May, I noticed an increase over the years in the number of people coming to advice surgeries with serious mental health problems. Most of us will have stories about how constituents with mental health problems have been failed by the system. We need to treat those people with more sensitivity and understanding. It is the right thing to do not only for the individual, but for society and the economy.

Rehman Chishti: With regard to addressing constituents’ needs, the hon. Gentleman might have seen that I have a private Member’s Bill on perinatal mental healthcare. The aim is that mothers should be able to get that healthcare at that most vulnerable time within a reasonable distance from home—75 miles—because at the moment we have a postcode lottery on where they can get it.

Jeff Smith: That is a very important issue, and I thank the hon. Gentleman for bringing forward his private Member’s Bill.

A person recently came to my surgery who had some very difficult personal circumstances that left them unable to work due to mental health issues. They were told by an official at the jobcentre that in order to maintain their benefits they were required to take part in telephone counselling, without reference to their GP. That turned out to be an extremely detrimental experience. It brought up episodes from the past that meant that my constituent was set back in their recovery and is now even further away from the ability to regain confidence and rejoin the workforce.

Because of my personal experience, I understand how depressive illness can blight the life of an individual, but it blights our society too. It is difficult to measure the cost of mental ill health to society, but it clearly runs into several billion pounds each year. That is why cuts to mental health services, particularly preventative services, are a false economy, as the Secretary of State acknowledged in his very good words earlier. We are all seeing the effects of the cuts to social care budgets, to wider council support budgets, and to mental health trust budgets. That is a bad thing at a time when demand is growing and we can finally acknowledge the need for concerted action to tackle this issue, and that is why I am supporting this motion.

I have experienced how medication and physical treatment can make a difference—medication worked for me—but I know that psychological therapy can also make a big difference. It is illogical that the right to one of those can be enshrined in the NHS constitution but not the other. We are making progress on parity of esteem, as I think we can all acknowledge across the House. We now need to go beyond that ambition and that rhetoric and match it with action.

3.1 pm

Dr Phillip Lee (Bracknell) (Con): I congratulate colleagues on their contributions and welcome familiar faces from past mental health debates.

This is obviously a massive subject, and it is impossible to cover it in three minutes. I am struck by the number of different specialties and different problems within mental health that have already been touched on, be it addiction, dementia, depression, stress-related illness, or eating disorders in the young—the list goes on and on. Sadly, all these things are increasing in frequency.
Next week and over Christmas, I will be working as a doctor, and I can guarantee that I will be seeing people with mental health problems during that period. We have talked a lot about service provision; in fact, I think that every contribution so far has dealt with that.

We might want to reflect on our society and ask ourselves the difficult questions as to why we are seeing an increase in depression, stress-related illness, eating disorders and the like. I would say that it reflects what is sick in our society. There are the drivers towards excess consumption that we can afford neither financially nor physically. There is the breakdown of the family, with people not taking their parental responsibilities as seriously as they should on every occasion. There is the retreat of the Church, to be replaced by what, exactly? I am not sure that anything has come forward to replace the Church in providing from within communities, and not necessarily from Government, a community hub and support for people in distress. We should all reflect on that. We should spend a few weeks or a few months thinking about it, and ask ourselves how we can pass legislation here, how we can perhaps lead different lives as role models, and how we can encourage people to seek a life that is better in terms of the quality of life and also physical and mental health.

I want to mention something specifically with regard to forensic psychiatry. My constituency is proud to host the pre-eminent high-security hospital, Broadmoor. Broadmoor hospital is widely renowned internationally. It is being redeveloped over the next few years. This redevelopment was based on a Care Quality Commission report commissioned under the previous Labour Government, and the decision was made by the coalition Government. It provides £250 million for 210 to 220 new beds and is designed around new clinical models. Broadmoor is not a prison, but if its recidivism rate was replicated across the prison service, we would all be extremely happy. Its 420 nurses and 12 consultants do remarkably good work. It is challenging work dealing with some very difficult cases—the type of cases we see in our newspapers. I am very proud that that hospital is based in my constituency, and I am particularly proud of a society that places such emphasis on treating people as patients, not as criminals.

It is therefore absolutely vital that we have an independent inquiry, as I, and 8,000 people in my constituency, have requested. I want the Minister to say that we can have that public inquiry, which is needed to ensure patient safety for the future. It might be an embarrassing situation, but we have to push on to make the service safe. Patients were scattered across our city for their out-patient appointments, and scattered across our region, travelling miles in a crisis. That is unacceptable.

It is not only essential that we have answers on what happened at Bootham Park hospital, but that we look back at the Health and Social Care Act 2012, which lies at the heart of the problem. Because of it, there is nobody with overarching responsibility for patient safety in the NHS. Different jurisdictions and different regulators have different responsibilities, and there are no mechanisms for responding to such situations. There is also the role of the Secretary of State in now having a duty to promote the NHS, and no longer to provide and secure it. That has an impact, because people can point a finger but do not have to lift a finger. We need to look at that, and also at the role of the CQC.

My second plea is that we have clarity about a replacement for Bootham Park hospital. When the Chancellor gave the autumn statement, he said that three new hospitals would come to fruition, but one for York was not mentioned. Was that because mental health is not getting parity of status, or because we are not getting a hospital? We need that clarity today. I trust that we will start to have some answers on those two points—the need for an independent inquiry and a new hospital.

3.7 pm

Heidi Allen (South Cambridgeshire) (Con): If I may, Madam Deputy Speaker, I would like to ask you to cast your mind back to the summer. As a new MP, I was sitting on the grass on a Sunday reading through my casework. There were many of the usual items of correspondence on housing, planning and so on, and then a letter, and a moment I will never forget. It was from a constituent, Steve M, telling me about the tragic suicide of his 18-year-old son—a brilliant, gifted young man with grade 8 piano, straight A*s at A-level, and a place reserved at Cambridge University. Ten months ago today, Edward Mallen took his own life in front of a train. “Mental health”—they are not dirty words. We all have a state of mental health, just as we all have a state of physical health. We have good days and we have bad days. We all have them, every one of us. For most of us, the good days follow the bad days and overcome them, but tragically this did not happen for Edward.

Today I want to talk about what we in this Chamber can do to make sure that there are no more Edwards. Members will know that I want this House to work together to resolve problems, not to point fingers at failure. So I urge those in all parts of the House to recognise the good work that has been done so far and to commit, from this day, to working together to achieve more. I believe that we are building on the foundations laid by the tremendous work of Norman Lamb and the Health and Social Care Act 2012. We have seen investment of £1.25 billion to help deliver the Future in Mind Initiative, the appointment of Sam Gyimah, and the appointment of Natasha Devon as the Department for Mental Health Mental Health

Dr Phillip Lee

Rachael Maskell (York Central) (Lab/Co-op): I, too, want to talk about Bootham Park hospital, which closed suddenly, in just under four working days. We must remember the impact that that closure had on patients—the confusion, the fear and the anger, with some withdrawing and some wanting to die. We must also sing the praises of the professionalism of the staff in dealing with it. However, the closure was avoidable. There were too many people involved in decision making—commissioners; providers; Historic England; Prop Co, the owner of the buildings; and others. That is one of the failings in what happened at Bootham. With the change of provider, politics and blame ensued, and that must be investigated, because it had an impact. We must also look at the role of the CQC, which has acknowledged that its role in having to inspect the building before registering it with the new provider had an impact on patient safety.

I want to mention something specifically with regard to forensic psychiatry. My constituency is proud to host the pre-eminent high-security hospital, Broadmoor. Broadmoor hospital is widely renowned internationally. It is being redeveloped over the next few years. This redevelopment was based on a Care Quality Commission report commissioned under the previous Labour Government, and the decision was made by the coalition Government. It provides £250 million for 210 to 220 new beds and is designed around new clinical models. Broadmoor is not a prison, but if its recidivism rate was replicated across the prison service, we would all be extremely happy. Its 420 nurses and 12 consultants do remarkably good work. It is challenging work dealing with some very difficult cases—the type of cases we see in our newspapers. I am very proud that that hospital is based in my constituency, and I am particularly proud of a society that places such emphasis on treating people as patients, not as criminals.

Heidi Allen

3.7 pm

Heidi Allen (South Cambridgeshire) (Con): If I may, Madam Deputy Speaker, I would like to ask you to cast your mind back to the summer. As a new MP, I was sitting on the grass on a Sunday reading through my casework. There were many of the usual items of correspondence on housing, planning and so on, and then a letter, and a moment I will never forget. It was from a constituent, Steve M, telling me about the tragic suicide of his 18-year-old son—a brilliant, gifted young man with grade 8 piano, straight A*s at A-level, and a place reserved at Cambridge University. Ten months ago today, Edward Mallen took his own life in front of a train. “Mental health”—they are not dirty words. We all have a state of mental health, just as we all have a state of physical health. We have good days and we have bad days. We all have them, every one of us. For most of us, the good days follow the bad days and overcome them, but tragically this did not happen for Edward.

Today I want to talk about what we in this Chamber can do to make sure that there are no more Edwards. Members will know that I want this House to work together to resolve problems, not to point fingers at failure. So I urge those in all parts of the House to recognise the good work that has been done so far and to commit, from this day, to working together to achieve more. I believe that we are building on the foundations laid by the tremendous work of Norman Lamb and the Health and Social Care Act 2012. We have seen investment of £1.25 billion to help deliver the Future in Mind Initiative, the appointment of Sam Gyimah, and the appointment of Natasha Devon as the Department for Mental Health Mental Health

[Dr Phillip Lee]
Education's first schools mental health champion—and boy, what a fireball she is! Only this week, we had the announcement of a £3 million pilot programme to support mental health leaders in schools across the country. Given that 10% of children under 16 have a clinically diagnosable mental health problem, and 75% of all mental illness predates higher education, we are focusing on the right things.

Prevention is far better than a cure, because by the time a cure comes, families, communities and the wider economy have been devastated. Ask Steve Mallen, his family and the village of Meldreth, because they know. We could argue all day about whether the Government are spending enough on the cure, but I do not want us to do that.

Norman Lamb: The hon. Lady is making a passionate case, particularly in relation to the tragic case of her constituent. Does she agree that we need to get the whole of the NHS to sign up to a commitment to a zero suicide ambition? That is not about setting a target, but about changing the culture so that everyone focuses on saving lives.

Heidi Allen: That is fundamental and there should be no alternative. The right hon. Gentleman is absolutely right.

Nobody doubts the need to improve mental health care or the fact that money does not grow on trees. Investment is increasing, but I fear that the scale of the problem is far greater than any Government cheque book. It is so much bigger than that, but the good news is that we are capable of being bigger than that, too. Let us cast aside party politics and make this our issue, not just the Government’s issue.

In South Cambridgeshire, we are pooling together the resources of schools, world-leading academics, mental health charities, business, local authorities, politicians and parents—everyone—to do things differently. With Steve and the memory of his son, Edward, at the helm, we want to roll out a timetabled early intervention and prevention programme in every single one of our schools. As Steve and the memory of his son, Edward, at the helm, we want to roll out a timetabled early intervention and prevention programme in every single one of our schools.

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Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Lady must refer to Members by their constituency names. Twice now she has referred to people by their names. It is simply not done in this Chamber.

Heidi Allen: Forgive me, Madam Deputy Speaker—I was genuinely unaware of that.

I have no doubt of the personal dedication of our Ministers, for they have proved it to me and, more importantly, to Steve Mallen. If Members are undertaking similar work in their constituencies, or if they want to join our project, I urge them to talk to me. If we have learned one thing about mental health, it is that we need to talk about it. The answer is simply not about cash; it is about partnership working, and I urge every Member of this House to join in this fight together. Let us take the responsibility.

Several hon. Members rose—

Madam Deputy Speaker: Order. If hon. Members wish to be kind to their fellow Members, they will now take three minutes or less and no interventions. If that does not happen, several people will not get to speak at all. It is up to Members how they wish to behave.

3.12 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): In Salford and Eccles, we know only too well about the urgent need to provide better mental health services, but I want to focus specifically on children’s mental health services. As we have heard, a significant proportion of lifelong mental health problems start in the teenage years, yet only 6% of the mental health budget is spent on child and adolescent services. YoungMinds, a leading mental health charity, has confirmed that, due to local government cuts, 60% of local authorities have either cut or frozen their child and adolescent mental health services budget since 2010.

Research has shown that early intervention is of paramount importance, with one in 10 children encountering a mental health problem, which, without early intervention, is likely to become a more chronic problem in later life and thus a greater burden on the NHS. Early intervention is also key to ensuring that an issue does not escalate to the stage where hospitalisation is required. One in-patient bed costs a staggering £25,000 a month. It is perfectly clear that adequate investment in the lower tiers of CAMHS provision is not just a question of social conscience, but a matter of economic common sense.

I must also address the systems in place for ensuring that children who present with mental health issues receive the requisite help at the earliest opportunity. GPs play an incredibly important role in early intervention, as they are often the first point of contact for parents whose child is experiencing a mental health problem. GPs have, however, voiced the concern nationally that they are not sufficiently equipped to deal with children with mental health issues and their training does not prepare them adequately for such situations.

Time and again, I am made aware of cases in my constituency where a child did not present symptoms clearly enough to a GP, a referral was not made and the problem, which could have been dealt with relatively easily, escalated to the point where the child became seriously ill and required hospitalisation. Other barriers to referral include the body mass index limits in relation to eating disorders, which my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) highlighted earlier. What further support and guidance will the Government provide to GPs in order to address the issues?

The case for effective early intervention in Salford becomes even more convincing when we consider the shortage of in-patient beds in Greater Manchester. I have been working with a family in my constituency whose child desperately needed urgent treatment but who, due to the lack of available beds, was admitted to a general paediatric ward, where they waited for months until a child mental health bed became available. Although the staff on that ward were amazing and did all they could, the simple fact remained that this child was not on the correct ward and was therefore not receiving the psychiatric treatment that was immediately required.
Although I appreciate some of the measures that the Government have taken, I have serious concerns that they will barely begin to address the issues that I have raised today.

3.15 pm

John Howell (Henley) (Con): I want to consider mental health in the justice system, and will draw my remarks quite widely to include the police. I am very pleased that we have made progress in this area. In my county at least, police cars are no longer used to transport mental health patients; ambulances are used instead.

NHS England has been charged with developing better healthcare services for people in the criminal justice system, and the National Institute for Health and Care Excellence has also been asked to develop guidelines on improving mental health for those in prison. The need is to identify those who have mental health problems and to support them, as the Government have recognised. The choice is for the prisoner either to have support for their mental health issues as they move along the criminal justice pathway, or to be diverted into treatment—or, indeed, social care. The integration of social care and the NHS can contribute a lot to that process.

The service provided to prisoners needs to be consistent across the UK, and I was pleased to hear the Secretary of State’s remarks on the involvement of the King’s Fund in that. There is a great need for prisoners to have the same access as non-prisoners to mental health services. It is also necessary to ensure continuity of treatment across the prison estate and through to the non-prison environment. That continuity is crucial to the provision of better facilities for those prisoners with mental health issues.

That takes us back to the crisis care concordat and the need for good access to support. Prisoners need to know that their problems are genuinely taken seriously, and that they can get help when they need it. That could help tackle the issue of the huge number of men who commit suicide, which my right hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds) mentioned that the regional press in my area today reported the start of a consultation on cutting £1.5 million from Manchester Mental Health and Social Care Trust. More than 600 patients are set to be hit by these proposed cuts.

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Economics plays a huge part in the treatment of people with mental health problems. The number of mental health beds in Greater Manchester has been cut by 5.9% in the past five years, despite increasing demand. My hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds) mentioned that the regional press in my area today reported the start of a consultation on cutting £1.5 million from Manchester Mental Health and Social Care Trust. More than 600 patients are set to be hit by these proposed cuts.

If people listening to this debate need support, I commend the services out there run by the voluntary sector and charities, including the Samaritans, of which I used to be a member.

3.21 pm

James Morris (Halesowen and Rowley Regis) (Con): It is important to reflect on whom this debate is about. It is about the thousands of people across the country who may have woken up this morning feeling that they might not be able to get through the day. It is for the young boy, perhaps aged 14, feeling confused and depressed at school and not knowing where to get help, and the young girl prepared to starve herself potentially to death because of issues to do with body image. This debate is for the middle-aged man of 40 who may be contemplating suicide because of a sense of a loss of his identity. It is about the older person, perhaps the 75-year-old woman who has just suffered a bereavement and feels isolated and depressed, not knowing where to go for help. Those are the people whom we are speaking about today.
In my role as the chair of the all-party parliamentary group on mental health, I am aware that the public debate about mental health has changed radically over the past decade. Celebrities and Members of Parliament talk about their mental health. That has created a unique context in which we can talk about mental health policy. This Government have an historic opportunity to make a genuine difference to the direction of mental health policy in Britain.

As part of the £14 billion that we spend on mental health services in Britain, it makes sense to move resources to tackle the issue at its source, whether through the Government’s commitment in respect of perinatal mental health, or by radically transforming our child and adolescent mental health services so that we get rid of the tiering system that is more suited to the commissioners than to service users. We need radical change in that area. We need a crisis care system in which, if an individual rings up and says, “I am having a crisis”, they get compassionate help. Overall, we need a vision for mental health policy that achieves a situation in which talking about mental health—about an individual’s mind and their place in their family and in their community—is thought to be entirely normal in society. We have that opportunity and we as a Government need to take it.

3.24 pm

Hannah Bardell (Livingston) (SNP): I congratulate the hon. Member for Liverpool, Wavertree (Luciana Berger) on securing the debate, in which it is a great privilege to speak.

On 11 April 2002 football fans in England held their breath after David Beckham famously broke the second metatarsal bone on his left foot and was ruled out of the World cup, a mere 50 days before it was due to kick off. Over the following days and weeks the good footballing fans and folk of England watched with trepidation as Beckham recovered and eventually scored the winning goal against Argentina to take England to the quarter-finals. Most Members in the Chamber will be wondering what on earth this tale has to do with the matter of mental health. A great deal, because at the heart of this issue is not acceptable or just: people deserve a better service. For too long some constituents have battled to get the care they need. Many do get better service. In Scotland we have parity of esteem in Scottish legislation.

If David Beckham had suffered mental health issues which prevented him from training or playing, would we have tracked his progress and wellbeing with such careful attention? Would he even have admitted to having had a mental illness? I am speaking hypothetically, but for a variety of reasons we often treat mental health completely differently from physical health, and there is no good reason or explanation for that. How we frame the debate is hugely important. According to the charity Mind, which surveyed almost 6,000 people in January 2015, over a third of people—40%—come up against stigma and discrimination on a monthly and weekly basis, and over half the people surveyed said that stigma and discrimination were as bad as or worse than the illness itself.

In Scotland we are proud that the early introduction of targets for child and adolescent mental health services has supported substantial increases in the CAMHS workforce. The Scottish Government are investing over £100 million over the next five years to ensure that our health service is equipped to train the workforce that offer these vital services. I pay tribute to the great work of organisations such as the Scottish Association for Mental Health, which recently launched its “Give mental health a sporting chance” campaign. In partnership with Chris Hoy, SAMH is building on the success of sport in Scotland, such as the 2014 Commonwealth games. Its chief executive says:

“The time is right for sport to use its collective power to tackle the stigma and discrimination around mental ill health.”

It is important in a debate such as this to recognise the root causes of mental ill health and how we can ensure that every child and young person gets the very best start in life. That is why I find it incredible that the UK Government are choosing to continue with their austerity agenda, when a recent report by Psychologists Against Austerity called “The Psychological Impact of Austerity” states:

“It’s now well established that austerity has hit the poor much harder than the wealthy: we have indeed, been ‘balancing the books on the backs of the poor’.

The report goes on to say:

“What has not been sufficiently highlighted is the psychological price people have paid.”

In closing, I would like to read the last two verses of a poem that a constituent who has suffered mental illness sent me:

“I know we’ve had this conversation before
But this time I’m throwing you out of the door
I tried in the past but I didn’t want to be rude
For after all you’ve done me such good.
I appreciate that you’ve been my friend
But now I’m afraid it has to end.
I cannot keep you by my side.
There were times you almost let me die.”

3.27 pm

Chloe Smith (Norwich North) (Con): People deserve better service. For too long some constituents have battled to get the care they need. Many do get excellent care, and I pay tribute to the staff of the Norfolk and Suffolk mental health foundation trust, who dedicate their lives to caring for thousands of patients successfully. I am pleased to see the hon. Member for Norwich South (Clive Lewis) and the right hon. Member for North Norfolk (Norman Lamb) here. I hope they will work with me and meet the trust here next week.

What we should be debating today is how to complete the job of bringing mental health into the light, into equality with physical health and into an era where the norm is of a better service, with every patient getting the treatment they need. I am currently helping constituents who have lived with seeing someone they love go down in a spiral—fast, sudden, out of control and finding it too hard to know what to do. I am concerned about continuity of care, the role of GPs and out-of-county beds. Poor provision of services is not acceptable or just: people deserve a better service.

I want to say three things: first, funding matters; secondly, equality matters; and thirdly, good management matters. On funding, I welcome the steps that the
Government are taking to increase investment. The Norfolk and Suffolk mental health foundation trust has been open about the funding shortfall it can see in its books compared, for example, with the Norfolk and Norwich hospital down the road. The chief executive has called for the same system of funding for mental health compared with physical health.

Of the seven CCGs in the region, Norwich devotes the highest proportion of its budget to mental health. Although the overall budget for this year rose by just over 6%, spend on mental health increased by just over 4%.

Rehman Chishti: Will my hon. Friend give way?

Chloe Smith: I am afraid that I cannot take an intervention.

Norwich CCG notes that its “spend on mental health has increased significantly in real terms, by almost £2m.” It believes that “access to mental health care is consistent across the county in line with demand.”

I welcome the announcement today of transparency measures, which will help us to understand such a statement.

On equality, we need proper parity of esteem between mental and physical health to be made a reality through funding. It is welcome that, in the planning requirements, commissioners are required to invest additionally in mental health.

Finally, good management is also needed, as the Minister for Community and Social Care recently argued in the Eastern Daily Press. By the way, I pay tribute to its campaign on mental health. My trust is in special measures and subject to an improvement plan. We must work with the trust to help it to get better. The staff have made very clear the pressures that they perceive; I also pay tribute to them. The CCG found that the trust was good at caring, but inadequately led. Monitor found that its financial management was lacking. Patients deserve better and other trusts are doing better: Norwich deserves better.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. If every speaker is to get in and we are to finish the debate on time, we must now have a limit of two minutes.

3.30 pm

Peter Dowd (Bootle) (Lab): Thank you, Madam Deputy Speaker.

“There they stand, isolated, majestic, imperious, brooded over by the gigantic water-tower and chimney combined, rising unmistakable and daunting out of the countryside—the asylums which our forefathers built with such immense solidity to express the notions of their day.”

Who would want to go back to that description of the old county asylums by Enoch Powell, the then Minister of Health, in a speech in 1961?

The proposals will set the country on a path of integrated community services for people with mental health issues, with an emphasis on the hospital as the place of last resort. No one doubts the complexity of the issue, but there is a real danger we will have a system that does not do one thing or the other. On the one hand, mental health hospitals are struggling to cope with demand for in-patient beds; on the other hand, community services are also straining to cope. There is a symbiotic relationship that feeds off the gradual inability of the other to cope with demand, despite the best efforts of the staff in those services, such as my colleagues in the 5 Boroughs Partnership NHS Foundation Trust, the staff of Mersey Care NHS Trust in my area, and charity and local authority workers.

What would happen if we did not have carers? We need to give them more support—concrete support—not warm words. I am not pointing the finger at the Government. We have gone beyond that. We genuinely have to get down to the issue. However, they are the Government, and they have a significant responsibility to get to grips with this burgeoning and growing crisis. I hope that the Minister has the vision to do so.

3.32 pm

Ben Howlett (Bath) (Con): May I join many other hon. Members in what they have said about the courage and bravery of Members standing up in this Chamber to speak about their own mental health issues? They are no longer in their places, but I refer in particular to my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) and my hon. Friend the Member for Broxbourne (Mr Walker). Listening to their speeches has given me enough confidence to think about my own mental health issues. I have to admit that trying to confront those issues was difficult in my first couple of months as a new Member of Parliament, but with the help and support of people in this place and in my constituency, I am managing to get through this period.

When someone comes to my constituency surgery to talk about their mental health issues, I completely understand the difficulties they face in finding the correct signposting. I completely agree with hon. Members who have said that we have a responsibility as MPs to be advocates for our constituents and to speak about mental health in this place. I have decided to hold a regular constituency surgery to work on mental health with Sirona Care and Health in my constituency. I will also hold hearsay information hubs, as I have done recently. I must admit that I have been pretty startled by the number of people coming forward to my surgeries with mental health issues during the past six months. I am at the very end of the journey on mental health: they should have been picked up well before they come to my office.

I have, however, seen a radical improvement during the past five years, having worked alongside the NHS for the past seven years. Avon and Wiltshire Mental Health Partnership NHS Trust in my constituency has Hillview, which is an excellent facility. It is increasing the number of psychiatric beds, which is definitely a benefit. We also have a range of community organisations and charities such as Bath Mind, which the Secretary of State visited just before the general election. I will never forget some of the work that it is doing, and I am currently helping it out. We play a vital role in this debate, and hopefully we will be able to signpost more of our constituents to the right place.
3.35 pm

Kate Osamor (Edmonton) (Lab/Co-op): I want to focus on attitudes towards, and the prevalence of, mental health problems among young black men, which I believe is important. Although the prevalence of mental health conditions among young people is often discussed in Parliament, it is less often discussed in the House in terms of race. Black men in Britain are 17 times more likely than their white counterparts to be diagnosed with a psychotic illness. Studies carried out in 2014 in Lambeth, an area with a black population of 26%—the largest in the country—found that 70% of the borough’s residents in secure psychiatric settings are of African or Caribbean origin.

The majority of people enter the mental health services via primary care, but young black African people are more likely to enter via the court or the police. According to a report by Mind in 2013, in a survey of black people’s experiences of the mental health services, 46% had been restrained by mental health staff. Of those, 79% thought that restraint was aggressive, and 34% had been physically injured.

We must listen to and act on reports such as that of Healthwatch Enfield, which surveyed 77 people in the community. The majority of those were young people and their parents, and they found—among many conclusions—that there were cultural, language and access barriers to services for black and minority ethnic communities. That needs to be considered by the Government. We need a comprehensive investment in mental health that takes racial differences into account. That will be one step forward to ensuring that we have an adequate service that helps all those in this country who suffer with mental health issues.

3.36 pm

David Rutley (Macclesfield) (Con): It is an honour to follow the hon. Member for Edmonton (Kate Osamor) who made some important points.

I will focus my brief remarks on young people with mental health issues. Every year I am privileged to bring about 10 young people into Parliament for a parliamentary induction day, and during a question and answer session I asked what were the biggest challenges facing them and their generation and peers. I thought that the answer would be about how to get into, and fund, a place at a decent university, but all 10 of them said in unison that mental health was the biggest challenge they faced.

I found that staggering, and given the various cases that I have had to deal with as an MP, I have taken a much closer interest in the subject and worked hard to find out more about the issues relating to young people. Clearly, the challenge is increasing. In the Cheshire and Wirral Partnership NHS Foundation Trust alone, referrals have gone up by 25% over the past couple of years. There is growing awareness of the issue, which in many ways is a good thing.

It is also clear that social media amplifies those challenges, and I ask those who have brought the likes of “Assassin’s Creed”, and other weird-sounding computer games, to the young people we work with, to please use that creativity and ability to communicate with young people to develop digital approaches that will help them to feel more comfortable about who they are, and about their place in the real world and the digital space. There is a responsibility there.

I am pleased that we will hear from the Minister for Community and Social Care, who takes a keen interest in this area. Extra funding is being used to tackle issues on the ground, and we are seeing best practice with young advisers in our area helping to youth-proof local services. Our Emotionally Healthy schools programme is bringing together an integrated approach to that vital part of our community.

3.39 pm

Clive Lewis (Norwich South) (Lab): The Norfolk and Suffolk NHS Foundation Trust was the first mental health trust in England to be placed in special measures, where I am afraid it still languishes. Let me praise the staff who have held that trust together, and kept it going throughout this tough time. Despite that, throughout the coalition years, we heard—and still do—much about parity of esteem between mental and physical health. Unfortunately, the reality is very different. Unison members in my constituency worked out that if my local mental health trust were funded using the same formula as my local acute trust, it would have an additional annual income of about £69 million. Instead, however, it was cut by £30 million. Ultimately, were parity of esteem a reality rather than empty rhetoric, those cuts would not have been made.

In the face of severe financial constraints, my trust has been forced to cut services such as early intervention in psychosis, assertive outreach and the specialist homeless teams that were once in place. Each and every cut was a false economy. The impact has been catastrophic. People in crisis in my constituency have been left without access to a local NHS bed. Instead, they have been sent hundreds of miles from Norwich, separated from their families and care teams, to places as far away as Harrogate, Bradford, London and Brighton.

Forgive me, therefore, if I do not sound too excited by the announcement in the Chancellor’s recent autumn statement of an additional investment of £600 million for mental health services. An investigation by the BBC and the Community Care magazine in March found that £600 million had been cut from mental health services since 2010. It is therefore an affront to call this £600 million an investment. In reality, it is barely a replacement. Unfortunately, it is too late for those in my constituency who have lost their lives or suffered life-changing injuries because help was not there when they needed it. The Government have failed patients, failed their families, failed staff and ultimately failed my community.

3.41 pm

Maria Caulfield (Lewes) (Con): I want to highlight the importance of preventive work in dealing with mental health issues. I am not saying that my constituency does not need more funding or resources for preventive work or the acute mental health setting, but I want to highlight some good work happening locally already.

In my constituency, Sussex police were, until recently, at the forefront of dealing with those in mental health crisis. For those who do not know my constituency, it is on the beautiful Sussex coast, and I have the picturesque spot of Birling Gap lying right next door to Beachy
Head, both of which are suicide hotspots. Until recently, the police, along with the Beachy Head chaplaincy team, had to deal with people standing or sitting on those cliffs contemplating suicide. Since last year, mental health nurses have been out with Sussex police on these and other calls to ensure that people suffering acute mental health crises get the help they need when they need it. Previously, Sussex police were detaining more people under the mental health legislation than any other police force. They had no other way of looking after those people. That was far from ideal, because a prison cell, rather than a hospital bed, is not conducive to supporting vulnerable adults.

I ask Opposition Members, therefore, to look at some of the great work being done. I am not saying we do not need more funding and resources, but there is some great work being done in the field of mental health.

3.43 pm

Barbara Keeley (Worsley and Eccles South) (Lab): We have heard in this important debate from an astonishing 27 speakers in addition to many interventions during the opening speeches. I welcome the involvement of all those who have taken part. In particular, I would like to thank the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), the right hon. Member for North Somerset (Dr Fox), my right hon. Friend the Member for Exeter (Mr Bradshaw), the hon. Member for Worcester (Mr Walker), my hon. Friend the Member for Rochdale (Simon Danczuk), the hon. Member for Erewash (Maggie Throup), my hon. Friend the Member for North Durham (Mr Jones), the hon. Member for York Outer (Julian Sturdy), the right hon. Member for North Norfolk (Norman Lamb), the hon. Member for Plymouth, Moor View (Johnny Mercer), my hon. Friend the Member for Manchester, Withington (Jeff Smith), the hon. Member for Bracknell (Dr Lee), my hon. Friend the Member for York Central (Rachael Maskell), the hon. Member for South Cambridgeshire (Heidi Allen), my hon. Friend the Member for Salford and Eccles (Rebecca Long Bailey), the hon. Member for Henley (John Howell), my hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), the hon. Members for Halesowen and Rowley Regis (James Morris), for Livingston (Hannah Bardell) and for Norwich North (Clive Lewis) and the hon. Member for Lewes (Maria Caulfield). It is a remarkable number.

The Secretary of State was right to thank the hon. Member for Broxbourne (Mr Walker) and my hon. Friend the Members for Barrow and Furness (John Woodcock) and for North Durham for talking about their personal experiences. My hon. Friend the Member for Manchester, Withington also spoke about his experiences today. We should always thank hon. Members who speak from their own personal experience. I also want to mention the leadership of the all-party group on mental health and the commitment of the right hon. Members for North Norfolk and for Sutton Coldfield (Mr Mitchell) and Alastair Campbell, who have formed a group arguing for equality for mental health and an increase in funding.

I want to thank my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) for her persistence in raising issues relating to suicide and the work capability assessment, and on the impact that changes to social security programmes can have on people with mental health problems. If we are to have a zero suicide ambition, as the Secretary of State mentioned, we must do more work on that particular issue, and on the crisis of male suicide, which was raised by the right hon. Member for North Somerset and my hon. Friend the Members for Rochdale and for Ashton-under-Lyne.

Right hon. and hon. Members have spoken with knowledge about mental health services around the country and about the excellent work being done in their constituencies, often by charities and voluntary projects. Many speeches illustrated the fact that our mental health services are under intense pressure and in urgent need of improvement. In the previous Parliament, we heard much from Ministers on parity of esteem, but we saw little progress. I think all the speeches today have shown us that things have got worse. The independent King’s Fund commented recently that parity of esteem for mental health “remains a long way off.” The hon. Member for York Outer said exactly the same thing and the right hon. Member for North Norfolk called the current situation “morally wrong and economically stupid”.

Mental health services have faced cuts and Government promises on spending have not been kept. We focused on that in this debate. In 2012, the annual national survey of investment in mental health services found that spending on mental health had been cut for the first time in a decade, but rather than take action to put it right Ministers discontinued the survey. As my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger) said earlier, since then it has been very difficult to make an accurate assessment of the level of investment in mental health services. Indeed, we have to rely on freedom of information requests and on expert analysis by charities and independent bodies. The King’s Fund found that about 40% of mental health trusts experienced reductions in income in both 2013-14 and 2014-15. The charity Mind reports a real-terms reduction of 8.25%, or almost £600 million, in the funding of mental health services at the same time that referrals to community mental health teams have risen by nearly 20%. Labour’s own analysis by my hon. Friend the shadow Minister found that one in three clinical commissioning groups was not increasing its spending on mental health in line with the growth in their budget allocations, despite an explicit promise from Ministers that that would be the case. If Ministers have the determination to change that, we would welcome it.

The suggestion made by the right hon. Member for North Somerset of ring-fencing extra funding for mental health was very welcome and was supported by a number of hon. Members. The Secretary of State admitted earlier that he just did not know by how much standards and investment varied across the country. The lack of information is simply not good enough. I urge the Minister to reinstate the national survey of investment in mental health. That is the way to go.
One area on which we have accurate information is funding for social care. Social care services play an important role in supporting people with mental health problems. Cuts to social care services have a serious impact on people with mental health needs, as do other issues raised in this debate such as housing. A report on mental health care from the Health Foundation found that the number of people receiving social care support for mental health problems has fallen by 25% since 2009-10. A recent survey of NHS mental health trusts found that cuts to social care budgets were having an adverse impact on their services. Indeed, as my hon. Friend the Member for North Durham said, we need to road-test policies from other Departments for their impact on mental health.

The recent spending review will surely go down as a missed opportunity to do something about the desperate funding crisis in social care, which does affect people with mental health problems. The Chancellor’s proposals on social care funding are woefully inadequate. They will leave a black hole in care services for older people and for people with mental health problems. To cite a local example, Government cuts to Salford City Council’s budget have led to a funding cut for social care to fall from £76 million in 2010 to £61 million this year—a cut of £15 million. However, the 2% council tax precept will raise only £1.6 million. The King’s Fund warned this week that the decision to use council tax precept to offset cuts in social care will widen the gap between richer and poorer areas but will raise less than half the £2 billion the Chancellor predicted.

Older people are not just being hit by cuts to social care; they are also being hit by cuts to mental health services. The Secretary of State said that depression was more debilitating than angina, asthma and diabetes, but depression affects 22% of men and 28% of women aged 65 or over—some 2 million people in England. In the UK, mental health problems present in 40% of older people attending their GPs, 50% of older people in general hospitals and 60% of older people in care homes.

The Secretary of State also said that talking therapies are more effective than drugs, but Age UK tells us that older people are six times as likely as young people to be on tranquillisers or equivalent medication, but only a third as likely to have access to talking therapies. While 50% of younger people with depression are referred to mental health services, only 6% of older people are. The Royal College of Psychiatrists estimates that 85% of older people with depression receive no help at all from the NHS. The Government are letting older people with depression receive no help at all from the NHS. The Government are letting older people with depression receive no help at all from the NHS. The Government are letting older people with depression receive no help at all from the NHS.

So I welcome this debate, which has given us such an opportunity to raise a number of the issues that reflect that light and shade—issues raised in powerful and personal speeches that reveal the depth of pain that mental ill health can cause. Through those expressions we can provide a sense of the urgency and purpose with which Parliament as a whole now addresses and will continue to address such matters. There is a sense that progress is being made—and I mean real progress, not a consensual process—until, by our own efforts and through the internet, she had hit upon the Maudsley. On the same visit, however, I met a team working in primary schools to introduce children to mental health disorders, from which she suffers and about which she is up front with great bravery. At the same time, I heard once again a familiar refrain from those around the table and from mental health sufferers in too many places, especially at crisis times—that “no one listened to me”. That is how it is with mental health issues in this country—a pattern of light and shade, good news and bad.

I cannot cover everything in the time available, and I will answer by letter colleagues who raised specific questions. Let me say that we heard powerful speeches, often about local issues, from my hon. Friend the Member for Worcester (Mr Walker), the hon. Member for Rochdale (Simon Danczuk), the right hon. Member for Exeter (Mr Bradshaw), my hon. Friend the Member for Erewash (Maggie Throup), the hon. Members for Livingston (Hannah Bardell) and for Salford and Eccles (Rebecca Long Bailey), my hon. Friend the Member for Norwich North (Chloe Smith) and the hon. Members for Norwich South (Clive Lewis) and for Bootle (Peter Dowd).

I am grateful to the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), who represents the Scottish National party, for offering her support for a consensual process. I look forward to visiting Scotland to see what is going on there, as I think there is much that we can share. I greatly valued the hon. Lady's contribution.
Strong personal statements were made by colleagues who know about these things, and I particularly thank the hon. Members for North Durham (Mr Jones) and for Manchester, Withington (Jeff Smith), as well as my hon. Friend the Member for Bath (Ben Howlett). The hon. Member for Edmonton (Kate Osamor) bravely raised the issue of recent ethnic minority issues in mental health. That needed to be raised, and I am very pleased that she did so. We do not concentrate nearly enough on that issue, and I am sure I will come back to her on that.

The right hon. Member for North Norfolk (Norman Lamb), who grappled with these difficulties himself so well and is so well regarded, spoke of the matters that he wanted to be dealt with more urgently than had been the case since he left office. I assure him again that we will do that.

I can tell the hon. Member for York Central (Rachael Maskell) and my hon. Friend the Member for York Outer (Julian Sturdy) that a letter is on the way to them. It will not give the hon. Lady quite the assurance that she wants in regard to the inquiry that she requested, but it will move matters on a little further. She knows that my door is open, and, indeed, I shall be happy to see both Members whenever they wish.

My hon. Friends the Members for Bracknell (Dr Lee) and for Henley (John Howell) raised the issue of mental health in the law and justice system. That is sometimes another less regarded area, but, as my hon. Friends pointed out, mental health issues matter there as well.

My right hon. Friend the Member for North Somerset (Jo Johnson) and for Cambridge (Stephen Tierney) have raised the issue of the importance of provision for young people. Those are, of course, the generations who are most vulnerable to the scurrge of too many suicides. I want a national campaign against loneliness and isolation, and the mobilisation of the millions in clubs, faith groups and associations around the country, to bring more people in, and to let no one go.

The House divided: Ayes 209, Noes 290.

**Division No. 146**

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Chope, Mr Christopher
Churchill, Jo
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Coffey, Dr Therese
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Colville, Oliver
Costa, Alberto
Cox, Mr Geoffrey
Crabb, Rh Stephen
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Davies, Byron
Whitehead, Dr Alan
Williams, Mr Mark
Wilson, Phil
Winnick, Mr David
Winterton, Rh Ms Rosie
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes: Holly Lynch and Jeff Smith

NOES
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Dr James
Davies, Mims
Davies, Philip
Davies, Rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Donelan, Michelle
Double, Steve
Dowden, Oliver
Drax, Richard
Drummmond, Mrs Flick
Duddridge, James
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Duncan Smith, Rh Mr Iain
Dunne, Mr Philip
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Evans, Rh Mr Nigel
Evannett, Rh Mr David
Fabricant, Michael
Fallon, Rh Mr Michael
Fernandes, Suella
Field, Rh Mark
Foster, Kevin
Fox, Rh Dr Liam
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Garnier, Rh Sir Edward
Garnier, Mark
Gauke, Mr David
Ghani, Nusrat
Gibb, Rh Mr Nick
Gillan, Rh Mrs Cheryl
Glen, John
Goodwill, Rh Mr Robert
Gove, Rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, Rh Chris
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Green, Rh Damian
Grieve, Rh Mr Dominic
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Halper, Rh Robert
Hall, Luke
Hammond, Stephen
Hands, Rh Greg
Harrington, Richard
Tellers for the Noes: Jackie Doyle-Price and Guy Opperman
Women and the Economy

4.11 pm

Kate Green (Stretford and Urmston) (Lab): I beg to move,

That this House notes with concern the disproportionate impact of this Government’s policies on women; further notes that, according to the Library’s data, measures in the Summer Budget and Autumn Statement have hit women three times harder by tax and benefit changes than men; notes that proposals for infrastructure investment outlined in the Autumn Statement are predominantly focused in sectors that typically employ more men than women; notes with concern that the UK gender pay gap stands at 19.2 per cent, higher than the EU average, and that the Government’s introduction of tribunal fees means that women have to pay £1,200 in order to bring forward an equal pay claim, preventing many from pursuing legitimate claims; notes concerns raised by the Scottish Trades Union Congress and the Scottish Older Women’s Commission regarding the proliferation of low-paid part-time work among women; notes that levels of maternity discrimination have almost doubled in recent years; notes the alarming rate of closures of services supporting victims of domestic violence, particularly services for BME women; and calls on the Government to affirm its commitment to ensuring that women and protected groups do not bear the brunt of Government measures, to conduct an urgent cumulative assessment of the impact of its policies on women since 2010, to take the necessary remedial steps to mitigate its impact and to implement an equal pay strategy for BME women; and calls on the Government to affirm its commitment to ensuring that women and protected groups do not bear the brunt of Government measures, to conduct an urgent cumulative assessment of the impact of its policies on women since 2010, to take the necessary remedial steps to mitigate its impact and to implement a gender equality strategy to improve the position of women over the remainder of this Parliament.

At his party’s annual conference this year, the Prime Minister nailed his colours to the mast of gender equality. He said:

“I’m a dad of two daughters... you can’t have true opportunity without real equality.”

That is right. That is why Labour has called this debate to put his party’s record under the microscope, and to assess the extent to which his words are matched by the actions of his Government and his Chancellor. It is a record that is found wanting.

Whether we are talking about fiscal measures such as taxes and benefits; the labour market and women’s employment rights and chances; public spending on services and infrastructure; women’s safety; or women’s voice and influence, women of all ages and backgrounds face an insecure and worrying future as a result of Government policy. That is far from the security that the Chancellor promised would be at the heart of his autumn statement. His promises to women of all ages and backgrounds have certainly been damaging for a substantial number of women.

I suppose that we should not be surprised. After all, this is the Prime Minister who regards equality impact assessments as “tick-box stuff” and “bureaucratic nonsense”. We all know, all too well, what happens when the Government do not carry out full and proper equality impact assessments. Just two weeks ago, the Chancellor rose to deliver his autumn statement. His record in power has been shameful. Since 2010, more than 80% of tax and benefit savings have been taken from the purses of women.

Joan Ryan (Enfield North) (Lab): Is my hon. Friend aware that, according to the United Nations, on the current rate of progress, it will take Britain another 70 years to close the gender pay gap? Sadly, the Prime Minister’s daughters may be disappointed. Does she agree that that is totally unacceptable?

Kate Green: My right hon. Friend is right. I suspect that neither of us has 70 years to wait for the gap to be equalised. I shall return to that point later.

John Redwood (Wokingham) (Con): Why did not the last Labour Government solve this problem?

Kate Green: We did an awful lot better than the coalition Government and this Government. [Interruption.] Yes, we did! The speed of reduction under the Labour Government in the past decade meant that the gender pay gap came down by around a third, but that progress has sadly not been maintained under Conservative-led Governments.

Lucy Frazer (South East Cambridgeshire) (Con): Will the hon. Lady give way?

Kate Green: I will give way to the hon. and learned Lady later, if she will forgive me. I want to make a little progress.

We knew that the Chancellor had been forced to listen, and that he would have to back down on the tax credit cuts he announced in the summer, which would have hit women disproportionately hard. We have to wonder why on earth he thought they were a good idea in the first place, knowing that 70% of the savings to the Treasury from that policy would have come from women.

Dawn Butler (Brent Central) (Lab): Women have borne the brunt of more than 82% of all the Chancellor’s cuts. Does my hon. Friend agree that he is every woman’s worst nightmare?

Kate Green: I shall not presume to speak for every woman’s attitude towards the Chancellor, but his policies have certainly been damaging for a substantial number of women.

Mr Alan Mak (Havant) (Con): Figures show that around 60% of women will benefit from the new national living wage. Does the hon. Lady accept that it was wrong of her party to oppose it in the summer Budget?

Kate Green: The hon. Gentleman is wrong to say that my party opposed it; we did not. We did say that it would not be sufficient to compensate for the cuts to tax credits and benefits. He might also like to know that analysis has shown that the people who will benefit from the national living wage are not the same ones who will lose out from the cuts to tax credits and benefits. This nonsense, this sleight of hand, about the figures does Conservative Members no credit. They should be prepared to come clean about who will benefit from their policies and who will not.

In the autumn statement, under pressure from Opposition Members, the Chancellor was forced to make changes to his plans. The cuts to tax credits have not been abandoned, however; they have merely been delayed. The same savings will still be made elsewhere in the system, and women will still lose out. According to a Library analysis commissioned by my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), women will be hit three times as hard as men by the cuts in this year’s summer Budget and in the autumn statement. That is three times as hard in six
short months, and in just two spending announcements. Many of the Chancellor’s policies that are inimical to the interests of women remain firmly in place.

Alex Chalk (Cheltenham) (Con): Does the hon. Lady recognise that the Government’s proposal to force companies to publish details of salaries and bonuses is a welcome step towards reducing the gender pay gap? Does she also acknowledge that it is a measure that this Government are introducing and that hers did not?

Kate Green: I must correct the hon. Gentleman: it was a Labour Government who left that measure on the statute book. It took Conservative-led Governments another five and a half years to put that into action. Even now, what is being put into action is insufficient. It does not, for example, provide for a full breakdown of grades and job roles, so there is more to do. Of course it is a welcome measure, and we are proud to have brought it forward, but I hope the Government will not rest on their laurels and will be prepared to go further.

Andrew Gwynne (Denton and Reddish) (Lab): My hon. Friend is absolutely right to raise the issue of the impact on women of the Government’s policies. She will be aware that there have been huge reductions in public services, and that women constitute 75% of the local government workforce, 77% of the NHS workforce and 80% of the workforce in social care. Does she agree that these reductions are having a huge impact on the employment prospects of women in the public services?

Kate Green: My hon. Friend is right about that. Of course the public services, too, traditionally have had a better record in many respects on promotion for women and other groups with protected characteristics, such as black and minority ethnic workers. There is certainly a concern that cuts to public sector spending will have an impact on women’s employment, and on their employment prospects, and that those cuts are part of the reason why unemployment has remained higher among women than men.

As I say, many of the Chancellor’s policies that are harmful to the interests of women are still, sadly, in place: the freeze and cuts to child benefit, universal credit, local housing allowance and tax credits; the cuts to the family element of tax credits; the changes to disregard, tapers and thresholds; the disincentive for second earners, often women, in universal credit; the benefit cap; the two-child policy in child tax credits; the disregard, tapers and thresholds; the disincentive for one earner—and often a part-time earner, working part time to enable care to be combined with employment responsibilities. The introduction of the so-called national living wage and free childcare places simply cannot compensate wholly for these benefit cuts; the Institute for Fiscal Studies has said that that is arithmetically impossible. In any event, as I pointed out to the hon. Member for Havant (Mr Mak), the people who gain from the increased minimum wage are not the same people who are losing out.

Lucy Frazer: Will the hon. Lady give way?

Kate Green: Yes, of course. I beg the hon. and learned Lady’s pardon; I had promised to give way to her.

Lucy Frazer: I am grateful to the hon. Lady for giving way. What does she say about the fact that 53% of apprenticeship starts in 2014-15 were for women? That is a policy that the Government are very much pushing.

Kate Green: Yes, my hon. Friend is right about that, and I believe that even the Work and Pensions Secretary has now acknowledged that what he said at the weekend was not entirely correct.

As we have been discussing lone parents, the House will be interested to know that the Library says that a lone parent with two children, working 20 hours per week on the so-called national living wage, will lose £2,800 by the end of this Parliament. That is a substantial amount for a family who, by definition, can have only one earner—and often a part-time earner, working part time to enable care to be combined with employment responsibilities. The introduction of the so-called national living wage and free childcare places simply cannot compensate wholly for these benefit cuts; the Institute for Fiscal Studies has said that that is arithmetically impossible. In any event, as I pointed out to the hon. Member for Havant (Mr Mak), the people who gain from the increased minimum wage are not the same people who are losing out.

Lucy Frazer: Will the hon. Lady give way?
point. It is a concern, and I hope that the Minister can say something about the Government strategy for addressing it.

It is not just women of working age who are losing out as a result of Government policies; older women face a situation that is equally serious. Single female pensioners lose most, according to the Women's Budget Group, while the Fawcett Society points out that in 2017, the full £155-a-week state pension will be paid to only 22% of older women. The difficulty that women face because of working part-time, or because of not being able to fulfil the requirement for an increased 35 years of contributions, puts them at further disadvantage. Women are also less likely to have access to a good occupational pension.

Dr Rupa Huq (Ealing Central and Acton) (Lab): My hon. Friend is making a powerful speech. Just a short time ago, in Prime Minister's Question Time, the Prime Minister declared himself a feminist, but that does not seem to correspond with his party's policies. Just as he once forgot his daughter in a pub, his party seems to have forgotten about equality for women.

Kate Green: Certainly, I am unable to describe the policies of the Government as pro-female, or indeed feminist. Perhaps the Minister will seek to defend the Prime Minister's record.

Those women who saw their pension age increase as a result of the Pensions Act 2011, particularly those born between April 1951 and April 1953, have been hit especially hard. Not only do they have to wait longer for their pension, but unlike a man of exactly the same age, they are not eligible for a single-tier pension.

Andrew Gwynne: My hon. Friend will know the work that my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) and I have done in raising this issue. On Saturday, I was at Denton Morrison's with the Women Against State Pension Inequality—WASPI—campaign group. It made that point to many of my constituents who were completely unaware of the changes and the acceleration in the state pension age, so those women who were expecting to get their state pension will be sorely disappointed. They said that the Government's communications on this have been absolutely abysmal.

Kate Green: My hon. Friend is right. I, too, have met WASPI women. Just the other day, my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) held a Westminster Hall debate on this very subject in which she pointed out the lack of notice to these women. That point was also made by my hon. Friend the Member for Leeds West (Rachel Reeves) and others when the legislation was passed by this House in 2011.

Barbara Keeley (Worsley and Eccles South) (Lab): Since that debate, the former Pensions Minister, Steve Webb, has admitted that the Government made a bad decision over these increases in state pension age equalisation. He made the excuse that his Department had not been properly briefed, and he went into crisis talks with the Prime Minister and the Chancellor to try to claw back billions. Those women are suffering because of that mistake and that departmental failure.

Kate Green: We heard the then Pensions Minister, and other Ministers, assure us that there would be transitional protection for those women. We have seen no sign of that protection, and women are suffering as a result.

We already know that women are twice as likely as men to live in poverty, yet this Chancellor has a blind spot when it comes to gender. He is either unaware or disinterested in the gendered nature of poverty. It is not just the short-term injustice of this policy that is of real concern, but the long-term impact on our country's future.

Women are more likely to manage household budgets. They are more likely to be the main carers of children, and poor mothers have poor children. Women's continued economic disadvantage means more children growing up in poverty, which means long-term damaging effects on those children and on our future economic potential.

James Cartlidge (South Suffolk) (Con): Does the hon. Lady accept that debt does not discriminate, and that it is in the interests of every member of society, whether male or female, that we run sound public finances, which is the reason behind many of the measures that she was describing earlier? Unless we reduce our deficit and get back into the black, we will leave every member of this society in massive debt.

Kate Green: We on the Opposition side of the House of course agree about the importance of prudent management of the public finances. I would just point out that the Chancellor promised to eliminate the deficit by the end of the last Parliament. What he actually achieved was to halve it, which is exactly what the previous Labour Chancellor, Alistair Darling, had suggested. This Chancellor has presided over a rise in public debt, and he is substituting once again—one might have thought that he was learning—private debt for public debt. The Office for Budget Responsibility is now forecasting that by the end of this Parliament private household debt will be back at recession levels, which should alarm all of us.

Simon Hoare (North Dorset) (Con): My memory is failing me. I wonder whether the hon. Lady could remind me which Chancellor ended boom and bust.

Kate Green: I will remind the hon. Gentleman of two things. First, the 2008 crash was a global crash that began in the United States of America; it was not caused by the spending plans and policies of the then Labour Government. Secondly, it was the action taken by the then Prime Minister and Chancellor that rescued the economy when we could have seen the entire financial system crash, which would have left families with no salaries, no incomes, no ability to pay their mortgages—

Simon Hoare: Rose—

Kate Green: I have not finished giving the hon. Gentleman his history lesson, since he says his memory is faulty. It was the Labour Government who steered the economy through a desperately dangerous period. At the time the current Prime Minister and Chancellor said that the best thing was to do nothing and not to rescue the banks, which would have caused absolute financial disaster for families across this country. While I am reminding the hon. Gentleman about the track records of the previous
Labour Government and the previous Conservative Opposition, of course I regret that we did not regulate the banking system more tightly, as I think everybody accepts, but let me remind Government Members once again that it was the current Prime Minister and the current Chancellor of the Exchequer who said that Labour was being too restrictive in our regulation of the financial services sector. The history lesson does not entirely favour the hon. Gentleman’s party, but I will give way to him again.

Simon Hoare: Hearing the hon. Lady talk about the Labour party and financial regulation is like hearing that Herod should have been a bit kinder to the first-born. Perhaps I will give her another go. Does she not accept that her right hon. Friend the Member for Doncaster North (Edward Miliband) failed back at the election? Did not the Labour party borrow too much and spend too much, and as a result Britain, when faced with that international financial difficulty, was in a very precarious place?

Madam Deputy Speaker (Natascha Engel): Order. Before the hon. Lady answers, I remind Members of the topic of the debate, because we seem to be wandering a million miles from it. The shadow Minister might wish to answer the hon. Gentleman’s question, but she is perfectly entitled to choose not to do so.

Kate Green: I am certainly not frit, Madam Deputy Speaker, because what I know from my constituency, as I think hon. Members across the House know from theirs, is that the investment we made in housing, hospitals, policing and schools benefited families and women. It grew the economy, created jobs and lifted 1 million children out of poverty, and I am proud of that record.

The Chancellor’s gender blindness is not confined to his fiscal decisions. The investment in infrastructure announced in the summer Budget and the autumn statement is of course welcome, but the investment in the social infrastructure that supports women to work, learn and care is sadly lacking. Where was the labour market strategy to help women prosper and progress in the workplace? I recognise—before hon. Members jump up to tell me—that there are more women in work, not least because the increase in the state pension age and men’s wages, not women’s earnings rising to close the gap.

Chris Stephens (Glasgow South West) (SNP): On women being paid less than the minimum wage, another factor is that the Government are making cuts to Her Majesty’s Revenue and Customs, which will stop the enforcement of the minimum wage in many sectors of the economy.

Kate Green: The hon. Gentleman is right. These cuts are false economies. “Penny wise and pound foolish” underlies the Government’s whole economic strategy, and that is a very good example of it.

Lucy Frazer: The hon. Lady is absolutely right that we need to invest in our young women going through school so that they study STEM subjects, and that is exactly what the Chancellor is doing. Through investment in STEM, a record number of girls are taking A-levels in science and maths, with 10,000 more STEM A-level entries for girls. We must be ambitious and aspirational for our next generation.

Kate Green: The hon. and learned Lady is right. Perhaps we can open up some of that when we look at what is happening to young people’s career destinations.

Part-time and temporary work is exacerbating the gender pay gap. Seventy-four per cent. of those working part-time are women. One in five young women have been offered zero-hours contracts. The disproportionately high number of women in low-paid, part-time work means that in-work poverty remains a real issue. Cutting in-work benefits makes life worse, not better, for those women. I can discern no Government strategy to address areas of the economy such as cleaning, retail, care and hospitality where there is chronic and persistent low pay and where women typically work.

In 2013, to follow the point made by the hon. Member for Basingstoke (Mrs Miller), the Government published their action plan on women and the economy. Indeed, I think that the right hon. Member for Basingstoke (Mrs Miller) was responsible for it. That action plan set out Ministers’ ambitions for women’s increased participation. It contained welcome words about increasing girls’ participation in STEM subjects, as noted by the hon. Member for South East Cambridgeshire; encouraging women
into higher-paid careers; and supporting women as entrepreneurs. In practice, however, we have fallen very far short of those ambitions. The CBI reports that 93% of young people are not getting access to adequate careers advice, and girls are still too often pigeonholed into traditionally female career routes.

Paula Sherriff (Dewsbury) (Lab): In 2013, the percentage of women in senior management roles in the private sector was 19%, ranking the UK in the bottom 10 countries globally, behind Botswana, Lithuania and the Philippines. Does my hon. Friend agree that that is completely unacceptable?

Kate Green: It is certainly not a record to be proud of. Worryingly, the Young Women's Trust says that young women are considerably more likely than women over the age of 31 to think that many traditionally male roles are out of their reach. Just 15% of university places for computer science and engineering are taken by women students. Although, as the hon. and learned Member for South East Cambridgeshire noted, the majority of apprenticeships are taken up by women, two thirds of whom are in the five lowest paid industry sectors, and after completing an apprenticeship, 16% of women are out of work, compared with only 6% of male apprentices.

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): Does the hon. Lady agree that those ladies who are today starting apprenticeships and completing university are the women who were educated or who started their education when her party was in government, and that it is actually Labour's lack of careers advice and lack of engendering ambition and aspiration that has resulted in some of the statistics she has cited?

Kate Green: No, I do not accept that at all. The CBI did not ask about the careers advice offered under the Labour Government, who had a proper careers system in schools. The CBI asked about the careers advice that is on offer now, at a time when the Government have scrapped a decent careers service and are leaving it to the discretion of schools and asking people to go online to get it.

Siobhain McDonagh (Mitcham and Morden) (Lab): I am sure my hon. Friend is aware of the Education Committee report that pointed to the complete collapse of the careers service because of short-term cuts made by the coalition Government.

Kate Green: Exactly. I hope the Minister will take a little more time in her speech to explain which part of the present Government's apprenticeship strategy addresses gender inequality.

In 2013, the Government also said that they wanted to encourage more women to become business owners or entrepreneurs. There has been a significant increase in the number of self-employed women—between 2008 and 2011, more than 80% of the newly self-employed were women—but that may not always be by choice. Increased conditionality and lack of suitable employment mean that self-employment is an economic necessity for some, and yet the average income of a self-employed woman is just £9,800 per annum, according to the Women's Budget Group, compared with £17,000 for a self-employed man. Self-employment is not a route out of poverty for those women.

Alison McGovern: Will my hon. Friend give way?

Kate Green: I will make some progress, if my hon. Friend will forgive me, but I hope that she will speak in the debate, because her contributions are always useful. Overall, the Government's strategy for women at work is simply insufficient. That is not just bad for women; as my hon. Friend the Member for Chesterfield (Toby Perkins) noted, it is bad for our economy. The Government's own consultation report, "Closing the Gender Pay Gap", which was published this year, states that equalising the level of women's productivity and employment with men's could add almost £600 billion to our economy, while equalising participation rates could add 10% to the size of the economy by 2030. Action is urgently needed.

Meanwhile, women are also seeing their rights in the workplace attacked and eroded. The introduction of tribunal fees means that few can now afford the £1,200 to pursue an equal pay claim. The number of maternity discrimination cases has nearly doubled, while the number of cases going to tribunal has fallen by 80%. So much for the Government's commitment to economic equality.

Cuts to spending on public services also hit women hardest. There are 763 fewer Sure Start centres than in 2010. The care sector has been affected badly by the 31% cut in local council budgets. The additional £3.5 billion earmarked in the autumn statement fails to compensate for the drastic cuts that have already taken place, let alone adequately meeting future need.

Chris Stephens rose—

Kate Green: I will make some progress, if the hon. Gentleman will forgive me.

It is women who will lose out from the lack of paid-for care, as they so often have to step in to fill the gap. Terrifyingly for women at risk of or fleeing sexual or domestic violence and abuse, there have also been substantial cuts to services and access to justice that protect women's safety. Research for Women's Aid in 2014 showed that a third of women were being turned away from refuges because there was no room for them. Thirty-two specialist services closed between 2010 and 2014 due to lack of funds. The Chancellor's short-term proposal to fund domestic violence services from the unfair tampon tax makes their funding symbolically and literally the responsibility only of women. Two women a week are killed as a result of domestic violence, and that must be the responsibility of everyone in society.

Why does all this happen? Why are women hit the hardest? It happens because we are not present where decisions are taken. Our voices are not heard. The Fawcett Society has shown that 80% of stories in the media about the economy are about men or quote men. Although there has been a welcome improvement in the number of women on company boards following the Davies report, the proportion of women in executive positions on FTSE 100 boards remains lamentably low.

Jo Stevens (Cardiff Central) (Lab): Will my hon. Friend give way?
Kate Green: I will make some progress, if my hon. Friend will forgive me.

As for the Government's own track record, the Women and Equalities Minister's own Department for Education's management board contains just two women out of 12 members. It is clear from such circumstances and recent announcements that the Government have a blind spot when it comes to gender. Ministers are ignorant, indifferent, or deliberately targeting women for the worst effects of their cuts. That makes a mockery of the Prime Minister's words about his commitment to gender equality.

In conclusion, let me make a few suggestions about what Ministers could start to do to address the inherent gender inequality that runs right through this Government's agenda: carry out a full cumulative impact assessment of all Government policy since 2010 to analyse the impact on women; act now to address any disproportionately damaging effects; commit to introducing—and publishing immediately—cumulative equality impact assessments across Government and remedial action wherever policy is found to be inimical to equality, as the Labour Government in Wales are already committed to doing; and ensure that women are at the heart of decision making at every level. And is it not time the Government published a full, comprehensive, cross-Government gender equality strategy that addresses the economic and social discrimination and disadvantage that have become the hallmark of this Government? That is what the Opposition are calling for this afternoon and I commend our motion to the House.

4.46 pm

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): It is an enormous pleasure to respond to this debate on an incredibly important subject. I start with a note of sadness, which I direct to the Opposition spokesperson, the hon. Member for Stretford and Urmston (Kate Green). Nothing that she said this afternoon, not a word that came out of her mouth, championed or celebrated the achievements of women every day throughout the country. Even those who start their own businesses, create jobs and generate the economic recovery that we are seeing, she could not celebrate. She sees that as a negative, which underlines how Labour sees small businesses up and down the country.

Kate Green rose—

Caroline Dinenage: I will make progress, if I may.

A vibrant economy, where everyone can fulfil their potential and play their part, is at the heart of this Government's mission to govern as one nation. As the Prime Minister said, "you can't have true opportunity without equality". That message goes to the heart of what the Government want to achieve for women.

This year marks the 40th anniversary of the Sex Discrimination Act and I am very pleased to say that we have seen significant economic progress for women during those 40 years. Over the past five years in particular, we have made huge strides. We have more women in work than ever before. Female employment has increased, with 14.6 million women now working. There are over a million small businesses with women at the helm. We have helped to achieve the lowest ever gender pay gap on record, and we have more than doubled women's representation on FTSE 100 boards since 2011.

Debbie Abrahams: I am grateful to the Minister for giving way so early. She mentioned women running their own businesses. Does she consider it a success that women are likely to have an average income of £9,800, compared with self-employed men, who earn an average of £17,000?

Caroline Dinenage: I like to champion everyone who goes out there and starts her own business, pursues her passion and creates employment. There are many obstacles that prevent women from starting and growing their own businesses, and as a Government we are seeking to overcome those obstacles. I shall come to that later in my comments. [Interruption.] We do have a long way to go. We are by no means complacent. There is so much more we can do to make sure women can play their full part in this economy, and the Government want to make sure that all women can fulfil their potential.

Over 1.5 million women already in work say that they would like to do more hours if they could. If they each worked just one extra hour each week, that would contribute 80 million more hours a year in productivity. As a country, we cannot afford to waste the talents of a single person, let alone those of half of our population. Although such economic arguments are of course very important and very powerful, frankly, gender equality is also just the right thing to do.

Mr Alistair Carmichael (Orkney and Shetland) (LD): In the previous Government, I—along with the Minister's predecessor as Under-Secretary of State for Women and Equalities, Jo Swinson—commissioned a report on womenomics, which was produced by Professor Lesley Sawers of Glasgow Caledonian University. What are the Government doing about that report?

Caroline Dinenage: I will come on to that a little later in my speech, but I join the right hon. Gentleman in paying tribute to Jo Swinson, my predecessor in this role, who did an excellent job.

This commitment to gender equality informs the difficult decisions that we have had to make to return the country to surplus and ensure that we no longer depend on debt. We must not forget, despite the mass amnesia that seems to have broken out on the Opposition side of the House, that we are in this position because of Labour's financial mismanagement, which meant that we have had to take very difficult and unpleasant decisions to balance the books and live within our means. We know that women still earn less, own less and retire with less than their male counterparts.

Mrs Flick Drummond (Portsmouth South) (Con) rose—

Alison McGovern rose—

Caroline Dinenage: Where do I start with the motion before us? I will have a little sit down while I think about it.

Mrs Drummond: Is the Minister appalled, as I am, by the fact that the number of women claimants for jobseeker's allowance went up by 740,000 during the last two years of the Labour Government, between 2008 and 2010?
That nearly doubled the previous number of claimants, but the number has now been reduced by 746,000 under our Government.

**Caroline Dinenage:** My hon. Friend makes an excellent point. We will not take any lessons about female employment from the Labour party.

**Alison McGovern:** In our house, when I was growing up, if it rained, we used to say, “We blame the Tories”, so I am no stranger to the Minister’s political strategy. She commenced her speech with remarks about celebrating the contribution of women. Does she think that it pays tribute to the hard work of women in our economy to bang on in the way she is about what happened under the previous Labour Government?

**Caroline Dinenage:** I am sure the hon. Lady feels it is very convenient to forget about what happened under the previous Labour Government. When it rains, we talk about fixing the roof before that happens—when the sun is shining—

**Debbie Abrahams** rose—

**Barbara Keeley** rose—

**Caroline Dinenage:** Give me a couple of minutes to make a little progress.

I want to talk about the motion. Where do I start? The evidence is deeply flawed. Unfortunately—I am sad about this—it is the typical back-of-a-fag-packet stuff we have come to expect from Labour Members. Frankly, they have made bizarre and outdated assumptions about how households divide their money. There is even an implication that lower fuel prices somehow do not help women. The pink battle bus may have run on something other than petrol, but the rest of us fill up in the normal way.

**Kate Green:** Will the Minister give way?

**Caroline Dinenage:** I will make a little more progress. [Interruption.] I will give way in a moment.

Labour Members assume that any savings will immediately mean a poorer service, which we know is not true. They have made bizarre and outdated assumptions about how households divide their money, and we know it is not true that savings will immediately mean a poorer service. What they do not understand is that the British public know that too.

**Kate Green:** The Minister is making assertions, but I am sorry to tell her that the academic research belies what she is saying. It is true that women manage the household budget in many households, but increasingly, it is not their income to manage. With the married couple’s tax break, more money is being put into the wallets of men, and women are dependent on men to fund them. Moreover—this point relates to what she said about fuel—the number of women who own and drive cars is significantly lower than the number of men. That is why it matters that benefits and tax policies should address what actually happens and the way in which families live their lives.

**Caroline Dinenage:** The hon. Lady makes a number of sweeping assumptions. The fact is that child tax credits and child benefit all go into the pockets of women. Her assumptions are very outdated. Families work as a unit: they work together and pool their income. Frankly, it is quite a sexist allegation.

**Simon Hoare:** Does my hon. Friend agree that although the Labour party may spend its time reading or commissioning academic studies, the Government are getting on with delivering policies for strengthening our economy to the betterment of all?

**Caroline Dinenage:** My hon. Friend makes an excellent point. Inheriting an economy that was riddled with debt did nothing for women in this country, and not tackling the deficit would have been the real crime and created an unacceptable risk for our economy and people’s lives and futures. Not tackling the deficit would have put at risk the very jobs and services that women depend on. It would have risked their children’s education and security, and for those of us who want to ensure that everyone is able to fulfil their potential, such risks are unacceptable.

**Barbara Keeley:** The Minister is talking about competence, and I have already quoted from a former Pensions Minister who admitted to a bad decision that cost millions of women who were born in this country in the 1950s £30 billion. That was a mistake. The Pensions Minister now admits that he was not properly briefed, and he added two years to the pension age of millions of women without even realising what he was doing. Does the Minister really claim competence for a Government who do things like that?

**Caroline Dinenage:** The hon. Lady fails to recognise that in the new pension changes, women who have taken time out to raise children will now not be penalised by the system. She is being a little unfair. Thanks to the Government, we are able to increase support for childcare costs, and protect key Government services.

The commitment to supporting women in work is a priority for the Government, which is why the Prime Minister pledged earlier this year to end the gender pay gap within a generation. Let me be clear: there is no place for a pay gap in today’s society. That is why we committed to requiring employers to publish information on the difference between men and women’s pay and bonuses. We will shortly be consulting on the regulations needed for gender pay reporting, and I urge all employers to consider those carefully.

**Jo Stevens:** One way that the gender gap could be closed is by addressing public procurement and requiring anyone tendering for a Government contract to have made an equal pay audit. Why not take that step?

**Caroline Dinenage:** We have had that conversation many times in recent months, and I say gently that the Labour Government had 13 years to introduce such a measure. We are not asking employers to do this on their own: we are trying to bring them with us because that is the right thing to do. We will provide extensive guidance, case studies and toolkits. By working in partnership with businesses and employees, we will see results. We will also extend those reporting requirements to the public sector. Labour had 13 years to do that, and it failed.

**Jo Stevens:** Equal pay audits are not difficult to do—I ran them in the firm that I was part of before I came to this House. Why will the Government not take steps now?
Caroline Dinenage: Our work requiring companies to publish gender pay information will go a long way—much further than the Labour party did in government. The Government are working with businesses to make that a reality.

Seema Kennedy (South Ribble) (Con): I have been following the debate, and I am sure the Minister knows that the gender pay gap has almost been eliminated for women under 40. The hon. Member for Cardiff Central (Jo Stevens) mentioned audits and public procurement, but we want more small and medium-sized enterprises to bid for public contracts, and they do not have the scale to do such things. We would therefore be eliminating such businesses from bidding for any Government contracts.

Caroline Dinenage: My hon. Friend makes an excellent point, and record numbers of small and medium-sized enterprises are gaining public contracts. We cannot have our young women growing up in a country where they get paid less because of their gender, rather than how good they are at their job. One of the most important ways to ensure long-term economic security is to break down the barriers that still hold too many women back, which is why we have given working parents greater choice by enabling more than 20 million employees to request flexible working; why we have introduced shared parental leave; and why we will extend shared parental leave and pay to working grandparents. This will support parents with the cost of childcare and help the 2 million working grandparents—unsung heroes such as my mum—who give up work, reduce their hours or take time off to help with childcare.

At the same time, nearly one quarter of women between the ages of 50 and 64 provide unpaid care for a relative or friend. We have invested £1.6 million to help carers who wish to stay in work to balance their different roles. We are doing this using flexible working and innovative technology, and there are now nine pilots around the country exploring ways to help carers manage their paid work while looking after their loved ones.

One of the most important issues affecting parents—both men and women—is childcare, which is why we are investing more than £1 billion more each year in free childcare places, including by doubling the free childcare entitlement from 15 hours to 30 hours a week for working families with three and four-year-olds in 2017. In addition, from early 2017, we will offer tax-free childcare to provide up to £2,000 of childcare support per child per year for working families with children up to 12 years old. This will take the total Government spend on childcare from £5 billion in 2015 to more than £6 billion by 2020.

Ruth Cadbury (Brentford and Isleworth) (Lab): Is the Minister aware that the Government’s funding offer for the additional 15 hours is inadequate and at best confusing, and that there is a risk that most childcare places will be underfunded and that many might be lost as a result, thus reducing the availability of suitable childcare?

Caroline Dinenage: Of course, we are raising the funding, but I will not take any lessons from Labour. I might be slightly older than many here, but I was a mum putting two children through childcare under the Labour Government, and I watched childcare prices become the most expensive in Europe. I was one of those women working to pay my childcare bill.

Mims Davies (Eastleigh) (Con): The Government have a fine record on supporting women at work. Will the Minister welcome meetings I have had with the Department for Work and Pensions and other Departments about supporting carers with responsibilities beyond children? Will the Government ensure that people can stay in work by working more flexibly and continue to support local communities and local government with the work they do alongside their employment?

Caroline Dinenage: My hon. Friend is absolutely right. These people make an incredible contribution to our economy and need to be supported in everything they do.

Not only are more women in work than ever before, but we are taking steps to ensure that work always pays. The national living wage, beginning next April and reaching more than £9 by 2020, will disproportionately benefit women. We expect that 65% of the beneficiaries made financially better off will be women. Further increases in the personal allowance will lift 660,000 people out of income tax by 2018, and 60% of them will be women. This reform, too, will make women financially better off.

We also have more women than ever right at the top of business. These fantastic role models are inspiring others to follow in their footsteps. Thanks to the business-led, Government-backed approach and the passion of business leaders such as Lord Davies, we have doubled the number of women on FTSE 100 boards since 2011.

Ian Blackford (Ross, Skye and Lochaber) (SNP): The Minister trumpets the fact that women will disproportionately benefit from the higher so-called living wage that the Government are bringing in. Does she not recognise that the reason more women will benefit from an increase in the minimum wage is that there are more low-paid women?

Caroline Dinenage: The hon. Gentleman could not have put it better. These are the women who, as I have said, were educated under the last Labour Government. Under our education reforms, these are the women who will be aspiring to higher paid work in the future. When Labour left power, there were more than 20 all-male boards in our FTSE 100 companies. Now, there are none.

Jo Stevens: On that point, the women on boards are in non-executive director roles. Anyone who has sat on a board of directors knows that decisions are made by executive directors, not non-executive directors.

Caroline Dinenage: The women are not all in non-executive director roles. Again, we are criticising women, which is negative. The hon. Lady is right that we would like to see more women coming up through the executive pipeline. We would like to see women who have worked their way up without quotas or token gestures, which is why we are making the changes we are making.

Women are playing their part and businesses are benefiting from their immense skills. Every single woman on those boards knows she is there on merit as the best person for the job, regardless of gender, and the men know it too. We want to go further, however. We are building on this through a new target of 33% female
representation on FTSE 350 boards by 2020 and a review supporting more women into executive positions so that we develop that pipeline of female talent. We have also called for an end to all-male boards in the FTSE 350.

We want to inspire women everywhere, from the classroom to the boardroom and every stage in between. We know that education is one of the most fundamental ways of driving lasting change and raising aspirations. If we are to ensure women’s economic equality, we must start with the youngest generation. This is an area where having a Secretary of State for Education who is also Minister for Women and Equalities is especially valuable. No child should ever feel that a career is off limits because of their gender, race or background. There is no place in our society for stereotypes about some jobs being suitable for girls and some for boys. In this, we have made important strides. There are now more girls than ever taking physics and maths A-level, with 12,000 more entries in maths and science in England since 2010.

The Opposition spokesman asked me about the difference between men and women entering apprenticeships in different sectors. Since 2009, the number of women starting engineering and manufacturing apprenticeships has increased threefold. This is not a new problem, of course, and I would be very keen to know, in a different conversation, what Labour did about it. The Government will go further. The science, technology, engineering and maths workforce is vital to the growth of the economy. The UK needs to recruit 83,000 engineers a year and they cannot all be blokes. That is why the Government have set up the new Careers & Enterprise Company. We have heard Members complaining about careers advice. The company will inspire and inform young people about the opportunities available to them, in parallel with business.

I welcome the one-year anniversary of the independent Your Life campaign, which aims to ensure that young people have the maths and science skills the economy needs. It was great for me to visit the Ford motor company in Dagenham, the spiritual home of the fight to get more girls and women into engineering and manufacturing. A group of local schoolgirls had been invited to race cars around the car test track, and to experience how varied and exciting STEM careers can be.

A strong economy, where women are encouraged to fulfil their potential, also means that we are able to deliver the services society needs. We must make sure that everyone is given the support they need. In this year’s spending review, the Chancellor announced that the Government would provide £40 million for domestic abuse services, including refuges, between 2016 and 2020. Prosecutions and convictions for domestic violence have also risen to their highest levels ever. Last weekend, we launched a consultation on new measures to better protect victims of “stranger stalking” and to help to deter perpetrators. We also announced an additional £3.85 million to develop a new phase of the campaign to tackle teenage abuse within relationships. Since 2010, the “This is Abuse” campaign has encouraged teenagers to rethink their views of violence, controlling behaviour and what consent means within their relationships. This is helping to change attitudes that can underpin violence against women and girls. Our updated violence against women and girls strategy will be published shortly, and will set out how we will continue to support all victims of this abhorrent abuse.

**Debbie Abrahams:** Disabled women are twice as likely as non-disabled women to be victims of domestic abuse, so how is the Welfare Reform and Work Bill, with its cuts to the employment and support allowance work-related activity group, going to help disabled women?

**Caroline Dinenage:** If we are talking about the autumn statement, the Chancellor pledged even more money for refuges and charities that support victims of domestic violence. UKrefugesonline data show that bed spaces rose from 3,216 in 2013 to 3,472 in 2015. All these things are important.

The Government are committed to making sure that everyone, regardless of their gender, ethnicity, age or background, is able to fulfil their potential, and this approach to equality spans right across Government. In helping women to fulfil their potential, we must thank and acknowledge the efforts of stakeholders, charities and businesses who are leading the charge and working with the Government to finish the fight for equality in our country.

The facts speak for themselves. Since 2010, there are more women in work; more women-led businesses; more women on boards; and our reforms to support the lowest paid will disproportionately benefit women. A commitment to equality runs right through this Government, as the Prime Minister has made clear. Plans are being made across every Department to continue the excellent progress already made. As I say, the facts speak for themselves. We will continue to drive this agenda forward, so that we finish the fight for equality.

At the same time, it is important to take a moment to recognise the great things women have achieved. Every day in my job I meet amazing women from every walk of life: scientists, teachers, chief executive officers, mums, writers—all great role models. These women are our mothers, our daughters, our friends and our colleagues. It is they who have made this huge progress to date; it is they who are breaking down the barriers and achieving greater heights all the time and every day.

My message today is this: can we stop depicting women as victims, as people who are “done to” rather than “doing”? For Government and Opposition alike, it is our job to support them and it is our job to encourage them. Above all, today and every day, we should also celebrate them.

5.12 pm

**Angela Crawley** (Lanark and Hamilton East) (SNP): Equal pay day was marked this year on 9 November. On that day, women across the United Kingdom started working for free, while men continued earning. It should be a day talked about in the history books, not a 21st-century reality. Forty-five years after the passing of the Equal Pay Act 1970, men still earn two months more wages a year than women.

I welcome the Prime Minister’s comments and his ambition to end the gender pay gap in a generation, but that must be followed by action. The reality is that unlawful maternity and pregnancy discrimination is more common in Britain’s workplaces than ever before,
with 54,000 pregnant women and new mothers forced out of their job each year. Hundreds of thousands of women are employed on zero-hours contracts and in other precarious forms of employment that offer little in the way of guaranteed hours or job security. The introduction of employment tribunal fees is acting as nothing more than a barrier to female justice and a charter for rogue employers. I welcome the Government’s review of this measure and hope that they will take serious action on employment tribunal fees.

Chris Stephens: It was curious that the Minister did not mention tribunal fees in her contribution, even though they are clearly mentioned in the motion. Does my hon. Friend agree that asking women to pay £1,200 for a discrimination case is an outrage, and it explains why there has been a 91% drop in sex discrimination cases in this country?

Angela Crawley: I agree with my hon. Friend. As I said, I hope the Government will take serious action on tribunal fees, because they are acting as a barrier to women taking serious action against rogue employers in the workplace.

Jo Stevens: On the review of employment tribunal fees that is under way—I understand that the report is with the Minister at the moment—nothing in the terms of reference allows for consideration of the abolition of those fees. I questioned the Minister on that in a Westminster Hall debate last week. Does the hon. Lady agree that this is a gaping hole in the review’s terms of reference?

Angela Crawley: I agree, and I hope that the Government will take serious action and seriously consider the impact that tribunal fees have on women in the workplace. It is important for the House to acknowledge that, given the state of the economy. According to the Women’s Budget Group, women stand to lose more and gain less, especially women in low-paid work, women with children and other caring responsibilities, and women who access services that have been successively eroded in the name of austerity.

In considering the effects of the economy on women, the Scottish National party—the effective Opposition in the House—calls on the Government to recognise that their spending cuts adversely affect women more deeply than men; to understand that measures to remove services can and will drive women into a poverty trap; and to accept that the signs of economic recovery hailed by the Chancellor have in fact disproportionately benefited male workers.

The SNP welcomes the Chancellor’s decision to reverse the tax credit cuts. It must have been a tough decision for him, but it means that the constituents of Members on both sides of the House will not have to make even tougher decisions, choosing between the basic necessities of life. That is especially important to those in low-paid employment and on zero-hours contracts, who, more often than not, are women. The immediate result of the Chancellor’s reversal of his tax credit plans is that working families have far less to worry about, but there are still £12 billion of cuts in the spending review, and, ultimately, they will disproportionately affect women. The tax credit reversal means that women can worry less, but they will continue to worry as they struggle with rent and bills and are unable to keep up payments. Single mothers, raising children on their own, should not have to worry about such matters. However, I applaud the Chancellor for listening to his opponents here and in the other place, and reversing the tax credits decision.

In analysing the effects of the economy on women, we must consider the differences in employment trends according to gender. We must bear in mind that in the UK, 69% of women are employed, compared with 78.5% of men. While that difference is not overwhelming, there is a gender-related difference. Of those women in work, 8.4 million are in full-time employment and 6.2 million are in part-time work. The comparable figures for men show that the vast majority are in full-time employment. That means that 42% of the female workforce are in part-time employment, compared with 13% of men. Those figures expose massive gender inequality in the workplace. If we look more closely at the composition of women’s employment, we see that women are more likely than men to work as employees rather than employers, and are less likely to be self-employed. In fact, only 32% of all self-employed women are people.

Research carried out recently by the International Monetary Fund found that when women work, economies grow, and that economic growth is even more dramatic when the gap between women’s and men’s participation in the labour force is reduced. Given the current figures and in the absence of any increased effort to close the gender gap, we are putting our economy at a disadvantage. In 2014, figures showed that 1.1 million small and medium-sized enterprises in the UK were led by women—only 20% of the total. In October this year, it was reported that only 26% of FTSE 100 directors were female. That simply is not good enough. Women’s participation in the workforce should be safeguarded and encouraged. In short, the gender pay gap must be addressed.

The autumn statement confirmed the Chancellor’s acknowledgement that removing tax credits would not automatically correct the problem. I urge the Government to change tack and recognise that the right way to bring about economic recovery is to stimulate our workforce. In particular, they should ensure that our female workforce are protected, rather than forcing people into deeper poverty and decimating social welfare.

The £12 billion that will be cut from the welfare budget includes cuts in carer’s allowance, disability benefits and employment and support allowance. Given that child benefit is to apply only to a woman’s first two children, that will mean hardship for families, not to mention the absolutely abhorrent rape clause, which the Government have repeatedly failed to justify. The benefits to which I have referred are most frequently accessed by women. For example, 58% of carers in the UK are women; the figure rises to 60% when those who care for more than 50 hours per week are taken into account. Women make up 73% of those who receive carer’s allowance for caring for more than 35 hours per week.

In Scotland alone, there are an estimated 759,000 unpaid carers: a huge section of society. The work done by carers—people prepared to put aside their own needs to look after an ill or disabled loved one—must be recognised
by all Governments. It is vital to our society, and can take up the time most people commit to full-time employment, which carers could otherwise be in.

Carers UK has found that, on top of caring for loved ones, carers are twice as likely to suffer ill health. These are certainly not the people who should be punished by the cuts to the welfare budget. In fact, we should be championing the efforts of carers in this country. When we consider the billions of pounds the NHS saves, year on year, due to the contribution and diligence of unpaid carers, it is time that the Government stood up and recognised the hard-working carers across our society. They contribute massively to our economy, a contribution that amounts to a net saving in the healthcare budget. Is this not exactly the sort of practice promoted by the Prime Minister under the concept of the big society? If so, it is unjust for the Government even to consider the removal of the carer’s allowance lifeline.

The Chancellor has again made a great deal of the economic recovery. However, the benefits of the recovery have been exclusively for men. I have spoken repeatedly in the House against the gender pay gap. At present, a woman takes home 85p for every pound earned by a man. That has a serious economic impact on working women and on our economy. Perhaps we are supposed to be pacified by the introduction of the new living wage, but it is by no means a living wage at all. As I have said, women are more often on zero-hours contracts and in part-time work, so a slight increase to the hourly wage will not help women who cannot work as many hours as men, perhaps due to caring or childcare responsibilities.

If we look at the people the Government are aiming to help, they are almost exclusively those on higher incomes. The Conservatives have cut income tax for all workers, most of whom are men, and increased the individual savings account allowance benefit for those with high savings, who, incidentally, tend to be men. The beneficiaries of the transferable tax allowance are 84% male. We have allowances for tax cuts largely for men. Where have such allowances come from? The welfare budget—in other words, services accessed mostly by women. These neo-liberal policies consistently deliver more for men than women do. They are more likely to be in high-income jobs, to be reliant on state-funded housing, and to be in receipt of income-related benefits.

I want to highlight the fact that women are most harmed by the welfare cuts, and that the impact of austerity can be measured mostly in the loss of money in women’s purses and family budgets, and in their decreased spending power relative to men’s. I will leave the House with this thought: the report by the Women’s Budget Group stated that by equalising men’s and women’s participation rates, we could add more than 10% to the size of the economy. Let us not simply pay lip service. Let us deliver on that promise.

5.23 pm

Mrs Maria Miller (Basingstoke) (Con): It is a great pleasure to follow a fellow member of the Women and Equalities Committee, and I commend the hon. Member for Lanark and Hamilton East (Angela Crawley) for her measured tone, but I should point out that the recovery cannot be said to have exclusively benefited men, as there can be nothing worse for women than the situation that the Conservative-led Government faced five short years ago, when our country faced economic crisis. Spending more money than we could afford does no one any good. Women do not benefit from that and nor do men. First and foremost, we need that strong economy so that we can have a strong system of education, welfare and all the services that she talked about and that women disproportionately rely on.

It is regrettable that the debate started in a tone that I do not usually associate with the hon. Member for Stretford and Urmston (Kate Green), who I have always found to be an incredibly collaborative player in this place. On issues related to women and equality, it is important that we look for long-term change, which, by definition, can be developed only over the lifetimes of many different Governments, of many different complexions. The economic turnaround will clearly benefit women, and the continued measures in the autumn statement are as important to women as they are to men. Without that strong economy the autumn statement could not have put in place some of the biggest real-terms rises in the basic state pension for 15 years, the largest ever investment in free childcare and an extra £6 billion for the NHS—the very service that many Members have already mentioned. The biggest house-building programme since the 1970s will benefit all of us, too. All these measures are put in place because we have a stronger economy, enabling us to invest for our long-term future. The national living wage, cuts in income tax and increases in childcare have clearly benefited women, but I want to focus on two issues on which where we might find common ground across the Chamber.

First, women in Britain are still disproportionately dependent on benefits to supplement their income. The prevalence of low-wage, part-time jobs among women results in their receiving more of their income through state benefit and support than men do. They are more likely to be in low-income jobs, to be reliant on state-funded housing, and to be in receipt of income-related benefits.

I hope Members will agree that it is good that the economy is strong enough that the Government can put in place measures to start to alleviate the problems that women face. More childcare means more women can get more work. New options around parental leave and the right for all to request flexible working for the first time can give more women access to higher-quality jobs, and the economic opportunities that might give them for the first time an equal right to economic independence—a right that men have had for many, many years.

Alison McGovern: I agree with the tone of the right hon. Lady’s contribution. We respect the massive role that she played in developing policies for women in the last Government, but does she not worry about women who are lone parents and the significant drop in income that they face without much protection?

Mrs Miller: I understand the hon. Lady’s point. What I am saying is that we must give opportunities to women in this country to forge their own economic independence. What I was hearing from the Opposition Front Bench was how we could continue state dependence, which is not something that I will ever endorse. Many of the single parents I meet, not only in my constituency but around the country, have embraced the voluntary
programmes the Department for Work and Pensions has put in place to help them get back into work, because they understand the importance of financial independence not only for themselves, but also for them as role models for their children.

The second area on which I hope there might be some consensus across the House is the importance of addressing the educational performance of girls and young women. It is an issue that the Equality and Human Rights Commission brought up in its “Is Britain Fairer?” report. It said:

“The strong educational performance of girls and young women did not translate into rewards in the workplace.”

To put it simply, more girls get good GCSEs and good degrees than boys, yet women only make up 34% of managers, as has already been said. In construction the figure is as low as 12%. I applaud Ministers for their focus on some STEM subjects, as it is important that more women are involved in maths and science, but a lack of progress means that women are not as well represented as men. That needs to change.

Let us consider the law. Studying STEM subjects may benefit in some way, but not directly, yet 60% of undergraduate law students are women, as are more than 50% of trainee lawyers. However, just one in four partners in City firms are women. Those leading one of the most important services in our country are leaving out some of the most highly qualified individuals to do the job. It cannot be in the best interests of the country to let that continue.

There are more women in work than ever before, but what more can we do to turn that presence in the workplace into an opportunity for their long-term economic independence, not only by reducing dependence on welfare, but by making sure that the school qualifications that they clearly have are recognised and acted on?

I welcome this debate because I believe that women have a huge amount to contribute to our society. The public sector equality duty requires every Minister to advance equality of opportunity for women not only in the development of policy, but in the work that they do. I therefore have five brief closing points that I ask the Minister to respond to.

First, changing the law is simply not enough if we are to force a culture change in society. If we are to get more women to contribute to the workplace, we have to ensure that more men take up parental leave and flexible working practices, to ensure that women can stay closer to the labour market for longer. At the moment, only 19% of women are able to vary their hours in the workplace. I know that the Minister has looked at that point closely. I look forward to hearing a few words in the response on what more is being done to ensure that businesses change their practices. At the moment, 40% of men choose not to take any time off at the birth of a child. That needs to change.

Secondly, on increasing female representation in management, we are not seeing sufficient women coming through the pipeline. An inquiry by the Government Equalities Office into the gender pay gap revealed that just 2% of FTSE 100 executive directors are women and there are just five female CEOs out of 100. Perhaps we should adopt the approach of Lord Davies of Abersoch for executive positions and double the number in three years—purely on a voluntary basis, of course.

My third point relates to childcare and elder care. My hon. Friend the Member for Eastleigh (Mims Davies) spoke of the importance of elder care. One in four women over 50 cares for an older or disabled relative. Surely it is time for the Government to give as much support to those who care for older relatives as they give to those who support younger members of the family.

Fourthly, on access to training, women who return to the workplace after extended career breaks can face a skills crisis. We need to make sure that we are reskilling the over-40s. Programmes need to be put in place to do that.

Finally, the Government are rightly proud of the work they have done. We are undergoing something of a silent revolution in the participation of women in the workplace, but the work is far from complete. There has been a somewhat piecemeal approach to the programmes that have been undertaken. They are good programmes, but do they all fit together? Is there room for a systemic review of how the policies are working to effect change in the workplace? If we need one or two more sticks, rather than carrots, they ought to be brought out of the cupboard and used sooner rather than later.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the hon. Member for Sunderland Central (Julie Elliott), I am going to impose a six-minute limit on Back-Bench contributions. We will start at six minutes and see how we get on.

5.33 pm

Julie Elliott (Sunderland Central) (Lab): Why is this debate necessary? Why, in 2015, is it relevant to be discussing women and the economy, rather than simply the economy? What is it about the interaction between women, the economy and the labour market that is worthy of exploration? This debate is necessary because of the gender pay gap, which has been widely talked about; because of the proportion of women who are in low-paid and part-time work, and the proportion who are underemployed; because of workplace discrimination; because more women are reliant on childcare; and because of the greater number of women who work in the public sector.

Issues across the economy and the labour market affect women in different ways to men, and that is why this debate is so important. If it takes 70 years to equalise the gender pay gap, as is estimated on the current rate of progress, my four-year-old granddaughters will be pensioners by the time this issue is resolved. Our aim is to resolve these issues so that debates like this no longer appear on the Order Paper.

Given that we know there are issues that affect women more than men, we must move on to the yawning gap between what must be done and what the Government are doing. The gender pay gap, which fell by one third under the last Labour Government, stubbornly remains under this Government. Last year, the UK fell out of the top 20 in the global gender gap index for the first time, with the higher gender pay gap cited as the significant reason.
We know that, for a variety of reasons, women are more affected than men by changes in taxation and changes to social security spending, yet despite that knowledge, 81% of the £82 billion of tax increases and benefit cuts since 2010 have fallen on women. We also know that women are three times more likely to be in part-time work and therefore more exposed to changes in social security. I welcome the Government’s partial U-turn on tax credits, but women will still face cuts to universal credit. Knowing that women are disproportionately affected by changes to tax credits, and knowing that 80% of the savings would have come from women, the Government still pushed ahead.

We know that women make up around two thirds of the public sector workforce, and that cuts to the public sector and pay freezes disproportionately hit women, yet there seems to have been no acknowledgement of this by the Government, and no coherent plan to support women to find new jobs in the private sector. It should be a prerequisite for any change to tax and spending to have an assessment of the impact it will have on women. It is simply not good enough for this Government to make these changes and not even consider, let alone have a strategy to combat, the disproportionate effects they have on women in the workforce.

I am proud of Labour’s record on equality, from the Equal Pay Act 1970 to the Equality Act 2010, with many great strides in between. There is no silver bullet to combat discrimination against women in the workforce, but we know that there are specific things we could do now. We need to fully implement the pay transparency rules in the 2010 Equality Act, which required employers of more than 250 people to publish details of the average pay of men and women. This Government have made that voluntary. That small change would have a big impact, and we would be joining world leaders in pay equality such as Sweden, Denmark and Finland, which all score above the UK in the global gender equality index.

We need to get more young women into the science, technology, engineering and maths—STEM—sectors, either through university education or apprenticeships. Currently, just 15% of university places for computer science and engineering degrees are filled by women, and 88% of the STEM workforce is male. Yet, according to the attainment of A* to C grades at GCSE, girls continue to outperform boys in all but three of the 16 STEM subjects. This is a cultural problem, not an academic one.

The CBI suggests that 93% of young people are not getting the careers information they need, and what advice they do get tends to be pigeonholed. We need compulsory face-to-face careers advice from the age of 11, in partnership with business, to encourage young women to consider those crucial STEM subjects and science and engineering careers. It should come as no surprise that greater gender equality in the economy is good not just for women but for the economy itself. The Royal Bank of Scotland has calculated that boosting female entrepreneurship could deliver approximately £60 billion extra to the UK economy. If the gender pay gap were abolished tomorrow, women would earn more and spend more, and the Treasury would receive more in taxation.

There is a long way to go on a lot of these issues, but until this subject is consigned to the history books and no longer debated in Parliament, we need to act. The Government need to act now.

5.38 pm

Seema Kennedy (South Ribble) (Con): It is a pleasure to follow the hon. Member for Sunderland Central (Julie Elliott). I have listened carefully to the contributions to the debate, and particularly to that of my right hon. Friend the Member for Basingstoke (Mrs Miller). The motion is very wide and covers a lot of matters, but I shall focus on a couple of them. The first relates to infrastructure investment. Labour Members have spent a lot of time in this Parliament and the previous one talking about productivity, and they often use examples such as France. We could have a debate about whether the productivity figures they cite reflect the fact that we now have record numbers of people in work and those other countries have more unemployed people, but productivity is a challenge of our time, and I am glad that the Government and my right hon. Friends the Business Secretary and the Chancellor have recognised that in their productivity agenda. Labour Members talk about the proposals for infrastructure investment, saying that they are predominantly focused on sectors that typically employ more men than women.

If we look at the autumn statement, we see that we are talking about building roads, railways and flood defences. We are investing in the arteries of the country, but unfortunately at the moment these areas are still dominated by men—roads still tend to be built predominantly by men. I have met more and more women apprentices. I have employed them, in my former life, in the building trade and we want to see more of them. We are setting off down a wrong track if we say that investing in infrastructure will not benefit the whole country. Surely the whole premise of this debate, and of what the Government and all of us here are doing, is that we should be building a stronger country for not only our daughters, but our sons—unfortunately, I do not have any daughters but I do have sons. That should be for all of us.

I was slightly puzzled that the Labour party spent a long time attacking us on productivity, because when we try to do something about it, Labour Members say we are discriminating against—

Ian Blackford: The hon. Lady is right to reflect on the fact that between 2008 and 2014 productivity did not increase in the UK. What policies does she think will improve productivity over the next five years?

Seema Kennedy: I suggest that the hon. Gentleman reads the productivity agenda that was written in July, as he will see some good activity there. Productivity is the challenge, and if we want to compete in the global economy, we have got to be investing in this area. Beyond his benefit, I should say that the report was called “Fixing the foundations”.

Another part of the same bit of the autumn statement deals with investing in education and in childcare, sectors where a lot of women are employed; childcare does not just benefit those women who can go out to work. We have got more childcare promised in the autumn statement. Those industries predominantly employ women, but again we need to be thinking about men working in them as well. We need to stop this divisive conversation that says, “Only men can be builders and women can
look after children.” All of us, particularly those of us who are mothers, know how much we rely on our husbands and partners.

Mrs Miller: My hon. Friend is making an important point about de-gendering some of these stereotypical role models that we tend to have in British society today. I rather welcomed the international men’s day debate, which was secured by my hon. Friend the Member for Shipley (Philip Davies), because it gave us an opportunity to recognise that these gender stereotypes can be as divisive for men as they can be for women.

Seema Kennedy: As always, my right hon. Friend makes an excellent point.

There are historical reasons for the gender pay gap, but some of the statistics can lead us down the wrong track. The motion says that our pay gap is “higher than the EU average”.

That may be so, but in many of these countries fewer women are actually working. We want more women in work rather than on benefits. I want the gender pay gap to be eliminated not only for women under 40, where we know the gap is closing, but for women over 40. We cannot explain the gap by discrimination, because the Equal Pay Act 1970 has been in force for the whole of my lifetime. When there are instances of discrimination, they should be pounced on. I am looking forward to hearing the Minister’s responses as to how the Government are going to act on that and on maternity discrimination—

Jo Stevens: rose—

Seema Kennedy: I am sorry but I am not going to give way again, as I do not have much time left.

Our manifesto promised a consultation on closing the gender pay gap: it is due to report shortly, and I look forward to seeing the results. I also welcome the proposal to require businesses with more than 250 employees to publish their salaries in order to eliminate that gap—transparency will work there.

The whole thrust of the Government’s productivity agenda is to make our economy more competitive globally. We need to get everybody—women and men—into more highly skilled, productive jobs. We can do that only through proper, long-term investment in jobs that make us competitive on a global level. Investing in education and infrastructure is absolutely key; it is what all of us should be aiming for. Yes, we need a stronger economy for our daughters—or, in my case, for my niece—but we also need it for our sons.

I endorse the words of my right hon. Friend the Member for Basingstoke and the hon. Member for Sunderland Central. I do not want to see these motions on the Order Paper. I do not want to be seen as a passive recipient of the Government’s largesse. I am an autonomous person, and an economic actor in my own right. What I want is a stronger economy from which we can all benefit.

5.45 pm

Mhairi Black (Paisley and Renfrewshire South) (SNP): We have heard multiple times throughout this debate how the Government have achieved record high employment rates, especially for women. However, that assertion only scratches the surface, because hidden beneath it is the existence of entrenched gender inequality. It is a problem that exists throughout the whole of the UK. Although employment may have gone up, the quality of work has not. We know that women still take up the majority of low-wage, part-time, temporary work, which is why the welfare reforms and the cuts announced in the Budget are so concerning.

The Budget announced £12 billion of cuts to social security. One fifth of women’s average income includes social security payments. Quite rightly, the Chancellor did a U-turn on tax credits. He abandoned that particular cut once he realised how damaging it would be. However, he did not abandon his pledge to make £12 billion of cuts. Although those cuts might not be coming through tax credits, they are still coming, and they will be off the backs of single parents, unpaid carers and low-wage part-time workers, most of whom are women.

The Fawcett Society has raised particular concerns about sanctions on lone parents, 92% of whom are women. I am aware that safeguards are in place that supposedly allow some flexibility for lone parents who are looking for suitable jobs. Such safeguards used to be written into regulation, which made them very clear for advisers and claimants, but the Government have decided to replace that advice with guidance. There is a very important distinction there. Whereas advice is legally bound and someone can be held legally responsible if the wrong advice is given, guidance completely removes that safeguard as nobody is accountable for incorrect information being given to claimants and the subsequent false sanctions that may arise from that. The very fact that 40% of decisions to sanction lone parents are overturned suggests that women are being sanctioned incorrectly in the first place. Sanctions are meant to act as a deterrent, but that seems impossible to achieve if people are unaware or unclear about how they qualify for a sanction in the first place.

My final concern relates to the rhetoric that is being used and the direction in which the Government are travelling when they speak about issues relating specifically to women. The cuts to women’s services have been substantial, and the use of the revenue raised from the tampon tax to fund charities is “a drop in the pan compared to the cuts these services have suffered since 2010.”

I know that I am not the only one who shares a deep discomfort and concern over the use of that money simply to fund women’s charities, especially charities that deal with domestic violence and rape. Although I will always welcome any money that goes to such charities, the discomfort comes from the fact that, symbolically, this proposal implies that tackling domestic violence and rape is the responsibility of women, and not the responsibility of all.

The lowest and most disturbing proposal of this Government is the demeaning idea that they will only pay for a third child so long as it is the product of rape. Is that really where we are now? How dare we ask a woman who has been through such an horrific ordeal to stand in front of some cold ministerial body to discuss that rape and prove that crime?

The other point is that we have still not heard how that policy will be implemented. Will there have to be a conviction for rape, or just a claim? Will a medical
whether they are looking after young people or older fronts. Full equality is needed in the areas of taxation, to be seen as niche. Progress is needed urgently on many opportunity for all, women's campaigns must not continue on science, technology, engineering and maths. To achieve this, we need to focus on schools, opportunities for apprenticeships and a focus on community, such as childcare, flexible working, better structure to allow people to move up? More thought needs to be given to having a proper career in caring, which would allow people to be paid more as they gain more qualifications.

My final point is that although the Government will argue that these savings and reforms are necessary and that the cuts will play a massive role in cutting the £1.5 trillion of public debt, they have completely ignored the incredible rise in personal household debt, which, at £1.5 trillion, is almost exactly the same amount. It is not that people have more money in their pockets or that their quality of life is dramatically improving. The problem of the debt is still there; it has just been shifted from the public purse to the private purses of individuals. People are being forced to turn to loans and private debt companies because this Government are failing them. The Government are being deliberately and strategically quiet on the looming catastrophe of personal and household debt, which will come crashing down at some point, and it will crash on the backs of the most vulnerable people in society and the people who are already struggling most, most of whom are women.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. The time limit is dropping to five minutes, starting immediately.

5.51 pm

Mims Davies (Eastleigh) (Con): I am pleased to have an opportunity to speak in this important debate. The representation of women and women’s issues in this House has not been very good historically. It is appalling that I am only the 380th woman ever to be elected to this House. I am very proud to have been elected, of course, but there is clearly a lot of work to do to improve women’s representation and bring these issues to the House. I am delighted to be a member of the brand-new Women and Equalities Committee, which will strain every sinew to ensure that we have fair representation in this House and across the work we do here.

It is seven months since the general election, and I believe that this Government recognise the importance of women in the economy and that they are focused on the issues we all share, as families and members of the community, such as childcare, flexible working, better schools, opportunities for apprenticeships and a focus on science, technology, engineering and maths.

Progress on women’s issues has too often been seen as niche, or the concern of local or representative bodies. If we want real and clear change and equality of opportunity for all, women’s campaigns must not continue to be seen as niche. Progress is needed urgently on many fronts. Full equality is needed in the areas of taxation, better action on domestic violence, fairness for all carers, whether they are looking after young people or older people, and a firm understanding that the gender pay gap is wrong and must be ended, and in a much shorter timescale than the one we are seeing.

Sir Nicholas Soames (Mid Sussex) (Con): Does my hon. Friend agree that one of the things that limit pay in the care sector, particularly for women, is that in old people’s care, in homes and other places, there is no structure to allow people to move up? More thought needs to be given to having a proper career in caring, which would allow people to be paid more as they gain more qualifications.

Mims Davies: I absolutely agree with my right hon. Friend, and I am standing beside a nurse—my hon. Friend the Member for Lewes (Maria Caulfield)—who is nodding her head. We absolutely need to value carers, from mothers to people who look after older members of our society. We need to make that a proper career structure and to value the people who look after vulnerable people day in, day out.

Over the past few months I have been contacted several times about the perverse taxation arrangements for sanitary items. Let me make something extremely clear: anyone who believes that tampons are a luxury is ignorant and wrong. I am delighted that the Government will give this revenue to women’s charities while they negotiate with the European Union to sort out these outdated rules. Women’s charities tell me that they see this Government as a great reforming force standing alongside women. They are delighted to see Conservative women taking every opportunity to tackle, get involved in and highlight matters that have long been ignored by Labour.

An example of inequality that I have found and that we, as a Government, have seen being corrected, is domestic violence. Too often, our family courts system is outdated and does not take into account the unique requirements in domestic violence cases. For instance, it is far too rare for judges to impose protection orders to stop perpetrators following victims out of court. This Government are putting £40 million into services for victims of domestic abuse. I welcome that. I hope that the Government will continue to take on the challenge of supporting women through the courts system so that perpetrators cannot continue to pursue their victims. Negatively affecting their confidence because that takes place can mean that those women continue to be trapped in a system where they cannot play their part in the community or the economy.

Mrs Miller: Does my hon. Friend and neighbour from Hampshire join me in applauding the work of the Government in starting to outlaw the violence that women experience online as well? A case in point is the new law on revenge pornography that I was delighted to be involved in putting in place. There is also a helpline associated with it to make sure that help is there for women who need it.

Mims Davies: I thank my right hon. Friend. I am delighted that this Government are working to make sure that there is confidence and support for women in every arena where they find themselves again struggling against the odds.
There is much concern among women about state pensions for people born after 1953. I congratulate the WASPI—Women Against State Pension Inequality—women and recently supported them in the Westminster Hall debate. These women have done the right thing. They have planned for their future and discovered that perhaps their trust has not been repaid. The communication has not been fairly done. I continue to support those people in my community.

The continuing gender pay gap is unacceptable. It is not right that women are paid less than men. We must continue to point out that paying a man more than a woman is unlawful and unacceptable. In the society that we want to continue to build, someone’s gender must not hold them back from achievement. I am pleased that the pay gap is coming down for full-time employees and almost eradicated for the under-40s.

The next step will be a revolution in flexible working. Carers need flexible working as well as people looking after youngsters. I am delighted about the 30 hours of childcare, which will really take care of this. We should be supporting mothers in whatever choice they make, whether they stay at home, work 15 hours a week, or work in the community. Many of these mothers help in parent-teacher associations—they are part of our local communities—and we should be supporting them. They often become “mumpreneurs” who create new jobs locally and help the community to thrive and innovate.

I am a member of the all-party group on women in Parliament, which gives us another vehicle to raise issues of women and inequality. I am delighted to see women across the spectrum coming to meetings and taking soundings from across all industries. We need more women in public life, as councillors and in local government, so that female-focused issues are discussed at that level as well.

Parliament must focus on mentoring, supporting and helping women into work and into better-paid jobs. Full equality will mean fair play, with men on the school run and at the nativity plays, women on boards, and of course a 50:50 Parliament. Let us, women and men, work together for a stronger and better economy.

Siobhain McDonagh (Mitcham and Morden) (Lab):
A few weeks ago, the Chancellor claimed to be putting security first in his spending review, but it is obvious that he was not talking about women’s security. At the heart of this debate is the fact that the Government simply do not see women as a priority. It is assumed that women’s interests, health and security will not determine the success of only half our country. Yet instead of protecting funding for women’s refuges and domestic violence charities, the Government have allowed those services to wither away via cuts to local government. Cuts to local councils from central Government have already resulted in the closure of 30 refuges across the country, and a staggering 42% of rape crisis services do not have funding beyond March 2016. What does that all amount to? More women turned away; more women returning to their dangerous homes; more women facing a death sentence at the hands of domestic violence in this country, and almost eradicated for the under-40s.

The very worst consequences of the Government’s gendered economic choices are fatal. It is distressing to have to report in this day and age that two women each week die at the hands of domestic violence in this country. Yet instead of protecting funding for women’s refuges and domestic violence charities, the Government have allowed those services to wither away via cuts to local government. Cuts to local councils from central Government have already resulted in the closure of 30 refuges across the country, and a staggering 42% of rape crisis services do not have funding beyond March 2016. What does that all amount to? More women turned away; more women returning to their dangerous homes; more women facing a death sentence at the hands of a violent partner.

Using the revenue of the tampon tax to fund the upkeep of women’s voluntary services is not good enough. The policy is totally inadequate. It will do little to redress the terrible cuts those services have faced, and it is patronising to suggest that women’s taxes should fund women’s services. Central Government should be ensuring that the safety of women who are victims of domestic, physical and emotional violence is non-negotiable.

I suggest that the Government take a lead from this Opposition day debate and present an alternative plan of large-scale investment in social infrastructure, secure employment for women and generous provision for crucial services. Women should not be trapped in cycles of poverty and low-paid work on account of their gender. Our so-called economic recovery should not determine the success of only half our country. It must provide opportunities for all, equally.
On behalf of all those women who are cared for and cared by women, I say that next year’s cuts to local authority care services will be devastating. As the carer of a 92-year-old woman who came here in 1947 to train as a nurse, I think that is disgraceful, and we need to do something about it.

6.4 pm  
Mike Wood (Dudley South) (Con): I am father to two beautiful children: my seven-year-old daughter Rebecca, and my four-year-old son Ben. To them, there is no such thing as a boy’s job or a girl’s job; maths and science are not off the radar for either of them. I want them to grow up in a society where girls of all ages have choices and opportunities every bit as much as boys. That is why I am so pleased that the Government are committed to eliminating inequality at every stage of life. For women in work, this must mean earning an equal wage. I welcome the progress that has been made so far in addressing the gender pay gap. The gap for full-time workers in my constituency has fallen from 30% in 2009 to 18% last year. I am proud of that progress, but there clearly remains far, far more to do if we are to eliminate the gender pay gap altogether and build the equal society that we all want.

As has been said, we now have zero all-male boards, and the number of female directors has doubled since 2011. The national living wage will mean higher wages for employees in the lowest-paid jobs—jobs that are disproportionately done by women. From April, 3.5 million women will benefit; that is almost a third of Britain’s female workforce. There are now nearly 30% fewer women unemployed in Dudley South than there were at the end of the Labour Government.

When looking at costs, we cannot ignore one of the biggest strains on working families’ budgets—the cost of childcare. That is why I welcome the increase in free childcare. Not only can families save up to £5,000 a year, but it means that we are finally returning choice to more families. More than 500,000 families will benefit, with many more parents and primary carers being able to afford the childcare that allows them to return to work and resume their career. This measure will finally ensure that they maximise their future earnings for the benefit of their family.

Mrs Miller: My hon. Friend makes an important point about childcare. He is right about choice, but does he agree that for many women, staying out of the labour market can be detrimental to their future career, so the availability of childcare allows them not only choice, but the right balance between being able to look after their children and continuing with their work to ensure that they maximise their future earnings for the benefit of their family?

Mike Wood: My right hon. Friend is right. One of the major contributors to the gender pay gap has been the impact on a career when a mother—it is almost always mothers—take a prolonged break from it. That break has an impact on mothers’ earnings when they resume their careers.

Jo Churchill (Bury St Edmunds) (Con): On the reduction in the gender pay gap for people under 40, in a large number of firms a greater proportion of fathers are now taking on a greater burden of the childcare, which will hopefully begin to ameliorate any differences in pay in the long term, leading to a much more balanced approach to both gender pay and family care.

Mike Wood: I could not agree more. The work that the Government have done on flexible parental leave will be of enormous value to many families not only in my constituency, but around the country.

If there is one thing by which we measure society, it is surely how it treats those who have contributed all their lives—those who have worked hard and paid into the system. That includes those who, as has been said, have spent many years raising children. We recognise that contribution in society, and it is right that we should do the same through the state pension system. It is fair that the years that parents—again, disproportionately mothers—spend outside the full-time workforce raising children will go towards their pension pot. Sixty-one per cent. of our women will see their pension rise as a result of this reform. That is equality in action.

Women in Dudley South and throughout the country will certainly be better off as the economy continues to grow, as wages continue to rise, and as more and more people continue to find work. It does not matter where they are on their journey in life—this Government are working hard to transform our country so that whether people are starting their first job, bringing up their first child or enjoying their retirement, there is no longer any disparity between the genders. Sadly, it is not a transformation that will happen overnight. It is not a simple task, but it is a vital moral mission, and one that I am proud to support.

6.9 pm  
Alison McGovern (Wirral South) (Lab): Before I start my speech, I want to mention two fantastic women from the Wirral. My hon. Friend the Member for Wallasey (Ms Eagle) made us all proud deputising for the leader of the Labour party at Prime Minister’s questions. She, more than most, has done great things for women’s role in the economy. I am absolutely proud to be a Wirral woman today, not least in speaking in this debate on my daughter’s birthday—I hope she will be a future fantastic woman from the Wirral.

I want to say three things: about younger women, mums and older women. First, one of the most important measures for the future of younger women has been the apprenticeship levy. Although it is good that there is support for apprenticeships across the House, unfortunately, the reality of life for young women going into apprenticeships is that they will have less chance than their male counterparts of getting one that will pay them well. As has been said on several occasions, young women work in sectors that pay less. That is just a fact.

The Economic Secretary to the Treasury (Harriett Baldwin): The hon. Lady is making a very important speech about apprenticeships. Will she join me in welcoming the fact that more than half of apprenticeships in this country are now being taken by women?

Alison McGovern: I would welcome that wholeheartedly if those apprenticeships paid women equally to men, but the fact is that they do not. We ought not to rest until they do, because women face a dual problem:
[Alison McGovern]

the work they have traditionally done is valued less; and they are barred from better-paid sectors. We need both to get women into highly paid parts of our industry and to ask ourselves why highly skilled women end up with low pay in areas such as social care. Over the past week or so, I have had quite a bit of grief on social media. Lots of people are campaigning about this sort of thing, which is fine, but I would argue that the primary feminist cause in Britain today is the position of women working in social care. They are paid far too little for the important work they do, including younger women who want to make their career in social care.

Secondly, I want to turn to the place of mums. In interventions, I have already raised the problem that lone parents will face with universal credit. I am afraid I take issue with the Tory view of the world which says that any state support for the cost of children is somehow undignified, that it is somehow welfare and that people cannot feel proud of themselves and their ability to look after their family if they in any way receive a cash transfer from the state.

Beveridge himself recognised that the cost of having children increases the amount people have to pay out. Our social security system should smooth people’s income across the period of their lives when they have children and their costs are higher, and they will pay into the system when they are in work without children and their costs are lower. That is how our system has always worked. It is an absolute myth to think that we have ever had a perfect situation when there was no poverty, people could just earn their wages and that was enough to pay for the cost of bringing up children. Basically, the Beveridge system was introduced precisely because people get poor at two points in their lives—with the cost of their kids, and with the cost of old age. We must accept that tax credits are an important part of the system and settlement we have had in our country for a long time. As I have already said, wages have an important role to play in the financial fortunes of women, but they will never fully resolve such problems.

Simon Hoare: Will the hon. Lady give way?

Alison McGovern: I have already given way once, and I do not want to try the patience of the House. This is an issue not just for mums, but for dads and even nans, who more than ever are covering for women who are in work.

Simon Hoare: Will the hon. Lady give way?

Alison McGovern: I have said that I will not.

Thirdly, women who were born in the 1950s fought for everything in our country, and they built the political platform that I and many Labour Members have stood on. They fought not just for the Equal Pay Act 1970 and the reforms of the 1970s, but for all-women shortlists in the Labour party that meant that people like me had a much greater chance. Today, women in their 50s, and others, are having to fight yet again through the WASPI campaign for what they should have had. That is not fair, and for young women in my constituency, and those later in life, I do not feel that the picture described by Conservative Members is right. Those women are deeply unsatisfied with the measures that the Chancellor has handed out in recent months, and they would not expect me to stop asking him to do more.

Maria Caulfield (Lewes) (Con): As a female MP I welcome this debate, but I struggle with the sentiments and the way it is being brought forward, and I agree with the Minister’s opening remarks. I am a strong supporter of women’s issues, and a member of the Women and Equalities Committee, but I am frustrated that the motives behind this debate are political rather than dealing with key and important issues faced by women. [Laughter.] Labour Members are reinforcing my point as I speak.

The Women and Equalities Committee, which is excellently chaired by my right hon. Friend the Member for Basingstoke (Mrs Miller), is currently at the start of an inquiry into the gender pay gap. It will tackle that important issue in a cross-party way, and I am sure that its findings will make a real difference. Over this Parliament the Committee will investigate a number of issues, and its members will have no hesitation in holding Ministers’ feet to the fire regarding how the Government support and promote women in this country. However, to say that the spending review has not supported women in this country is plain wrong. Women make up 50% of the population, and any benefit that affects the general population will improve the lot of women.

Simon Hoare: My hon. Friend the Member for Wirral South (Alison McGovern), who seemed to be suggesting that the best way to help women in the workplace was to subsidise their salary through tax credits and let men get on with it—what incentive would that be for an equal pay balance and for low subsidies, which is certainly what Conservative Members want?

Maria Caulfield: I thank my hon. Friend for his intervention. I have worked in the care sector all my life, and I am frustrated with the lack of campaigning for better wages, as that would mean that women would not need to rely on tax credits.

Key decisions in the spending review will benefit men and women alike. The increase in free childcare will help mums and dads, and the introduction of a national living wage will help men and women on low incomes. The funding that we discussed in the previous debate on mental health services will also benefit men and women.

Jess Phillips (Birmingham, Yardley) (Lab): Will the hon. Lady give way?

Maria Caulfield: I will not because many other Members still want to speak. I am thankful that women still outlive men, and therefore the increase in the basic state pension will benefit women more than men—long may that continue. On women-only issues in the spending review, it cannot be denied that the investment of £1 billion to provide 15 to 30 hours of free childcare a week will benefit women. The introduction of tax-free childcare by 2017—that is up to £2,000 of childcare support per child per year for working families—will benefit women. Female employment is at a record high, and the gender
The pay gap has fallen to 9.4%—the lowest level since records began. We should be celebrating that, not criticising Members for achieving it.

The tampon tax has been much debated today. I am pleased that while the Chancellor negotiates with EU member states for the ability to zero-rate sanitary products, as he has pledged to do, the £5 million generated by the tax will be ring-fenced for women. The national living wage will benefit women—as we have heard, women in the care sector are disproportionately affected by low incomes—while 60% of the 660,000 individuals taken out of tax by the increase in the personal tax allowance will be women. I also welcome the £1.1 million investment from the superfast broadband roll-out programme that is helping to deliver the Swift project. I have been to sessions in my constituency where women just starting out in business are benefiting from that investment.

I could go on, but I will not, which will please Labour Members. If they want to be political, I am quite happy to be as well. I will not take any lectures from the Labour party, whose leader suggested that violence against women on the railways can be resolved with women-only carriages; from a party whose leader condones the segregation of women at public meetings; from a party whose leader was shamed into appointing women to the shadow Cabinet, and even then was selective in the positions he handed out; and from a party that uses all-women shortlists to force women into Parliament.

Talk is cheap. Labour Members should be supporting women, but this has been a wasted opportunity. The effective Opposition, the SNP, have really shamed Labour Members by raising important issues that we could have debated properly today. Talk is cheap, and the actions of Labour Members speak louder than words.

6.21 pm

Barbara Keeley (Worsley and Eccles South) (Lab): The motion asks the Government to conduct an urgent cumulative assessment of the impact of their policies on women since 2010 and to take the necessary remedial steps to mitigate any disproportionate burden on women. Nowhere can this be seen as strongly as in the impact of state pension age equalisation on women born in the 1950s. In 1995, the then Conservative Government set the date at which the state pension age starts to rise to 66, although it will not be sooner than 2016 for men and 2020 for women. This pledge was broken when the coalition Government decided to accelerate the planned changes—a move that particularly hit women born in the 1950s. The changes brought about by the Pensions Act 2011 affect the lives of millions of women. It is not the niche issue that the hon. Member for Eastleigh (Mims Davies) talked about. Women born in the 1950s are unfairly bearing the burden and the personal cost of the increase in the state pension age, and I feel unashamedly political about standing up for them.

Speaking to “Channel 4 News” in May 2011 about the unfair consequences of the legislation, the director general of Saga said:

“We accept that the pension age will have to rise but it is the timing and the broken promise that we feel is unfair.”

She said that women

may have made careful plans for retirement, only to have the Government pull the rug from under their feet.”

Ironicly, she is now the Conservative Minister for Pensions. Earlier this year, she told me:

“I tried hard in 2011 but there is nothing more I can do I’m afraid. It is not in my power.”

Well, it is. As Minister for Pensions, she must recognise the injustice in the state pension age changes, which she well understood as a campaigner in 2011, particularly now that the former Pensions Minister has admitted that the Government made a bad decision.

During Second Reading of the Pensions Bill in 2011, the Secretary of State for Work and Pensions repeatedly referred to “transitional arrangements”, but he never put in place any fair transitional arrangements. The financial journalist Paul Lewis has looked into this and other issues, including the question of when the women were notified. He has said:

“Millions of women had their state pension age delayed—in some cases twice and by up to six years in total—without proper notice. The Government did not write to any woman affected by the rise in pension ages for nearly 14 years after the law was passed in 1995”.

The former Pensions Minister now admits it was not made clear to him that some people would have to wait an extra two years for their pension.

Jess Phillips: My hon. Friend is making a very powerful speech. My mother-in-law is in this category—she was not told. She left her job at what she expected to be a pensionable age, but has been left waiting a further three years before she can receive her pension. Does my hon. Friend agree that the Government have put nothing in place to support those older women back into work?

Barbara Keeley: Indeed and I will come on to talk about their plight. It is amazing to me that the Pensions Minister realised what a bad decision he had made—he admitted that quite recently—but still more than 1.5 million women aged between 57 and 59 were not told until then that their state pension age would be rising. In the worst cases, women were told at 57 and a half that their pension age would rise from 60 to 66.

The Government have since said that anyone affected by a rising state pension age must have 10 years’ notice, while the Pensions Commission suggests 15 years’ notice. The journalist Paul Lewis concludes, however, that none of the 1950s-born women had even 10 years’ notice. Women who have planned for their retirement suddenly find, as my hon. Friend says, that they have to wait many more years—up to six years—before they can retire. They find themselves without a job, without a pension or pensioner benefits, and without money to live on.

Members have referred in the debate to the campaign group Women Against State Pension Inequality. They are not campaigning against equalisation, but they are opposed to the way the changes have been enacted and the lack of transitional protection for women born in the 1950s. My constituents have told me about how the changes are having a significant impact on their lives.

Case after case that I have been told about shows how the lack of transitional protection for women born in the 1950s had even 10 years’ notice. The journalist Paul Lewis concludes, however, that none of the 1950s-born women had even 10 years’ notice. Women who have planned for their retirement suddenly find, as my hon. Friend says, that they have to wait many more years—up to six years—before they can retire. They find themselves without a job, without a pension or pensioner benefits, and without money to live on.

Members have referred in the debate to the campaign group Women Against State Pension Inequality. They are not campaigning against equalisation, but they are opposed to the way the changes have been enacted and the lack of transitional protection for women born in the 1950s. My constituents have told me about how the changes are having a significant impact on their lives. Case after case that I have been told about shows how many women in their early 60s have health problems
that stop them working, or that they need to give up work in order to care—we have talked a lot about care in this debate. I have a constituent forced to live off her savings after working and paying national insurance for 44 years; another is unemployed at age 61 and trying to live off £75 a week. I have spoken to women in their early 60s who have been forced on to the Work programme. They find this demeaning after 40 to 44 years of work. A WASPI campaigner called Marian contacted me. She told me she gave up work at age 62 to care for her mother and brother, both of whom have dementia. Her only source of income is a small private pension of £2,500. Her husband will now have to support her until she is 65.

The women I speak about today have worked hard and contributed to the system. Throughout their lives, this generation of women have been disadvantaged in the workplace in terms of pay because of their gender. Even now, women in their 60s earn 14% less than men. Now, they are once again being treated unfairly because of the way changes to the state pension have been enacted. Ministers must look at ways to provide adequate transitional protection. A number of Conservative Members have said that they support I hope they do—the transitional protection that Ministers’ colleagues repeatedly mentioned in the debates on the Pensions Act in 2011.

6.28 pm

Mrs Flick Drummond (Portsmouth South) (Con): As we near the end of the debate, I will be a bit more positive about the role of women. Last week, we celebrated Small Business Saturday and I met with several women running businesses in Portsmouth. In Portsmouth, we have a really strong entrepreneurial culture and women are playing a full part in it. We know that nationally one of the areas where women are still catching up with men in the world of business is in self-employment and running our own businesses, so Portsmouth’s women are leading the way.

We know from figures supplied by Barclays bank that 40% of small businesses in Portsmouth South have been set up in the past three years. This is a reflection of a recovering and growing economy, and greater confidence. We also know from the same data that small businesses in Portsmouth are more likely to survive and grow beyond that crucial three-year start-up period.

Mrs Miller: Like my hon. Friend, I was out on Small Business Saturday and I met local business people in Basingstoke. I would just like to commend Mitch Lloyd at the Viables craft centre for the excellent business she runs, leading the way in that area for women in business.

Mrs Drummond: I would love to mention all the great women in Portsmouth setting up businesses. I do not have the time, however, as I have to move on to quite a few subjects. I always support our business community, and if someone wants to start a business, that community will support them.

Nationally, we had a steady growth in self-employment among women even during the most difficult phases of recovery from the recession. Self-employment among women has grown by over 300,000 nationally since 2008. Overall, the level of women in employment has already overtaken the level it stood at pre-recession, with 69% of women of working age now in work—the highest level since records began.

Almost 12% of our families in Portsmouth are single-parent families—a higher than average figure—so the economic wellbeing of women is vitally important to the welfare of our families. I am pleased that we are committed to expanding free childcare for two, three, and four-year-olds with an extra £1 billion. It is important when we look at the figures for these services that we do not just assume that “more” of anything automatically means “better”. I am thus pleased to report that in Portsmouth we have a higher than average percentage—85%—of childcare providers deemed “good or better” by Ofsted. Improved childcare will play a big part in closing the productivity and earnings gap between men and women.

The wage gap for women under 40 is narrowing—something we would expect to see as inequality is wiped out through generational changes in attitudes and education. Women aged between 22 and 39 in full-time work actually enjoy a pay gap over men, while women over 40 still face a big gap in full-time earnings—typically over 10%. I am therefore delighted that the Committee on Women and Equalities will inquire into the problem of the wage gap for women over 40. I shall enjoy contributing to that Committee alongside my right hon. Friend the Member for Basingstoke (Mrs Miller). I hope to set up an all-party parliamentary group on women and work, and hope that some Opposition Members will play a big part in it, too.

The motion mentions violence against women, which is naturally a topic that is important to all of us. The Government are committed to reviewing safeguards against stalking and harassment, and to bringing in a unified strategy on fighting violence against women and girls. It is an area in which local authorities play a major role, too, and I am pleased to learn from Portsmouth City Council that it is protecting domestic violence services in next year’s city budget. The council is doing more than that—it is looking at how to move on local authority involvement from being just a funder of services to being a facilitator and an educator. I welcome that initiative, led by councillors across the parties, which is going outside the corridors of power to move domestic violence services beyond the point at which victims and witnesses of domestic violence are left to challenge this behaviour. The processes of social change that fight racism, sexism and other behavioural problems are never driven purely by spending Government money.

The situation of women in prison is relevant to domestic violence. We know that a huge contributory factor to the number of women in prison is abuse and violence earlier in their lives. Often the misery and disruption brought on by violence is a factor that drives women directly into the criminal justice process. Just as it is important that we prevent violence in the home, so it is important that we do not perpetuate the cycle in our prisons or condemn women and their families to a life scarred by their involvement with the criminal justice system. The plans to close Holloway prison, which were announced as part of the comprehensive spending review, are very welcome, and I am sure that the future shape of women’s prisons will be informed by the reformist and positive language we heard from the Prime Minister at the Conservative party conference and from the Secretary of State for Justice. If more can be done through the use
of non-custodial sentences, it will have a big effect on the welfare of families and children.

We know that the strongest positive agent of change in social policy is the growing affluence that a strong economy supports. It drives greater cohesion in our communities, improves public health outcomes, reduces crime and does much to level out inequalities and challenge discriminatory attitudes in our society. There will always be more that the Government can do to encourage businesses and individuals towards positive attitudes and outcomes, but it is clear that the best thing they can do—for men and women—is enable the strong economic growth outlined in the comprehensive spending review.

6.33 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): I thank my hon. Friend the Member for Stretford and Urmston (Kate Green) for opening today’s debate. It is also a pleasure to follow the hon. Member for Portsmouth South (Mrs Drummond), as I hope to work with her on the new all-party parliamentary group on women and work.

Women form over half the UK population, yet their contribution to the economy is sadly not equal, and I fear that, thanks to the decisions of this Government, they will form an even smaller contribution to the economy. The right hon. Member for Basingstoke (Mrs Miller), under whom I have the honour to serve on the Women and Equalities Select Committee, said that we cannot address many of the issues raised in this debate without a stronger economy. My question is, how will the Government ensure that women benefit equally from the economic growth that they predict? Far too many women feel that they are not benefiting from whatever growth may be taking place now.

According to the Women’s Budget Group, pursuing deficit reduction on the back of women—particularly lone mothers and single female pensioners, who are the most affected—is just plain wrong. If the Government had the slightest interest in fairness, they would conduct a detailed impact assessment and a review, and, if they were prepared to do so, they would revise some of their decisions as a consequence.

Why does there need to be a women’s perspective on the economy? Let us look at pay. My hon. Friend the Member for Stretford and Urmston once told us about a meeting that she had had with a group of women in Camden who had recently been granted the living wage—the true living wage. One of the women had said that those extra few pounds an hour enabled her to save a bit of money each month, and that she hoped eventually to save enough to go on holiday with her family. Those extra few pounds meant a great deal to her, because she had never had a holiday before.

Moreover, the little impact of the payment of a living wage by that woman’s employer was not only good for her and for her colleagues, but good for the company for which they worked, because the resulting increase in staff satisfaction led to higher retention rates. The company had generally found that 40 vacancies needed to be filled, but this year they needed to fill only two. Moreover, the change benefited not just that woman, her colleagues and their families, but the local economy where she lived, and the economy of whatever area she visited when she went on holiday, which may have been a part of the United Kingdom that depends on the pounds that are spent by holidaymakers.

The fact that a large section of our workforce are on low incomes that the Chancellor’s changes will not address is not only bad for women, but bad for children, bad for business and bad for the economy, both local and national. As the economy is the underpinning element of the debate, I shall now quote from an important document. It states:

“Ensuring that women achieve their full potential will have a significant impact on our economy:

Equalising women’s productivity and employment to the same levels as men’s could add almost £600 billion to our economy. This could clear a third of our national debt.”

Who said that? In fact, it was in the foreword to the Government’s consultation paper on the gender pay gap, which was written by the Minister for Women and Equalities, the right hon. Member for Loughborough (Nicky Morgan).

I am pleased to note that the Government have taken some lessons from the last Labour Government, including the lesson that, for most women—especially women on low pay—childcare is a barrier to labour market participation. However, if Members want to hark back to the awful days of previous Governments—as some did earlier—I am happy to oblige. My children were under-fives under the last Conservative Government, in the mid-1990s, and we had to pay our childminder out of our after-tax income. At that time, many women, especially lone parents, were effectively excluded from the job market. The Labour Government introduced tax credit, childcare vouchers and the Sure Start initiative.

We welcome the spirit of the current Government’s Childcare Bill, which offers five hours a week more childcare than the Labour manifesto, but, unlike the Labour offer, the Conservative offer was initially underfunded, and there are still a great many questions to which the Government must respond if they are to persuade us that that childcare will be flexible and affordable.

Ian Blackford rose—

Mr Speaker: Order. The shadow Chief Secretary must begin her speech at 6.40, but the hon. Gentleman can speak briefly now.

6.38 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): I want to raise, very briefly, the issue of unfairness to women and pensioners. Today, at the Institute for Government, the former Pensions Minister said, “we made a bad decision”, referring to state pension age rises. I think that many of us would agree with that statement, especially in the light of previous pension age changes which allowed a transition period of 15 years. Women are being penalised by the fact that the period is only five years for the current changes. Will the Government urgently recognise that this is a wrong that must be righted? Women must be protected. The Government must act now.

Mr Speaker: Splendid succinctness by the hon. Gentleman, upon which he is to be congratulated.
Seema Malhotra (Feltham and Heston) (Lab/Co-op):

I thank all hon. Members who have made thoughtful contributions in this important debate. They include the hon. Member for Lanark and Hamilton East (Angela Crawley), the right hon. Member for Basingstoke (Mrs Miller) my hon. Friend Member for Sunderland Central (Julie Elliott), the hon. Members for South Ribble (Seema Kennedy), for Paisley and Renfrewshire South (Mhairi Black), and for Eastleigh (Mims Davies), my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), the hon. Member for Dudley South (Mike Wood), my hon. Friend the Member for Wirral South (Alison McGovern)—we extend happy birthday wishes to her daughter—the hon. Member for Lewes (Maria Caulfield), my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley), the hon. Member for Portsmouth South (Mrs Drummond), my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury), and the hon. Member for Ross, Skye and Lochaber (Ian Blackford). I acknowledge the important issues that they have raised: equal pay, the impact of the tribunal fees, the cost to the economy of women's unequal participation, degendering, stereotyping and the impact of the unequal changes to the state pension age. We are having this debate because the Chancellor's economic choices are hurting, not helping, women. It is a small step in the historic fight for women's progress. Yes, we have made great progress over the years and we are proud of what women in previous generations and today have achieved, but the Government now threaten that progress, particularly for the women in our society who have the least.

We still face huge inequalities. Women participate in the labour market on an unequal basis. Forty-two per cent. of women in employment work part time compared with 13% of men. Almost 800,000 women are unemployed and in all UK nations and regions the women's employment rate is lower than that for men. Although we know that overall employment has risen, over half that growth has been in jobs where there is low pay.

In STEM subjects, the inequalities are stark. According to the latest labour force survey quoted by the WISE campaign, women make up only 14% of people working in STEM occupations. Things are getting worse, not better, under this Government, with women paying the price for the Chancellor's failure. Eighty-one per cent. of the burden of his tax and benefit changes have been borne by women. Women have seen cuts to their personal and household income, impacting their ability to make ends meet and to save. The gender pay gap is over 19%, well above the EU average, and we now know that the gap is closing more slowly than in the last decade. Over 1.5 million women already in part-time work would like to work more hours but cannot get them.

Instead of women being supported in work, under the Government maternity discrimination has doubled and one in nine pregnant women and new mothers are forced out of work. The Government's helping hand in the form of employment tribunal fees means that those mums need to pay £1,200 to bring a claim.

The Equality and Human Rights Commission “Is Britain Fairer” report shows that women are far more likely to have no qualifications than men. We know that women are far less likely to be in senior positions in our professions. That is bad for business. As new research shows this week, companies with more women on their boards have shown a 36% better return on equity since 2010. What about the women's entrepreneurship gender gap? It is two and a half times bigger than that of France or Germany. That is a huge price that we all pay for this inequality.

The Government's own research states that equalising women's productivity and employment could add almost £600 billion to our economy, providing the growth and tax receipts that we need to get the deficit down. The “Closing the Gender Pay Gap” report states that our economy is losing out because women's academic achievements, experience and talents are not being fully utilised, and all this when we have the lowest productivity in the G7. Last year saw the productivity gap with our G7 competitors widen to 20 points, the worst on record.

Hitting women three times as hard as men is yet another false economy. When we should be seeing a Government on the side of women in our national economic interest, we see the opposite. The Women's Budget Group has shown that lone mothers and single female pensioners are set to lose most from the spending review decisions over this Parliament. Rather than wanting to know the impact of their policies on women, the Tories have scrapped Labour's equality impact assessments, calling them pointless. The autumn statement did not come with the impact assessment we would expect, showing the impact of the Chancellor's changes on women.

We should also mention how much impact the Government's Trade Union Bill will have on working women. Unionised workplaces have better flexible working and support for women returning to work after maternity leave. I am pleased, but surprised, that the Minister mentioned Dagenham given what the Government have chosen to do to trade unions. The Trade Union Bill puts these hard-won rights at risk and we on this side stand shoulder to shoulder with the first female TUC general secretary, Frances O'Grady, and other trade unions in fighting this pernicious bill.

This is a Government who do not want to know the truth, or want people to know the truth, about their choices. Just as with tax credits, the Government tried to hide the impact of their changes. Over 3.2 million working families were set to lose an average of £1,300 from next April. We now see history repeating itself. These cuts to working tax credits are merely being delayed and disguised.

Here is the assessment from the House of Commons Library: a lone parent with two children on the enhanced minimum wage for over-25-year-olds will lose £2,800 as a result of the Chancellor's changes to universal credit, and we know that 92% of lone parents are women. So let us be clear: this Government's economic policies are hurting, not helping, women.

The uncertainties around funding for the social care sector and the social infrastructure are also set to hit women harder than men. This will result in women bearing an unfair burden for ever-increasing unpaid or underpaid care work. To quote the United Nations:

“When more women work, economies grow.”

And when women do well, children do well. Evidence from a range of countries quoted by UN Women shows that increasing the share of household income controlled
by women, either through their own earnings or cash transfers, changes spending in ways that benefit children. This is even more poignant at a time when we know that as a result of this Government’s choices over 500,000 more children are growing up in absolute poverty.

So what do we need? We need to see an economy with far more equal opportunities for women and support for them to progress in the job market. We need women to have access to the jobs of the future and the support they need to help them stay there. To balance the books, we need to balance the economy, and to balance the economy, we need to see a renewed focus on women’s economic equality.

We need a Government who are on the side of women. Instead, we have a Government who are turning the clock back. The Chancellor may not care, but he should care, as he is managing the country’s economy. If he wants to make a start in addressing his failures, he should take up Labour’s call that he carry out a full cumulative assessment of all Government policy since 2010 to analyse the impact on women, and he should commit to publishing a full, comprehensive, meaningful gender equality strategy that addresses the economic and social discrimination and disadvantage experienced by women. Women need it, and our country needs it. That is why I hope all Members of this House will join us in the Aye Lobby tonight.

6.48 pm

The Economic Secretary to the Treasury (Harriett Baldwin): This has been an historic debate, because it has been a debate with women at the Dispatch Box, by women in the Chamber, chaired for most of the time by a woman—and we also had some contributions from men.

The first duty of a Government is certainty to protect economic and national security, extending opportunity and aspiration to every girl and boy, allowing every woman and man to fulfil their potential, and giving older people dignity in retirement. The Government are managing the economy and the public finances properly, and as a result, we are enabling job creation, increasing wages, increasing job security, cutting income tax and helping parents with more free childcare in an economy that is 12% larger than when we took office in 2010.

Do women have economic equality yet? They do not. Women in our country still earn less, own less and retire with less than men. We can agree that all political parties seek to make progress on those issues.

Barbara Keeley: The Minister recognises that women retire with less. That really affects the women we have heard about in this debate who were born in the 1950s, who had to wait six more years to retire and are now living on very little. Has she heard what has been said in this debate? Will she take it away and talk to colleagues about it?

Harriett Baldwin: I will, of course, come on to address some of the points raised in the debate. Although there is political consensus that we must make progress on women’s economic issues, our parties will approach that progress differently. My party will stress more equal opportunity, more aspiration, higher skills and higher standards in education, while the Labour party will seek to tax women more, borrow more debt on behalf of women, their children and their grandchildren, and create more welfare poverty traps for women.

Today’s Opposition motion shows why the Labour party can never again be trusted to run our economy. In their motion on the Order Paper, the Opposition assume that mixed-gender households do not share incomes. That is quite an assumption. They assume that spending less on public services invariably leads to poorer services—something that we have comprehensively disproved over the past five years. They even imply that the billions and billions of pounds of tax cuts that have led to lower petrol prices at the pump do not help women. I have heard it said before that Labour wants to take us back to the 1970s, but this is more like the Harry Enfield sketch about the 1930s. I will try to imitate him: “Women, know your limits and, for pity’s sake, don’t drive!”

At best, the motion shows unconscious bias. At worst, it shows the latent sexism of a sexist Labour leadership. The motion says, “Don’t invest in infrastructure, because it’s not women who build things.” Where do I start with that?

Kate Green: Of course women drive cars and of course income is shared in many households, but we know that when income is in the hands of women, they make different choices in the interests of their families and their children. The Minister must recognise that fact. It is asserted by the United Nations and has been understood by social policy research going back many decades. I wish she would acknowledge it.

Harriett Baldwin: I wish the hon. Lady would acknowledge a few of the facts that I am about to share about women in the economy. The calculations that she has been citing all afternoon do not include these basic facts. There are more women in work than ever before in this country. We have the highest female employment rate ever. We also have the lowest gender pay gap since records began.

Seema Malhotra: Of course women drive cars and of course income is shared in many households, but we know that when income is in the hands of women, they make different choices in the interests of their families and their children. The Minister must recognise that fact. It is asserted by the United Nations and has been understood by social policy research going back many decades. I wish she would acknowledge it.

Ruth Cadbury: Women, know your limits and, for pity’s sake, don’t drive!”

Harriett Baldwin: I will make some progress. We want to make sure that the pay gap narrows further and faster. From next year, we will require large companies to publish differences in pay.

Ian Blackford: Women, know your limits and, for pity’s sake, don’t drive!”

Harriett Baldwin: I do not have much time, so I will make a bit of progress. Some 56% of the people who have been taken out of income tax altogether—in other words, who have had a 100% reduction in their income tax—through our increases to the personal allowance are women. Some 58% of those who receive the state pension are women—I will address the point made by the hon. Member for Worsley and Eccles South (Barbara Keeley) in a moment—and we have protected that under the triple lock. Almost two thirds of the people who will benefit from our introduction of the national living wage are women. Since 2010, women’s employment has increased faster than in the three previous Parliaments combined.
Let us compare and contrast that with the record of the previous Labour Government, under which the number of unemployed women rose by more than 200,000, or 25%. The fastest way to damage the livelihoods of hard-working women and families is to lose control of the public finances. That is the damage that we have had to fix, and we are making sure that that catastrophic situation does not happen again.

I want to address some of the important points raised today in a range of speeches—speeches from the hon. Member for Lanark and Hamilton East (Angela Crawley), my right hon. Friend the Member for Basingstoke (Mrs Miller), the hon. Member for Sunderland Central (Julie Elliott), my hon. Friend the Member for South Ribble (Seema Kennedy), the hon. Member for Paisley and Renfrewshire South (Mhairi Black), my hon. Friend the Member for Eastleigh (Mims Davies), the hon. Member for Mitcham and Morden (Siobhain McDonagh), my hon. Friend the Member for Dudley South (Mike Wood), the hon. Member for Wirral South (Alison McGovern), my hon. Friend the Member for Lewes (Maria Caulfield), the hon. Member for Worsley and Eccles South (Barbara Keeley), my hon. Friend the Member for Portsmouth South (Mrs Drummmond), the hon. Member for Brentford and Isleworth (Ruth Cadbury) and the hon. Member for Ross, Skye and Lochaber (Ian Blackford).

A number of people have mentioned part-time work. It is worth remembering that 80% of the people who work part time do so because they want to. However, I agree wholeheartedly with the Chair of the Women and Equalities Committee, my right hon. Friend the Member for Basingstoke, who said that she wanted greater equality in the form of more men working part time. There is evidence that that is beginning to happen, enabling parental leave opportunities to be shared more equally.

Seema Malhotra: Would the Minister like to comment on the point that my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) has just made from a sedentary position on those refuge figures, which was that the Minister was making them up?

Harriett Baldwin: I can give the hon. Lady the source, which is the online system, and I will write to the hon. Member for Birmingham, Yardley (Jess Phillips) about this.

I am proud to serve in a Government who have done so much to help women of working age, and who have improved the state pension for women in retirement. The foundations of this improvement are, of course, our sound management of the economy, which is delivering growth, jobs, security and a higher standard of living. The previous Labour Government failed to provide women with greater financial security, and Labour Members have opposed our economic reforms at every stage. They failed to support giving girls the best possible education. They failed to support women in work. They failed to address the lack of women at the top in business, just as they have failed to address the lack of women in top jobs in their party today.

The Labour party is determined to fight the 1983 general election all over again. A woman won that election, and thanks to the result of that election we are once again winning economic security, economic opportunity and real economic aspiration for women. I urge my colleagues—

Mr Alan Campbell (Tynemouth) (Lab) claimed to move the closure (Standing Order No.36).

Question put forthwith, That the Question be now put.

Question agreed to.

Main Question accordingly put.

The House divided: Ayes 243, Noes 290.

Division No. 147

[6.59 pm]

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Hopkins, Kelvin
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Hussain, Imran
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Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
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McDonagh, Siobhain
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Meale, Sir Alan
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Salmond, rh Alex
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Thomas-Symonds, Nick

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Allan, Lucy
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Ansell, Caroline
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Atkins, Victoria
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Benyon, Richard
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Berry, James
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Borwick, Victoria
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Cartlidge, James

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Thomberry, Emily
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Turner, Karl
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Umnuna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Weir, Mike
West, Catherine
Whiteford, Dr Elidith
Whitehead, Dr Alan
Whitford, Dr Philippa
Wilson, Corri
Wilson, Phil
Winnick, Mr David
Winterton, rh Ms Rosie
Wishart, Pete
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Holly Lynch and
Jeff Smith

NOES
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Clarke, rh Mr Kenneth
Clevery, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Costa, Alberto
Cox, Mr Geoffrey
Crabb, rh Stephen
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Davies, Glyn
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Djanogly, Mr Jonathan
Dodds, rh Mr Nigel
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Donelan, Michelle
Double, Steve
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Duddridge, James
Duncan Smith, rh Mr Iain
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Elphicke, Charlie
Eustice, George
Evans, Graham
Evans, Mr Nigel
Evannett, rh Mr David
petitioners have a moral responsibility as Christians to be a voice

detention have been excluded from the Bill; further that the

leave more families homeless and further isolate an already

further that the 2015/16 Immigration Bill threatens to make those

manner in which asylum seekers are currently treated in the UK;

25 March, in the last Session of Parliament, be approved.—

Licences) Order 2015, which was laid before this House on

Order No. 18(1)),

7.11 pm

by the St Vincent de Paul Society.

which has in excess of 3,000 signatures, has been organised

Tomlinson, Michael

Tomlinson, Justin

Tolhurst, Kelly

Timpson, Edward

Tolhurst, Timer

Tomlinson, Justin

Tomlinson, Michael

Tracey, Craig

Tredinnick, David

Trevelyan, Mrs Anne-Marie

Truss, rh Elizabeth

Tugendhat, Tom

Turner, Mr Andrew

Tyrie, rh Mr Andrew

Vara, Mr Shailesh

Vickers, Martin

Walker, Mr Charles

Walker, Mr Robin

Wallace, Mr Ben

Warburton, David

Warman, Math

Watkinson, Dame Angela

Wharton, James

Whately, Helen

Wheeler, Heather

White, Chris

Whittingdale, rh Mr John

Wiggin, Bill

Williams, Craig

Williamson, rh Gavin

Wilson, Mr Rob

Wollaston, Dr Sarah

Wood, Mike

Wragg, William

Zahawi, Nadhim

Tellers for the Noes:

Jackie Doyle-Price and

Guy Opperman

Question accordingly negatived.

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing

Order No. 18(1)),

REGULATORY REFORM

That the draft Legislative Reform (Further Renewal of Radio

Licences) Order 2015, which was laid before this House on

25 March, in the last Session of Parliament, be approved.—(Sarah

Newton.)

Question agreed to.

PETITIONS

Treatment of Asylum Seekers

7.11 pm

Robert Flello (Stoke-on-Trent South) (Lab): The petition,

which has in excess of 3,000 signatures, has been organised

by the St Vincent de Paul Society.

The petition states:

The petition of residents of the UK,

Declares that the petitioners are gravely concerned about the

manner in which asylum seekers are currently treated in the UK;

further that the 2015/16 Immigration Bill threatens to make those

seeking sanctuary even more vulnerable; further that the Bill will

leave more families homeless and further isolate an already

marginalised group; further that recommendations made by the

All-Party Parliamentary inquiry into the use of immigration
detention have been excluded from the Bill; further that the

petitioners have a moral responsibility as Christians to be a voice
for those who have no voice; further that Pope Francis has said that refugees and asylum seekers are our brothers and sisters; and further that a local petition on this matter was signed by 3,000 people.

The petitioners therefore request that the House of Commons urges the Government to reconsider the findings of the All-Party Parliamentary inquiry into the use of immigration detention to adopt the inquiry’s recommendations in order to improve the treatment of asylum seekers in the UK.

And the petitioners remain, etc. [P001659]

Impact of Hinkley Connection Project on the Wells Constituency

7.13 pm

James Heappey (Wells) (Con): I rise to present a petition on behalf of the residents of Badgworth, Compton Bishop and Mark parishes. It has been signed by 905 residents, which represents half the electoral roll. Hinkley C will not need its grid connection until it is switched on in 2015, so there is time to reconsider before we blight such a beautiful part of Somerset. However, my right hon. Friend the Secretary of State switched on in 2015, so there is time to reconsider before we blight such a beautiful part of Somerset. However, my right hon. Friend the Secretary of State

The petition states:

The petition of residents of Badgworth, Compton Bishop and Mark Parishes,

Declares that the electricity transmission line to be built between Hinkley C Power Station and Avonmouth will have a significant and adverse impact on the visual amenity of this area; further that it will cause significant disruption during construction; further that it will damage the local tourist industry; and further that it fails to employ the most recent technologies for transmitting electricity underground or under the sea.

The petitioners therefore request that the House of Commons urges the Government to use the delay in construction of Hinkley C as an opportunity to re-evaluate the strategic options available for the Hinkley Connection project and to direct that an undersea solution in the Bristol Channel be used instead.

And the petitioners remain, etc. [P001661]

Kellingley Colliery

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

7.15 pm

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Thank you, Mr Speaker, for granting this Adjournment debate.

In just a few days’ time, Kellingley colliery will close. It is Britain’s last working pit. A hundred years ago, over 1 million men worked in the coal industry, and now the last 450 men are set to work their final shift. The coal that they cut through generations powered the industrial revolution, stoked the trains, lit the furnaces, and kept the home fires burning. In our area alone, Fryston, Glashoughton, Wheldale, Allerton Bywater, Sharlston, Prince of Wales and Selby were all once proud pits, now gone. Kellingley stands just inside the constituency of the hon. Member for Selby and Ainsty (Nigel Adams), who is here tonight too.

I represent Knottingley, the town that always supported Kellingley, and grew in the 60s when Kellingley grew. Kellingley club is still in the heart of the town. In our area, most people have coal in their blood—family who worked in the local pits or further afield. I am the granddaughter of a miner, and my predecessors, Geoff Lofthouse, Bill O’Brien and Joe Harper, all worked in the pits. It is skilled work and tough work, and some gave their lives and others their health. The solidarity that they forged underground is the solidarity that has underpinned our communities too. That is why it is a sad day for us, because people who have worked together, lived together, marched together, been on strike together, and stood together through thick or thin are now watching the last pit close.

We have fought for two years to try to keep Kellingley open. We sought alternative investors. We campaigned for the EU state aid that could have opened new faces and accessed new and rich reserves, and yet the Government deliberately dragged their feet, pushed costs up, and let us down. Closing Kellingley will not cut Britain’s carbon emissions; all it will do is make us more dependent on imported coal. We campaigned too for clean coal technology—carbon capture and storage at Drax—that could have not just supported Kellingley but security of supply here in Britain. It had the potential to cut carbon emissions, to be a great export all over the world, and to cut energy bills here at home, and yet the Government have pulled the plug. Ferrybridge, just down the road, also in my constituency, is set to close in a few months’ time, again years before it needs to, so we will lose more skilled jobs. Experts are raising concern that that capacity has been cut so far that it is likely, in the short term, to be filled instead by smaller diesel energy plants, which are far dirtier than the big power stations that they replace.

However, my main purpose in securing this Adjournment debate was not to talk about the huge incoherence of the Government’s energy policy, but to focus particularly on support for the Kellingley miners. These are the men who have kept the coal industry going until the very end—younger men who started as apprentices just a few years ago, but also many older men who worked in the coal industry for decades. While every other pit closed, they kept going—kept working, kept digging deeper, kept cutting coal. When Kellingley nearly went
under, they pulled out all the stops and increased production. When we were fighting to keep Kellingley open, they were ready and willing to do a deal whereby the workforce took over the pit, putting their own money at risk in order to keep it open. When UK Coal nearly went bust, they were ready to accept changes to their pensions and working arrangements just to keep the pit open.

Think what would have happened if the miners had not done that. If they had walked away, as many were tempted to do, UK Coal would have gone bust, the Government would have lost the millions in tax that UK Coal owed, and, more importantly, the Government would have been landed with the bill for closing Kellingley—tens of millions of pounds of extra money that they would have had to fork out. It is the miners at Kellingley who have saved the Government from having to pick up the cost of closure and who have kept UK Coal going long enough for it to be able to pay off its bills and the taxes it owed. What have they got in return? Statutory redundancy—is that it?

At the end of decades of keeping our lights on, powering our factories and fuelling the nation, they have got the worst deal of any of the hundreds of thousands of miners who have left the industry over many decades. Frankly, these miners have been betrayed and let down by UK Coal and the Government.

At least the Kellingley miners who left in July got severance pay in lieu of notice—they got 12 weeks of average pay—but, as of today, UK Coal has not even said that it will guarantee the remaining workforce that severance pay. Miners have told me that they have been told that they will probably get it, but it all depends on whether they complete the final phase of work or whether the board decides on Thursday that they can have it. They have no certainty, just threats hanging over them to work even harder as the end draws near.

Ian Lavery (Wansbeck) (Lab): I have been contacted by a member of the National Union of Mineworkers who works at Kellingley and has already lost plenty of their pension. When their father, who worked at Kellingley colliery, left the industry 27 years ago, he got three times as much as he did in terms of pensions. Pensions are also being undermined by the last pit closure. I ask the Minister to look seriously at what more support can be given to the Kellingley miners. They have worked so hard to save the Government money, to support UK Coal and Kellingley, and to keep the pit open, but they feel that all they are getting in return is a kick in the teeth.

When Margaret Thatcher closed the pits in the 1980s on a massive scale, even she made sure that the miners got full redundancy pay and pensions. When Michael Heseltine closed pits in the 1990s, he made sure that miners got full redundancy pay and pensions. When the Prince of Wales and Selby pits closed under the Labour Government, we made sure that the miners got not just redundancy pay and pension support, but retraining, the coalfield regeneration taskforce and support for communities as well.

What miners are getting now under this Tory Government is the worst deal of all, so I urge the Minister to look at it again—not to blame this on the market or on UK Coal, but for the Government and UK Coal together to provide the miners, who have worked so hard and helped both UK Coal and the Government, with the support and the recognition that they deserve. Another of my constituents contacted me to say that the miners give so much and take so many risks, as do their families, who would watch them go to work each day. Let us make sure that, as the miners walk out of their last shift, as they leave Kellingley for the last time, we show them the respect that they need.

I and many of my colleagues still feel that this is deeply sad. We deeply regret that we are watching the last pit close long before we need to, even though we could have clean coal technology and support both the coal industry and security of supply. We could cut our carbon emissions too. But if that pit is to close before
Christmas, in the next few days, let us at least do everything we can to get those miners some justice and the respect that they deserve.

7.26 pm

Nigel Adams (Selby and Ainsty) (Con): I am grateful to the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) for bringing this Adjournment debate to the House today. Kellingley colliery, as she says, is the last deep coalmine in the country and 18 December will be an incredibly sad day. Production began in 1965 and at its peak, I understand, 2,000 men and women were employed there at any one time. It was a significant employer in my constituency and the local area.

Many of those miners relocated from Scotland to work at the colliery, having lost their jobs at Scottish pits in the 1960s. Three members of my own family worked at Kellingley, which is affectionately known, as the right hon. Lady knows, as the Big K. My uncle Ray worked there for 39 years. He told me earlier today that he started as a dogsbody, worked his way up and ended up just before his retirement as an under-manager. He was incredibly proud of Kellingley, as were all the people who worked there. He told me earlier today on the phone that he thought it was the best pit in the country.

Mining communities are close communities. I remember my brother’s wedding reception at the Kellingley miners welfare club in 1981. I was not old enough to go in and have a drink, sadly, but it was a great time. I recall my family spending many a Saturday at the miners welfare club at Kellingley, enjoying the friendship and camaraderie of the mining community.

I well remember the 1984 strike. As a youngster I used to drive past the colliery gates on my motorcycle. I had uncles and cousins involved in the strike on both sides of the dispute. Miners from Kellingley took part in the 1984 strike, but it is worth pointing out that there were a higher number opposed to that action than there were at most other pits across Yorkshire. It was a highly divisive strike and one that, in my view, lacked legitimacy because of the lack of a ballot.

Kellingley’s current largest customer, Drax power station, is also in my constituency. It has been a longstanding customer of Kellingley, and the mine’s closure will mark the end of the latest seven-year contractual agreement between the two parties. I made a phone call to the management at Drax so I know that its management would have supported the management deal, had that come off, to continue supplying coal. I know how appreciative Drax is of the efforts of the workforce to continue to deliver coal to the power station, which must be commended for continuing to source coal from Kellingley even though it could have sourced coal at a lower price in world markets.

The European Union’s industrial emissions directive comes into effect on 1 January 2016. This imposes stricter emission limits on sulphur dioxide, nitrous oxide and particulates emitted by power stations in the UK. To be fully IED-compliant, Drax has no choice but to avoid using higher-NOx coal, such as that sourced from Kellingley colliery, after the end of this month. Regrettably, in these circumstances, there is no scope for Drax to take any additional deliveries above and beyond the volumes already agreed. It is essential that the company’s stockpile of coal on 1 January is compliant with the stricter emissions limits imposed by the EU under the IED.

It is now crucial that the 450 staff find alternative employment. I want briefly to praise the work of Jobcentre Plus. Its team need to be recognised for the effort they have put in during the past year, since the closure was announced. Last week, they were on site hosting an employers forum, similar to a jobs fair that I hosted in October, which was well attended by local employers seeking staff. Several leads from my jobs fair have been fed into Jobcentre Plus for follow-up. I have helped workers at Kellingley to get alternative employment, and I am very keen that that should continue as we move towards the closure. The team had another on-site event in October, and they were there in June and July as well. They provide help with writing CVs and training advice regarding grants and courses. The one thing we do not yet know is how many miners have secured jobs; such information might put their redundancy pay-offs at risk, so I understand the sensitivities about that.

I want briefly to mention the environmental concerns about tipping, especially at the Womersley site, which has been an ongoing issue for residents and, in particular, for the local parish council.

Ian Lavery: The hon. Gentleman is basically trying to say that coal is dead and finished. At a time when this Government are allowing the closure of the last deep mine and putting 450 people on the dole in his constituency, we as a country and as a nation are still importing more than 40 million tonnes of coal. What is this all about?

Nigel Adams: The hon. Gentleman should probably read some of my speeches about coal. I do not think coal should be dead. It is an outrage that we are tossing coal aside in favour of intermittent wind and solar. We cannot rely on them, but we can rely on coal. I have a long-standing passion for coal. However, we must remember that world markets mean people can import coal from around the world much more cheaply than we can mine it ourselves, which is a tragedy in itself. I have always supported coal, as I am sure he appreciates.

The mine closes on 18 December, but the tipping at the Womersley site will continue until May, because of the stockpile currently at the pithead. It may just be because it is winter and the roads are wet, but there have been many complaints about the slipperiness of the roads due to slurry wash from the vehicles. That matter has been taken up with the local highways department. At the moment, tipping is more intense than previously, which is a sign of the drive to get as much coal out of the ground as possible. There is also a suspicion that the Womersley tip site is over the planning limit on height contours, but there is no clarity about that and, in any case, enforcement can be ineffective.

The planning application to extend the tip site was withdrawn, because UK Coal considered that the previously permitted use of the tip site was sufficient. However, it is crucial that UK Coal and its sister company Harworth Estates have strict environmental obligations after the closure. The present planning permission does not detail the restoration of the site—that was to have been a condition, through a bond, in the new permit—so it is easy to see why the planning application was not pushed through by UK Coal.
The adjacent and nationally renowned diving centre, the Blue Lagoon, is now a stinking black pond due to polluted run-off from the UK Coal tip. A plan agreed between the Environment Agency and UK Coal has achieved nothing. The toe drain is still incomplete, and many of the sections already completed are full of silt or have a damaged liner and are therefore ineffective. The owner of the site of the Blue Lagoon, Martin Ainsworth, is suffering severe stress and struggling to run his business. After tipping is complete, the mineral content will continue to leach from the tip for many years to come. I urge the Minister to ensure that UK Coal and Harworth Estates take their environmental responsibilities seriously and ensure that restoration is completed fully.

Finally, let me refer to redundancy and compensation, which the right hon. Member for Normanton, Pontefract and Castleford rightly mentioned. I understand that in the past couple of years the Government have put in almost £20 million to UK Coal. I had a meeting with the Minister for Small Business, Industry and Enterprise to discuss compensation and retraining packages, and she has promised to look carefully into that crucial issue. I see little distinction between coal miners from Kellingley and steelworkers. I know that the steelworkers were thrown out of work rather quickly, but we must look after these people. Part of the £20 million was to ensure that staff received proper compensation, and I hope the Minister will ensure that that happens.


7.35 pm

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): I congratulate the right hon. Member for Normanton, Pontefract and Castleford (Yvette Cooper) on securing this debate. I also recognise the long-standing efforts of my hon. Friend the Member for Selby and Ainsty (Nigel Adams) in representing the interests of the Kellingley mine, as well as those of my hon. Friend the Member for Brigg and Goole (Andrew Percy), whose constituents have formed part of the Kellingley workforce for many years. On behalf of myself and the Government, I acknowledge the enormous contribution to UK energy security made over many decades by the UK Coal miners. At both Kellingley and Thoresby, which completed its mining operations in July this year, they have shown professionalism and commitment over many decades, as well as a determination to ensure the safe delivery of UK Coal’s managed closure plan.

Let me outline the support that both this Government and the previous Government have provided to UK Coal. Due to geological and performance issues at Kellingley, and a deterioration in global coal prices, UK Coal approached the Government in January 2014, seeking financial support to help it to deliver a managed closure plan. That original plan envisaged Kellingley and Thoresby closing in autumn 2014 and autumn 2015 respectively.

The right hon. Member for Normanton, Pontefract and Castleford has been critical of the Government, alleging that we prevented UK Coal from applying for state aid, but that simply is not true. On the contrary, we have been very supportive of the company throughout its difficulties. At the time of the original approach we were told that the company could last only “a matter of weeks” without an offer of support. The most pressing issue, therefore, was to provide financial support by the quickest means possible, and to deal with the immediate threat to the company and secure its short-term future. The state aid route was judged to be longer and riskier, which left a commercial solution as the best option. Structuring the solution in a commercial manner also had the benefit of not tying the company to a fixed closure date—something that a state aid solution would have done. Instead it would give the company flexibility and time to seek additional investment to extend the life of the mines.

Yvette Cooper: The fixed date that the Minister mentions under the EU state aid rules would have been 2018, which is in three years’ time. That was not a reason not to go down the EU state aid route. The deal she mentions that was supposedly the quickest route to go down took more than six months to resolve. The briefing that she has received from her civil servants does not seem to stack up.

Andrea Leadsom: The view was that it was a matter of only a few short weeks, and at that time it was considered that a state aid route would take too long and not work within the timeframe needed.

In April 2014, the Government agreed in principle to provide the company with financial support. In delivering on that commitment there were many twists along the way, including a failed sales process by the company and the withdrawal of an offer of support from a mining competitor. That process concluded with the Government providing a total of £6.5 million of loan funding in September 2014.

By supporting the company’s managed closure plan, we aimed to mitigate the worst impacts of closure on the workers, local communities and the supply chain. Without that support, UK Coal would have failed earlier in 2014 with the immediate loss of more than 1,900 jobs. UK Coal did subsequently present a state aid proposal in January 2015 to the Government. That sought state aid support of £338 million to prolong the working life of the mines by three years through to 2018. It is worth reminding the House that state aid approval represents the European Commission’s permission for the Government to spend UK taxpayers’ money, and consequently it has to be affordable and represent value for money. The state aid request did not pass the value-for-money hurdle, but we have continued to support the company.

Mr Skinner: There is another figure that the Minister is failing to mention. She is trying to argue that this Conservative Government have tried to save the pit. In truth, since 1984, 170 pits have closed, including Kellingley, and fewer than 10 of them were closed during the 13 years of the Labour Government. I think that tells a story: the Tories like closing pits.

Andrea Leadsom: As I said, the Government sought to support the managed closure of the pit. Following weak coal sales last winter and a deterioration in world coal prices, UK Coal approached the Government again in February 2015 requesting additional funding to keep
its closure plan on track. As a result, the Government committed in March 2015 to providing up to a further £10 million of financial support and the provision of concessionary coal entitlements for eligible miners, estimated at £18 million, subject to state aid approval.

The Government, as a further commitment to the miners, also agreed to the deferral of all repayments on the previous loans until after the miners had received their redundancy and other contractual entitlements at both Thoresby and Kellingley.

**Yvette Cooper rose**—

**Andrea Leadsom:** I am sorry, but the right hon. Lady will appreciate that I want to respond—

**Yvette Cooper:** What about enhanced redundancy terms?

**Andrea Leadsom:** There have not been enhanced redundancy terms since 2012, as she will be aware.

The funding requirement was £10 million, but we were aware of the riskiness of the mining industry, which could have seen this requirement increase. Ensuring the company had sufficient funding to pay the miners’ contractual rights was our key priority. We applied for and received permission to provide up to £20 million specifically for statutory redundancy and contractual notice pay, with £10 million to be available as a contingency in case of need.

Following state aid approval, £10 million was injected into UK Coal in August 2015. The right hon. Lady was concerned that the Kellingley miners were at risk of not receiving the same package as that received by the Thoresby miners. I would like to emphasise to her that, thanks to the excellent work of the miners and the £10 million cash injection, UK Coal has enough cash to pay the Kellingley miners being made redundant this month with the same severance package as the Thoresby miners received.

I would like to turn briefly to the non-financial support provided to the affected miners both at Thoresby and Kellingley. One of the many benefits of having a managed closure, rather than one which is sudden and unplanned, is that it gives the time to develop a joined-up approach between Government and UK Coal. Department for Work and Pensions representatives have been proactively working with Kellingley for several months to provide a fully joined-up service. Several drop-in support sessions have been hosted, most recently last week, enabling the DWP to bring together local employers with vacancies, local colleges offering training and qualifications, financial advisers and local district council business advice teams offering support on business start-ups. On the back of those sessions, more than 140 training applications have been received for vocational training, such as HGV training, occupational health and safety, fibre optics, forklift truck operations and copper cabling maintenance and installation.

In conclusion, the successful delivery of the closure plan at Kellingley has been made possible because of the hard work of the men, Government support and the favourable fixed-price contract UK Coal has had with the power companies, as my hon. Friend the Member for Selby and Ainsty pointed out. That has enabled the company to be cash generative and have sufficient money to pay all employee entitlements. I acknowledge, however, that the closure of the Kellingley mine, being the last deep operational coalmine in the UK, represents the end of a long and proud era for the UK’s coalmining industry.

I would like to finish as I started by reiterating my gratitude and that of the Government to all those who have served at Kellingley and elsewhere in the mining industry over the years. It has been a difficult job in a hostile and trying environment, and they can be proud of the part they played in heating and lighting our homes and powering our businesses and economy. Their professionalism and good humour in carrying out their job should be acknowledged by this House.

*Question put and agreed to.*

7.44 pm

*House adjourned.*
Oral Answers to Questions

TRANSPORT

The Secretary of State was asked—

HGV Drivers

1. **Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): What plans his Department has to increase the number of HGV drivers.

Andrew Jones: We have taken measures to reduce waiting periods for large goods vehicle driving tests. So far this financial year, the Driver and Vehicle Standards Agency has recruited 78 new driving examiners, a further 65 are undertaking training, and another 41 have been offered posts. That will allow experienced examiners to move over to LGV testing. More than 55,000 tests were offered posts. That will allow experienced examiners to move over to LGV testing. 

Stuart C. McDonald: With 45,000 qualified professional drivers needed to fill the skills gap in the HGV industry, will the Minister confirm whether the HGV driver standard has been approved as part of the Trailblazer apprenticeship programme? Will companies be able to use that funding to pay for licence acquisition?

Andrew Jones: I confirm that the Trailblazer apprenticeship was approved in the last day or so, but that is a question for the Department for Business, Innovation and Skills. I have not yet been fully informed about all the details of that, but it is important to encourage people to take that test. We know there is a shortage of HGV drivers, and we recognise the vital role that the road haulage sector plays in driving growth and keeping our economy moving. The hon. Gentleman may be interested to know that there has been a 36% increase in drivers taking that test in the past year.

Michael Fabricant (Lichfield) (Con): While recognising that there is always a need for safety, will the Minister and his Department consider whether HGV licences are needed for certain types of vehicle? Given that there is now so much automation on some of the larger vehicles, does someone really need an HGV licence to drive them?

Andrew Jones: That is a very interesting question. I have driven one of the new high-tech HGVs; obviously, without a licence, so it was on a testing track, not the highway network. I was struck by how helpful the vehicle is—it includes large numbers of automated systems—but also by the amount of information that comes at the driver. I do not think we should compromise on safety, and I suspect that the current regime is just right.

2. **Jim Shannon** (Strangford) (DUP): Across the United Kingdom of Great Britain and Northern Ireland, there are 60,000 vacancies for HGV and LGV drivers, but many people are unable to take up those opportunities because of the price of training. I know that the Minister has considered that issue, but will he consider the possibility of a loan or grant for the £4,500 that it takes to train an HGV driver?

Andrew Jones: I know that the industry is keen to focus on that, and I am keen for more people to take that test. The average pass rate is only 52%, so considering what can be done to increase that will be my top priority. I will consider these matters, but I do not think it will be possible to start subsidising individual licence applications; otherwise, we would have to extend that measure across the piece.

High-speed Rail Network

3. **John Mc Nally** (Falkirk) (SNP): What recent discussions he has had with Ministers of the Scottish Government on development of the high-speed rail network.

The Secretary of State for Transport (Mr Patrick McLoughlin): I have had a number of discussions with the Scottish Government Cabinet Secretary for Infrastructure, Investment and Cities. The UK Government and the Scottish Government are working closely together to consider options to further reduce journey times, and we hope to make a statement on the next steps in the new year.
John Mc Nally: The Secretary of State will recognise that Scotland has a reputation for excellence in delivering major infrastructure projects. What consultation has he undertaken to ensure that businesses and their workforces in Scotland realise the full benefits that HS2 will bring, for example through design and construction?

Mr McLoughlin: HS2 has been very effective in doing a number of presentations to businesses, right across the country, on the opportunities that will arise from one of the biggest construction projects the country has seen. I hope all companies, be they in England, Scotland, Wales or Northern Ireland, have the opportunity to apply for some of those jobs and contracts. There is no doubt that the first stretch of HS2 phase 1 will bring reduced journey times to Scotland. The announcements I made last week will add to that.

Mr Nigel Evans (Ribble Valley) (Con): As the wonderful people of Scotland eagerly anticipate the announcement on the high-speed rail network, they will become ever more reliant on air travel. Clearly, there are slot restriction problems between Scottish airports and London. Does the Secretary of State anticipate making an announcement soon about airport capacity in the south-east?

Mr Speaker: An ingenious but unsuccessful attempt. I am afraid, if Members look at the terms of the question on the Order Paper.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Labour supports the extension of high-speed rail services to Scotland. To get there, however, we will have to get to the north of England first. Why are we still waiting for Ministers to confirm the route and the stations for HS2 north of Birmingham, and does the Secretary of State understand that this lack of progress is placing their commitment to HS2 in the midlands and the north in doubt?

Mr McLoughlin: With the greatest charity, I do not think the hon. Gentleman can get away with that. We have been making progress on HS2. In 13 years, Labour only woke up to the HS2 project in year 13. The progress we have made far outstrips the progress the Labour party ever made.

M6

4. Fiona Bruce (Congleton) (Con): What progress has been made on plans to widen lanes on the M6 between junctions 16 and 19. [902632]

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): The M6 junctions 16 to 19 smart motorway scheme commenced the start of works in October 2015. Work on the project is progressing well, with preparatory works such as site clearance currently being delivered. The main works for this project are due to commence in early 2016 with a 23-month construction phase, meaning the scheme is expected to complete in early 2018.

Fiona Bruce: Several of my constituents living near this stretch of the M6 consider the measures to mitigate the effects of noise and environmental pollution to be inadequate, both in terms of the current impact during the works and the impact of the widened M6 for years to come. Will the Minister meet me to discuss my constituents’ concerns?

Andrew Jones: That section of the M6 is very busy: it carries about 132,000 vehicles a day. There are measures that can be taken to help with noise, such as a low noise surface being laid on the road or installing noise barriers. I would be delighted to meet my hon. Friend.

Christian Matheson (City of Chester) (Lab): I thank you for your indulgence, Mr Speaker. I am rather out of breath, sir, and I am very grateful to have caught your eye.

The local enterprise partnership in Cheshire identified this stretch of the M6 as a problem that needs work, but it failed to identify the M56 in Cheshire where major delays and serious accidents are an almost weekly occurrence. Will the Minister, while he is looking at M6 junctions 16 to 19, consider yet again the problems on the M56 and whether he can bring road safety forward in that part of Cheshire too?

Andrew Jones: That is a very entrepreneurial extension of the question. I am always happy to look at issues of road safety wherever they are on our road network. We have already had a Westminster Hall debate on this issue, so the hon. Gentleman is fully aware of the Government’s view.

John Pugh (Southport) (LD): This is absolutely currently the most appalling bit of the motorway network anywhere in England. Has the Minister factored into his plans further economic growth in the north and the need to shift freight to rail?

Andrew Jones: Most certainly at the heart of our road investment strategy is the impact on the freight sector. As regards rail, I work very closely with the Under-Secretary of State for Transport, my hon. Friend the Member for Devizes (Claire Perry).

Rail Electrification Programme

5. Liz McInnes (Heywood and Middleton) (Lab): What recent progress his Department has made on its rail electrification programme. [902633]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): Since 2010, 50 miles of track have been electrified, including the full route between Liverpool and Manchester. Last month, Sir Peter Hendy, chairman of Network Rail, at my Department’s request published his proposals for delivering the multibillion-pound rail enhancement programmes, reconfirming this Government’s commitment to electrifying over 850 miles of track—the biggest modernisation of Britain’s railways since Victorian times.

Liz McInnes: In my opinion, the Government’s handling of their electrification programme has been nothing short of shambolic. The pausing, then the unpausing, of the TransPennine and midland main line electrification painted a picture of a Department in disarray. What is the added cost to the programme because of the Government’s U-turn, of which there was no mention in the Hendy review?
Claire Perry: This Government are committed to electrification, unlike the previous Labour Government that electrified less than 10 miles of track in 13 years, when the economy was booming. I gently remind the hon. Lady that this is a Government of delivery. We want to make sure that the promises we set out can be delivered. That is why it was right to look at the programmes to make sure that they could be delivered, and they will be delivered. Yesterday I was very pleased to announce one of the biggest upgrades in the modernisation of rail travel for her constituents that this country has ever seen. We are scrapping the Pacers. We are introducing new trains. We are transforming the rail network in the north—something else that her Government completely neglected to do.

Iain Stewart (Milton Keynes South) (Con): Will my hon. Friend say a bit more about how the electrification project, plus the award of the new franchise for Northern Rail and TransPennine, will address the acute need to find additional rolling stock in that part of the country?

Claire Perry: My hon. Friend raises an important point. I can confirm that the midland main line will be electrified to Bedford and to Kettering and Corby by 2019, and to Sheffield by 2023. We will electrify to Cardiff by 2019. We will complete, we think, Liverpool to Newcastle by 2022. That means that there can then be a cascade of rolling stock right across the country. However, it is not enough for the people of the north to wait for cascaded trains—they deserve brand-new trains to replace the Pacers that have been chirping round that network for 40 years. [Interruption.] The hon. Member for Nottingham South (Lilian Greenwood) chirrups away. Her Government had a chance to replace the Pacers in 2003 and 2004, and they did not. The rail passengers of the north deserve better. We get it; Labour does not.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Sir Peter Hendy’s report followed the breakdown and cancellation of previous promises. Will the Minister guarantee that these new proposals will be implemented on time and with the cost as set out, with the right rolling stock in the correct place at the correct time?

Claire Perry: I know that the hon. Lady shares the absolute aspiration that what is promised is delivered. It was right for Network Rail to take a long, hard look at itself, because it had been in the business of peddling promises that went out of control in terms of funding and over time in terms of delivery. [Interruption.] I might remind the hon. Member. For Stalybridge and Hyde (Jonathan Reynolds) that a few years ago his party wanted to make Network Rail the “guiding mind” of the whole railway. We do not hear much about that policy these days. It is absolutely right that we have changed the management structure at Network Rail. We have put in Sir Peter Hendy, who is an exceptionally experienced railwayman, and we have asked the organisation to think very hard about delivery. Crucially, only last week in the spending review, we were able to reconfirm the Government’s funding commitment, which means that the money is there for this transformational project.

Ben Howlett (Bath) (Con): As my hon. Friend is aware, the largest investment in the railway since the Victorians on the Great Western main line will have a huge impact on the Bath and west of England economy. What progress is she making on the four miles of track that will link the electrified Great Western main line with Heathrow?

Claire Perry: Again, this is part of the overall proposals. As my hon. Friend knows, the western rail link is absolutely vital. It has been set out, and work is going on to make sure exactly how it is delivered. We understand how important it is. My hon. Friend represents a fine city. He and I went through Box tunnel together on a little people mover—[Interruption.] That sounds worse than it is—with others to see at first hand the transformational effect that electrification work is having on his city.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): The unparring of the rail electrification programme is welcome, but the news that completion will be delayed and the costs much higher has understandably caused dismay. The cost of the electrification programme is now set to be at least £2.5 billion more than planned. As a result, Network Rail’s borrowing limit has had to be increased by £700 million, with the rest of the money being found from the sale of its assets. What assurances can the Government give that these asset sales will be sufficient; and given that the costs have already risen by 70%, what happens if they rise further still?

Claire Perry: The hon. Gentleman raises the delivery risk inherent in all these things. This is the biggest transformational project for more than 100 years, and he is absolutely right that it has to be funded with both Government money and third party asset sales. A huge amount of due diligence has gone into that work, which is ongoing, but we now have a plan and are confident that £38 billion will be committed and that 850 miles of track will be electrified.

Amanda Milling (Cannock Chase) (Con): I welcome the news that the electrification of the Chase line is on track for completion in 2017, but, unfortunately, that is little comfort for commuters experiencing serious overcrowding at peak times. Will my hon. Friend join me in calling on all relevant organisations, including London Midland and Amazon, to work together to find a prompt solution to this overcrowding?

Claire Perry: I am happy to confirm my interest in reducing overcrowding nationally and in Cannock Chase, which my hon. Friend represents with such vigour.

Cycling and Walking Investment Strategy

6. Ruth Cadbury (Brentford and Isleworth) (Lab): What recent progress he has made on publishing a cycling and walking investment strategy.

The Parliamentary Under-Secretary of State for Transport (Claire Perry): As a keen cyclist myself, I am delighted that the Government continue to encourage more cycling and walking across England. We did good work under the last Conservative Government: spending per head rose from £2 in 2010 to £6 now and more than £10 in the cycling ambition cities. On the long-term vision, we have made it clear that we want to make the UK a cycling nation. One step will be to publish a cycling and
walking investment strategy next summer. The recent spending review committed more than £300 million to support cycling.

Ruth Cadbury: The comprehensive spending review contained little new money: just £1.49 per head over the Parliament. My predecessors in the all-party cycling group recommended £10 per head per year, which the Prime Minister agreed with. How can we deliver an effective cycling and walking strategy with only £1.49 per head?

Claire Perry: I commend the hon. Lady and my hon. Friend the Member for Cheltenham (Alex Chalk) for their co-chairmanship of the all-party group. She is right to focus on the need to invest, but in our view, and hers I think, the investment should be targeted, which is why the cycling ambition cities get more than £10 per head. Her analysis does not include our commitment that every mile of new road built by Highways England must be cycle-proof or the additional money for local growth funds so that cities and towns that want to encourage cycling have the freedom to do so.

Daniel Zeichner (Cambridge) (Lab): It is now clear that cycling took a big hit in the spending review and that there will be little left for the cycling and walking investment strategy when it finally appears. The Minister has had the air let out of her tyres. Will she confirm that the figure of £1.49 is the real figure for cycling outside London and that spending on cycling has effectively been halved?

Claire Perry: The hon. Gentleman represents a cycling city that I am proud to visit, but I have yet to see him on his bike pedalling past our front door when I am up there—but I am sure I will soon. I completely refute his assertion, however: we have made incredible progress on cycling. He need only drive in to see the chaos created by the Mayor’s east-west cycle highway being delivered in the city with the highest level of cycle spending historically. That is the cycling ambition target now being reached in eight other cities. I want to reconfirm that we have ensured that every mile of new road built will be cycle-proof, which is something Labour neglected to do.

UK Spaceport

7. Stewart Malcolm McDonald (Glasgow South) (SNP): What progress has his Department made on identifying a location for a UK spaceport.

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): As the Prime Minister told the House a few weeks ago, it is the Government’s ambition for the UK to become the European hub for commercial spaceflight, and we hope to launch the competition to select the location for the base in the second half of 2016.

Stewart Malcolm McDonald: It has long been believed that Prestwick airport was the only place in the UK visited by none other than Elvis. It is an area in desperate need of attention and economic investment. Will the Minister follow in the king’s footsteps and pay a flying visit to see how the Government can help regenerate that vital airport in the west of Scotland?

Andrew Jones: I am aware that the visit by Elvis is one of Prestwick’s claims to fame, but there are several other contenders in that competition. I would, of course, be delighted to visit.

Mr Speaker: We do not need Elvis when we have the hon. Gentleman.

Transport Infrastructure

8. Daniel Kawczynski (Shrewsbury and Atcham) (Con): How much the Government plan to spend on transport infrastructure between 2015 and 2020; and how much was spent on such infrastructure between 2010 and 2015.

The Secretary of State for Transport (Mr Patrick McLoughlin): The coalition Government spent £41 billion on transport infrastructure between 2010 and 2015. On an equivalent basis, this Government plan to spend £61 billion on transport infrastructure between 2015 and 2020—an increase of 50%. This includes £15 billion for the biggest road improvement programme seen in Britain since the 1970s, and the electrification of 850 miles of railway—the biggest rail modernisation since Victorian times.

Daniel Kawczynski: My right hon. Friend will know the importance I attach to the north-west relief road—the final bit of the road around Shrewsbury, which has a cost-benefit ratio of 5:4. He says that the project is going to be the responsibility of the local enterprise partnership. How will his Government work with LEPs to ensure that they have adequate funding and logistical support to carry out and implement these vital schemes?

Mr McLoughlin: My hon. Friend is right, and he has been to see me to make representations, with a number of people from the council and from Shrewsbury itself. It is right that this is taken forward by the LEP. Funding for the major LEP schemes has been set aside and was agreed as part of the spending review. Details on how to bid to the fund will be announced shortly.

Diana Johnson (Kingston upon Hull North) (Lab): With no news on the privately financed electrification of the line between Selby and Hull, and with yesterday’s announcement on the TransPennine franchise failing to give additional services to Hull for city of culture 2017 and providing only refurbished, not new, trains, can the Secretary of State understand why people in Hull were rather taken aback by the comments of the Under-Secretary of State for Transport, the hon. Member for Harrogate and Knaresborough (Andrew Jones) on “Look North” when he said that investment in northern transport is about to overtake that of the south? Do not those words show that the Under-Secretary is away with the Christmas fairies?

Mr McLoughlin: I do not know whether I would want to go into Christmas fairies so far as the current Labour party is concerned, as Labour Members might be seeing fairies in many places. I believe that the Department for Transport has been helpful to Hull in its preparations for the city of culture, not least with the improvements at Hull station and the proposals I have worked on with the hon. Member for Kingston upon
Hull East (Karl Turner) to ensure that the footbridge project is brought forward much more quickly to provide access to the Hull dockside. I am sorry that the hon. Lady cannot welcome that.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): Will the Secretary of State consider reviewing his spending priorities? Is it not true that billions of pounds would be available to spend on transport infrastructure across the whole country between 2015 and 2020 if the current plans for HS2 were replaced with a conventional high-speed line running at 155 mph? Money would be available to pay decent compensation, provide improved environmental protection and faster investment in HS3 and HS2 phase 2, which should be a much greater priority than cutting 10 minutes off the journey between Birmingham and London?

Mr McLoughlin: I have to say that I do not think I will ever convince my right hon. Friend on this particular subject—so I am not sure I am going to try. Let me simply say that the investment in HS2 is not just about speed—a point that I cannot get over enough—but about capacity and the huge increase in people travelling on our railways. [Interruption.] My right hon. Friend says that we could just build another conventional line, but that would cost 90% of what HS2 is costing in any case, so there would be no significant savings. I make no apology for being part of a Government who are investing for the future of the nation.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): The future infrastructure project on which the Government have to make a decision that is of most interest to most people is that of airport expansion. People of all positions on the issue are interested to know when a decision will be made. On 1 July 2015, the Prime Minister said in response to a question:

“What I can say to her is that we will all read this report and a decision will be made by the end of the year.”—[Official Report, 1 July 2015; Vol. 597, c. 1474.]

On 5 October this year, the Secretary of State said at the Conservative conference:

“The Davies commission has produced a powerful report, and we will respond by the end of the year.”—

and he repeated that in an interview on 30 October. Will the Secretary of State therefore confirm that a decision will be made on airport expansion by the end of the year, or will party politics and the London mayoral elections come before a decision for the nations of the UK?

Mr McLoughlin: I have read much speculation about what decisions we may be about to make. Some of that speculation may be true, but until we make a decision, I shall not be able to inform the House of it.

Drew Hendry: I have given the answer and the potential for delay, and given that the Davies commission had accepted that links with regional airports are vital for the future—especially for airports such Inverness and Dundee—will the Secretary of State undertake, as a matter of urgency, to present proposals on public service obligations for such routes, and to amend the regional air development fund to keep regional air routes sustainable?

Mr McLoughlin: I know how important it is to retain links through the London airports. I should be more than happy to discuss the issue in detail with the hon. Gentleman, and with the Scottish Government.

Tom Brake (Carshalton and Wallington) (LD): Would the Secretary of State or the rail Minister be willing to discuss with me the issue of transport infrastructure investment in south London? Proposals from Transport for London and the Department for Transport, on which local authorities have not been consulted, would lead to a reduction in the number of fast services to Victoria, and I should like to discuss that with Ministers.

Mr McLoughlin: I am sure that my hon. Friend the rail Minister would be more than happy to meet the right hon. Gentleman. The simple fact is that, in London and, indeed, throughout the country, we are seeing an ever greater demand for transport, and we are doing all that we can to meet those requirements. As a result of huge investment, the Victoria line now offers some 37 trains an hour, and there have also been upgrades on the Northern line. However, the pressure for further upgrades is an important issue.

Road Congestion

9. Sir Greg Knight (East Yorkshire) (Con): What further plans he has to reduce road congestion.

The Secretary of State for Transport (Mr Patrick McLoughlin): The Government are providing £15.2 billion between 2015 and 2021 to invest in our strategic road network. This is the biggest upgrade to our motorways and A roads for a generation, and it is adding capacity and tackling congestion.

Sir Greg Knight: I welcome what my right hon. Friend says, but is he aware that there are many ways of reducing congestion that are not anti-motorist? Has he read “Green Light”, a report by Councillor Richard Tracey, which concludes that most traffic lights could be turned off between midnight and 6 am, and that that would reduce both congestion and pollution? Why should a motorist have to sit at a red traffic light when there are no pedestrians in the vicinity, and no vehicles are seeking to use the junction? Will my right hon. Friend persuade local authorities to review their policy on traffic lights, and get them to turn some of them off?

Mr McLoughlin: I rather thought that at this time of year people were turning lights on rather than off! I know that my right hon. Friend feels strongly about traffic lights, and I should be more than happy to look at Richard Tracey’s report, but, in the main, this is a matter for local highway authorities. Perhaps my right hon. Friend could exert some influence on those in his constituency.

Mr Ben Bradshaw (Exeter) (Lab): One of the principal causes of congestion in urban areas is, of course, illegal parking. What is the Secretary of State doing to make the enforcement system simpler and more effective?

Mr McLoughlin: That, too, is a matter for local highway authorities, which can employ the necessary measures and regulations.
22. [902652] Michelle Donelan (Chippenham) (Con): Having visited my constituency a number of times, the Secretary of State will know that the specific and complicated problem of traffic congestion in Bradford on Avon is having a significant impact on business and residents. Can he suggest a way of dealing with it?

Mr McLoughlin: I visited Bradford on Avon with my hon. Friend earlier this year, and I know that she is right about the traffic congestion in the town. I should be more than happy to meet her, along with my hon. Friend the roads Minister, to discuss in detail what we could do to help, but this is, in the main, a matter for Wiltshire council.

Andrew Gwyne (Denton and Reddish) (Lab): The pinch-point scheme at junction 24 of the M60 in Denton has been a great success in tackling congestion. Unfortunately, however, one of its unintended consequences has been the increased motorway noise experienced by nearby residents of Thompson Close. Highways England has promised to introduce noise reduction measures, including new road surfaces, in the next financial year; will the Secretary of State please ensure that that happens early in the next financial year?

Mr McLoughlin: I do not know that junction particularly well, but following the hon. Gentleman representations I will certainly look into it and we will write to him about when Highways England will do that work.

Mr McLoughlin: I am more than happy to meet my hon. Friend to discuss this. As I have said, a huge amount of investment is being made available to Highways England. I visited the site with my hon. Friend earlier this year, and I know that she is right about when Highways England will do that work.

Andrew Jones: Yes, that is the case. As I have said, a huge amount of investment is being made available to Highways England. I visited Bradford on Avon with my hon. Friend earlier this year, and it would open up a large area of potential development, which is very important for his constituency.

Mr McLoughlin: [902649] Chris Skidmore (Kingswood) (Con): One of the key campaigns in my constituency to reduce road congestion is for an M4 link to the Avon ring road, which would involve an extra junction, 18A, on the M4. Next year the joint transport study commissioned by the local enterprise partnership and the surrounding councils will look at how to reduce road congestion in the area, and I hope the M4 link will be an integral part of that. Will the Transport Secretary meet the LEP, the local council and me to discuss this?

Mr McLoughlin: I do not regard it as “job done” but I regard it as a great step in the right direction to find that level of resources available to solve what was an unacceptable situation for people in Kent last summer. It is definitely a step in the right direction, but I will obviously keep every other option under review.

Richard Burden (Birmingham, Northfield) (Lab): Over the summer, roads to the channel ports ground to a halt, lorry drivers who were stuck in their cabs needed emergency water to drink, and local businesses were hit. Can the people of the south-east go through the same thing protected from similar snarl-ups in future. Does the local partners tell me are needed if Kent is going to be high on its priority list? The Chancellor’s announcement of a new lorry park may be a step in the right direction, but it will not solve the problem. The Secretary of State will know that the specific and complicated problem of traffic congestion in Bradford on Avon is having a significant impact on business and residents. Can he suggest a way of dealing with it?

Mr McLoughlin: I visited Bradford on Avon with my hon. Friend earlier this year, and I know that she is right about the traffic congestion in the town. I should be more than happy to meet her, along with my hon. Friend the roads Minister, to discuss in detail what we could do to help, but this is, in the main, a matter for Wiltshire council.

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Mr McLoughlin: I do not know that junction particularly well, but following the hon. Gentleman representations I will certainly look into it and we will write to him about when Highways England will do that work.

Andrew Gwyne: I cannot instruct Lancashire County Council, but I hope it is considering how to apply this funding in a way that can reach rural areas that need a good bus connection to help improve their economic growth and social inclusion.

Maggie Throup (Erewash) (Con): Derbyshire County Council is to cut the funding for community transport from April next year, which will see Erewash Community Transport in my constituency lose nearly £150,000—a similar story to that of my hon. Friend the Member for Morecambe and Lunesdale (David Morris). This is yet another attack on the elderly and vulnerable by Derbyshire County Council, which is playing politics with vital community services. Ahead of my Westminster Hall debate next Wednesday, will the Minister agree with me that we should be supporting these services, not cutting them?

Andrew Jones: My hon. Friend is, as ever, a significant champion for her constituency, and we agree fully on the merits of supporting buses.

Mr Dennis Skinner (Bolsover) (Lab): Following on from that question, is the Minister aware that the real culprit in this business is the Tory Government? They have cut Derbyshire County Council’s grant by—are you listening?—£157 million. Give Derbyshire the money back and we can sort everything out in the whole county.

Andrew Jones: I do enjoy the hon. Gentleman’s interventions. I am sure he was very formidable—when he was in his prime. It is up to Derbyshire County Council to organise its own priorities, and we should be focusing on issues that make a difference.
Smart Ticketing

11. Chris Green (Bolton West) (Con): What progress his Department has made on collecting and interpreting data gathered by smart ticketing schemes. [902640]

13. Rehman Chishti (Gillingham and Rainham) (Con): What progress his Department has made on implementing smart ticketing schemes. [902641]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): We are making good progress on implementing smart ticketing across transport modes and across England. On railways, some train operators are already using smartcard and barcode technology; all our major cities have smart ticketing schemes; and we have committed £150 million to support the vision of “Oyster for the north”.

Chris Green: I thank the Minister for that answer. Devolution to Greater Manchester includes plans to introduce a multimodal smart ticketing scheme. Will she assure me that from the outset travel data will be collected and interpreted so that further improvements can be made to Greater Manchester’s public transport system?

Claire Perry: My hon. Friend is right to point out the importance of gathering data and how great it is that this devolution agenda is working for passengers in Manchester. I agree with him about the importance of data and I will certainly make my views known to Transport for Greater Manchester, which is responsible for introducing these schemes.

Rehman Chishti: The Minister will know that I have raised the issue of automatic refunds before and campaigned for their introduction in Kent, so that my constituents can benefit from refunds when their trains are delayed by a few minutes instead of the current 30 minutes. When will this scheme be introduced nationally?

Claire Perry: First, I commend my hon. Friend for consistently promoting the interests of his travelling constituents. He may be aware that from next February, c2c, which runs trains throughout his neighbouring county in south Essex, is introducing an automatic compensation system, which will provide compensation after two minutes of delay for those customers who are registered and signed up to its system. That is exactly the sort of scheme I want to see nationally, so we will closely monitor the roll-out of this programme to see whether it can be rolled out across other franchises.

Peter Kyle (Hove) (Lab): Flexible ticketing was announced in 2013 and was wildly popular in the south-east when it was trialled in 2014, but there are rumours that it is being kicked into the long grass. Will the Minister scotch those rumours for long-suffering commuters in the south-east by announcing the date for its roll-out?

Claire Perry: The hon. Gentleman is right to point out that the south-east flexible ticketing scheme, to which the Government have committed £80 million, is being implemented. We are currently looking at the best way to roll that out across the train operating companies. It has already gone live on Southern, Govia Thameslink Railway and indeed on c2c, and we are talking to Southeastern about the right date to introduce it. I would be happy to meet him to work on this together.

Emergency Towing Vessels: Northern Isles

12. Mr Alistair Carmichael (Orkney and Shetland) (LD): What recent representations he has received on the future of emergency towing vessels in the northern isles; and if he will make a statement. [902641]

The Secretary of State for Transport (Mr Patrick McLoughlin): I have received a number of representations from those in Scotland with an interest in the future provision of the emergency towing vessel operating from the northern isles. The Government fully recognise the importance of ensuring shipping activities off the coast of Scotland remain safe. To that end, the Maritime and Coastguard Agency will consult interested parties shortly on the need for and scope of putting alternative towing arrangements in place beyond April 2016.

Mr Carmichael: The Secretary of State will remember the interesting and lively discussions we had leading up to the decision to retain that emergency towing vessel in 2011. He will recall that the people in the MCA and in his Department who wanted to remove it then argued that cover could be provided by the offshore oil and gas industry working in the region. He will also be aware that the price of oil has fallen sharply since then and that there is now much less activity in the north North sea. May I gently say to him that the case that led to the right decision in 2011 is even stronger today than it was then?

Mr McLoughlin: Just to put the record right, the conversations in 2011 that the right hon. Gentleman refers to were not held in the Department for Transport—they were held elsewhere. I very well remember both the case he made and visiting the vessel in the summer of 2013.

Rail Services: South-East

14. Maria Caulfield (Lewes) (Con): What his policy is on improvement of rail services in the south-east. [902644]

The Parliamentary Under-Secretary of State for Transport (Claire Perry): The Government are investing heavily in service improvements in this region through the multibillion pound Thameslink programme, in which new trains, service and station improvements will finally start to be delivered next year. However, I am the first to recognise that the current performance, especially on the Brighton main line, has been well below expectations. That is why I continue to chair the Southeastern quadrant taskforce, which focuses on driving up performance on these vital routes. I wish to invite my hon. Friend and all other interested hon. Members to a new year taskforce meeting in which we will discuss performance improvements specifically for those routes.

Maria Caulfield: I thank the Minister for her reply and her hard work in dealing with this issue. Given that Southern rail is about to roll out a new timetable on the Brighton main line and that its performance has been
so poor, will she provide all Sussex MPs with a monthly performance report so that we can personally put pressure on Southern rail to deliver?

Claire Perry: My hon. Friend raises an excellent point. I am told that all that information is on the Gavia Thameslink Railway website, but I confess that I find it quite difficult to find and quite hard to interpret. I will ensure that the information, which is already provided by the operator to my Department and published, is made available to members of the public and their MPs in the most obvious and transparent form, so that we can all see the performance improvement that we want.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op) rose—

Mr Speaker: Huddersfield is a long way from the south-east, but the hon. Gentleman will ask a question that I know will be exclusively focused, like a laser, on the south-east.

Mr Sheerman: A bit like many Members of Parliament, when I am here in London and the south-east, I use Southern rail, and I will be very pleased if it is to be improved. None of us begrudges that investment, but we do put it into perspective, which is that we are not getting enough infrastructure investment in the north, linking the big towns and cities. It must be north first and south second.

Claire Perry: The hon. Gentleman is a good friend, and I would hate to suggest that he was snoozing yesterday rather than watching the news, because we announced a transformational package for railways in the north. Let me tell him what is happening in Huddersfield: new TransPennine trains; new services between major cities; three new stations; 500 new carriages across the network; an end to those hated Pacers forever; and on-board improvements for passengers. He might shake his head, but it will happen. He can say bye-bye to the Pacers from 2019. This Government are absolutely determined that the northern powerhouse comes to life.

Mr Speaker: I am still seeking that laser-like precision. I turn now to the hon. Member for Cleethorpes (Martin Vickers).

20. [902650] Martin Vickers (Cleethorpes) (Con): My constituents find it extremely difficult to get to the south-east because we do not have a direct rail service to London. Will the Minister use her good offices to ensure that the rail regulator, which has had an application with it for two years, makes a quick decision?

Claire Perry: It is impressive stuff, Mr Speaker. My hon. Friend will know that the open access competition to which he refers is a matter for the regulator, but it has been quite clear that his constant campaigning is paying off. He is getting £88 million of funding for the dualling of the A160 near Immingham and resignalling for the north-east Lincolnshire region, plus the massive franchise benefits that we announced yesterday, including improvements at Cleethorpes station.

Mr Speaker: Last but not least, the man with the dazzling tie to beat all dazzling ties. I call Mr Andrew Bingham.

Transport Infrastructure

15. Andrew Bingham (High Peak) (Con): What steps his Department are taking to ensure that British firms benefit from the Government’s transport infrastructure investment.

The Secretary of State for Transport (Mr Patrick McLoughlin): The Department engages extensively with the market to raise awareness of forthcoming business— equipping British firms with the information and skills they need to respond to opportunities. Through the Rail Supply Group, we are working to strengthen the capability of the UK rail supply chain so that UK-based suppliers are better able to win work here and abroad.

Andrew Bingham: I can promise you, Mr Speaker, that my tie was not based on the original design for Spaghetti junction.

Much of the infrastructure that will be built as part of the plan will also benefit my constituents, because most of the time that will be used will come from the High Peak quarries, hugely benefiting the supply chain and the wider economy. Does my right hon. Friend agree that, when we look at the Glossop spur, which we are promised as part of the infrastructure plan, the biggest gain will be to my local companies as they can get business in and out of the area? Furthermore, if that work was extended around Tintwistle, as I would like, it would further help and encourage my local businesses and local economy.

Mr McLoughlin: I am grateful to my hon. Friend for pointing out the opportunities for firms in his constituency, which I know incredibly well. Indeed, I have visited Tintwistle with him on numerous occasions and he has pointed out the improvements that he wishes to see. The road investment programme will, in part, help us to move towards those improvements, but the work that Colin Matthews is doing on the wider issue of a tunnel will also be important for his area.

Topical Questions

T1. [902618] James Berry (Kingston and Surbiton) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Transport (Mr Patrick McLoughlin): Since I last addressed the House at Question Time, Cumbria, Lancashire and the north-west have experienced record-breaking rainfall, which has led to the worst flooding since 2005. It closed the west coast main line, but Network Rail’s orange army has worked tirelessly to restore the service and I am pleased to say that at 14.00 on Tuesday 8 December trains were once again running from London to Glasgow via Preston. Since then, rail services have restarted on all the affected routes. This Christmas, Network Rail will undertake a significant programme of work, delivering the Government’s record £38 billion investment in the railways.
Mr McLoughlin: I was very pleased to visit my hon. Friend’s constituency with him last Thursday, as well as other areas in Wales. I believe that the upgrades—the new inter-city express programme trains—will be very important because of their bimodal nature. They are undergoing testing at Melton Mowbray and they are very impressive indeed. They will lead to a much improved service for his constituents and those people who live toward Swansea, as well.

T3. [902620] Ian Lavery (Wansbeck) (Lab): Disabled people—particularly wheelchair users and those with sight loss—are finding it increasingly difficult to access public transport, particularly buses. Will the Secretary of State consider encouraging bus companies to give their staff more disability awareness training, and will he also consider the statutory introduction of audio-visual announcement systems in the upcoming buses Bill?

Mr McLoughlin: I will certainly give encouragement—not that they should need it—to the bus companies to make sure that facilities for disabled people are available and that their staff know the right way of making those facilities available to them. That is incumbent on all bus companies. As for a future bus Bill, the hon. Gentleman will have to wait until it is published.

T5. [902623] Mr Stewart Jackson (Peterborough) (Con): My constituents leaving for their holidays from Stansted airport would like to be kind to the environment and give the A14 and the M11 a miss, and use CrossCountry trains, but they often cannot do so because the trains run too late for their flights from Stansted airport. Will the rail Minister have a word with the rail regulator to restate the importance of rail and airport connectivity?

The Parliamentary Under-Secretary of State for Transport (Claire Perry): My hon. Friend is right. Stansted airport, along with local MPs, lobbied hard to get that early morning service from Liverpool Street, which stopped people having to sleep at the airport to catch early flights. I will happily discuss this with him and we can have a conversation with CrossCountry.

Mr Speaker: I call Catherine West. Not here.

Paul Flynn (Newport West) (Lab): The committee on the medical effects of air pollution estimates that 60,000 deaths a year occur in Britain because of the effects of air pollution. That is 20 times the number killed in all road traffic accidents. The Government state that they will not achieve their legal limit on nitrogen oxide pollutants until 2030. Is this not a disgraceful situation? What will the Government do to take on Volkswagen, which has been accused of causing 12,000 avoidable deaths in Britain alone by gross deception in relation to its vehicles? What is the Minister doing to accelerate the clean-up of NOx air pollution in this country?

Mr McLoughlin: I am sure the hon. Gentleman has not forgotten that the biggest increase in the use of diesel vehicles took place between 2001 and 2010. As I have said in the past, the behaviour of Volkswagen is a disgrace. It must put right what it got wrong. I am having further meetings later today to discuss that with Volkswagen.

James Berry: Given the imminence of the announcement, I shall resist the urge to ask about Heathrow and will ask instead what steps the Secretary of State’s Department will take to ensure responsible pavement parking in view of the cross-party support gained for the private Member’s Bill that we debated in this House last Friday.

Mr McLoughlin: A very useful debate took place last Friday and commitments were given to have further discussions on this important issue. I will ensure that those discussions take place and that we try to address some of the issues. Local authorities already have a lot of powers, however, if they wish to use them.

Lilian Greenwood (Nottingham South) (Lab): The closure of roads and rail lines in recent days is a timely reminder of the strain extreme weather events place on transport networks. We all remember the flooding at airports in 2010 and 2013, the loss of the Dawlish seawall and, as the Secretary of State said, the heroic response of Network Rail’s orange army. So will the Secretary of State explain why the Dawlish resilience options report, due last month, has not been published? What assurance can he give that the lessons of previous periods of disruption have been learned?

Mr McLoughlin: We always look to learn from experience and that is the case with the Dawlish repairs and the work that has been done by Network Rail to ensure that the line is secure for future use. Excessive weather conditions such as those that we saw last weekend put extra pressure on the network. One of the most important things, however, is ensuring that the network continues to operate safely.

Lilian Greenwood: I hope that we do learn from experience. The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) had a little go at this, and I am going to give the Secretary of State another chance. On airport expansion, the Prime Minister told this House in July:

“...the guarantee that I can give...is that a decision will be made by the end of the year.”—[Official Report, 1 July 2015; Vol. 597, c. 1473.]

Employers have been clear that the Government should bring forward the decision they promised, but fear a further politically motivated delay. Was the Prime Minister told this House in July:

Mr Speaker: I call Craig Williams.

Craig Williams (Cardiff North) (Con): I thank my right hon. Friend for visiting Cardiff last week and discussing electrification, among many other issues. I welcome the fact that this Government are making Great Western railway electrification a top priority. More broadly, what will the bimodal trains mean for Cardiff, Swansea and the south Wales economy?
T6. [902624] Rebecca Pow (Taunton Deane) (Con): Will my hon. Friend provide an update on the availability of funding from the new stations fund? The town of Wellington in my constituency would make an excellent candidate for a new station. There is a great deal of interest in it from business and locals. I am having a meeting tomorrow with those people and it would be great to give them a little more information.

Claire Perry: I am happy to confirm that the Government have allocated £20 million of further money available for the new station fund in the summer Budget. It is up to local authorities and local businesses to bring forward proposals for new stations. We want to make sure that we deliver to the local community. I would be delighted to review my hon. Friend’s proposal for Wellington station and look forward to working with her. We would like to get new stations built.

Tim Farron (Westmorland and Lonsdale) (LD): One of the consequences of the catastrophic floods in Cumbria has been the near-disappearance of the A591 between Grasmere and Keswick, which in effect cuts the Lake district in two. Will the Government consider applying for EU solidarity funding to make sure that we reopen or replace that road imminently so that the Lake district, which continues to be the most marvellous place to spend Christmas and new year, can be reconnected?

Mr McLoughlin: I well understand the hon. Gentleman’s concern and the way his constituents have been affected. I am sure the feelings of the whole House are with them and those in neighbouring areas who are facing chaos in their homes and who, in some cases, will not be able to get back into them before Christmas. We discussed EU funding on Monday and said that we would look at it. I will be looking for more immediate help for his area, and my hon. Friend the Minister of State will be in Cumbria tomorrow.

Mr McLoughlin: I understand the hon. Gentleman’s concern and the way his constituents have been affected. I am sure the feelings of the whole House are with them and those in neighbouring areas who are facing chaos in their homes and who, in some cases, will not be able to get back into them before Christmas. We discussed EU funding on Monday and said that we would look at it. I will be looking for more immediate help for his area, and my hon. Friend the Minister of State will be in Cumbria tomorrow.

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Mr McLoughlin: Some of the issues to which the hon. Gentleman refers will obviously be taken into account at the next planning round for Network Rail, but we are making upgrades on the line now. In fact, over the Christmas period I hope to see some of the improvements being made at Stafford, which will help to increase capacity further up the line.

Christian Matheson (City of Chester) (Lab): Among the franchises announced yesterday was one owned by the German state rail company, DB, so can the Secretary of State tell the House what proportion of the ticket fare paid by UK commuters will be used to subsidise the fares of German commuters in Germany?

Mr McLoughlin: If a foreign company was to set up in the hon. Gentleman’s constituency, would he be complaining about the jobs it brought? I am very pleased that British companies are winning rail contracts to provide services in Germany. I believe that the marketplace works. The announcements we made yesterday represent a seismic change in the service for both the Northern and TransPennine franchises, which I would have thought he would welcome, as nearly every local government leader in the area has, most of them being Labour.

Mr David Nuttall (Bury North) (Con): Will the Minister join me in welcoming the fact that Farnworth tunnel near Bolton, which has been closed for enlargement as part of the electrification programme, will reopen next Monday, allowing for more and longer trains?

Claire Perry: Absolutely. As my hon. Friend and others will know, it is very difficult to do that upgrade work without disruption, and I thank people for their patience, but if anyone doubts that this Government are serious about transport investment in the north and the electrification programme, they just need to go and see what happens on Monday morning when those trains start running through the tunnel again.

Alison Thewliss (Glasgow Central) (SNP): As the Secretary of State will be aware, on 29 November 2013 a police helicopter plunged through the roof of the Clutha bar in my constituency. The air accidents investigation branch published its report on 23 October this year and made a number of recommendations, including installing black box recorders in helicopters. When will the Government respond to the report?

Mr McLoughlin: The air accidents investigation branch was able to answer these specific questions—indeed, Keith Conradi was in Scotland on the day the report came out—and show that there is nothing to prevent...
Mr Speaker: Ah! The hon. Member for Stafford (Jeremy Lefroy) is looking as happy as ever, doubtless celebrating Arsenal’s quite outstanding victory last night.

Jeremy Lefroy (Stafford) (Con): As no doubt you are, Mr Speaker.

The Secretary of State has already mentioned visiting Stafford, no doubt to see the work at Norton Bridge, excellently undertaken by Network Rail. With the advance of the first stage of phase 2 of HS2, there is the question of the impact on infrastructure, particularly on roads in the area around Stafford and mid-Staffordshire. Will he kindly meet me to discuss that?

Mr McLoughlin: I am more than happy to meet my hon. Friend. As I said, we are investing a huge amount in infrastructure. Having been in Stafford only a few a weeks ago, I know about the problems he refers to.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the rail Minister repeat the figures she gave to the Parliamentary Advisory Council for Transport Safety annual conference this week about the appalling number of suicides on our rail system and the disruption and dreadful impact that has on the victims and on the travelling public?

Claire Perry: What I told the conference organised by the hon. Gentleman, whom I commend for his decades of work in this area, was that every 30 hours somebody takes their life on the rail network. That is a tragedy both for the families of the victims and for the drivers and staff, for whom it is a deeply distressing experience, and it also affects those whose travel is disrupted. I commend the work the hon. Gentleman’s group is doing and the work that Network Rail is doing with the Samaritans. We want to see those numbers coming down.

Peter Aldous (Waveney) (Con): The creation of the local majors fund in the autumn statement is very much to be welcomed. The much needed third crossing in Lowestoft will look to bid into that fund early in the new year. Can my right hon. Friend the Secretary of State confirm that the fund will be up and running as quickly as possible after Christmas?

Mr McLoughlin: I most certainly can confirm that the fund will be up and running after Christmas. I remember visiting the site with my hon. Friend on a couple of occasions earlier this year. I think the scheme he mentions is a very strong candidate.
Southern Health NHS Foundation Trust

10.35 am

Heidi Alexander (Lewisham East) (Lab): To ask the Secretary of State for Health if he will make a statement on the report of the investigation into deaths at Southern Health NHS Foundation Trust.

The Secretary of State for Health (Mr Jeremy Hunt): The whole House will be profoundly shocked by this morning’s allegations of a failure by Southern Health NHS Foundation Trust to investigate over 1,000 unexpected deaths. Following the tragic death of 18-year-old Connor Sparrowhawk at Southern’s short-term assessment and treatment unit in Oxfordshire in July 2013, NHS England commissioned a report from audit providers Mazars on unexpected deaths between April 2011 and March 2015.

The draft report, submitted to NHS England in September, found a lack of leadership, focus and sufficient time spent in the trust on carefully reporting and investigating unexpected deaths of mental health and learning disability service users. Of 1,454 deaths reported, only 272 were investigated as critical incidents, and only 195 of those were reported as serious incidents requiring investigation. The report found that there had been no effective, systematic management and oversight of the reporting of deaths and the investigations that follow.

Prior to publication, or indeed showing the report to me, NHS England rightly asked the trust for its comments. It accepted failures in its reporting and investigations into unexpected deaths, but challenged the methodology, in particular pointing out that a number of the deaths were of out-patients for whom it was not the primary care provider. However, NHS England has assured me this morning that the report will be published before Christmas, and it is our intention to accept the vast majority, if not all, of the recommendations it makes.

Our hearts go out to the families of those affected. More than anything, they want to know that the NHS learns from tragedies such as what happened to Connor Sparrowhawk, and that is something we patently fail to do on too many occasions at the moment. Nor should we pretend that this is a result of the wrong culture at just one NHS trust. There is an urgent need to improve the investigation of, and learning from, the estimated 200 avoidable deaths we have every week across the system.

I will give the House more details about the report and recommendations when I have had a chance to read the final version and understand its recommendations, but I can tell the House about three important steps that will help to create the change in culture that we need. First, it is totally and utterly unacceptable that, according to the leaked report, only 1% of the unexpected deaths of patients with learning disabilities were investigated, so from next June, we will publish independently assured, Ofsted-style ratings of the quality of care offered to people with learning disabilities for all 209 clinical commissioning group areas. That will ensure that we shine a spotlight on the variations in care, allowing rapid action to be taken when standards fall short.

Secondly, NHS England has commissioned the University of Bristol to do an independent study of the mortality rates of people with learning disabilities in NHS care. This is a very important moment at which to step back and consider the way in which we look after that particular highly vulnerable group.

Thirdly, I have previously given the House a commitment to publishing the number of avoidable deaths, broken down by NHS trust, next year. Professor Sir Bruce Keogh has worked hard to develop a methodology to do this. He will write to medical directors at all trusts in the next week explaining how it works, and asking them to supply estimated figures that can be published in the spring. Central to that will be establishing a no-blame reporting culture across the NHS, with people being rewarded, not penalised, for speaking openly and transparently about mistakes.

Finally, I pay tribute to Connor’s mother, Sara Ryan, who has campaigned tirelessly to get to the bottom of these issues. Her determination to make sure the right lessons are learned from Connor’s unexpected and wholly preventable, tragic death is an inspiration to us all. Today, I would like to offer her and all other families affected by similar tragedies a heartfelt apology on behalf of the Government and the NHS.

Heidi Alexander: These are truly shocking revelations that, if proven, reveal deep failures at Southern Health NHS Foundation Trust. The BBC has reported that the investigation found that more than 10,000 people died between April 2011 and March 2015. Of those 10,000 deaths, 1,454 were not expected. Only 195 of those unexpected deaths—just 13%—were treated by the trust as a serious incident requiring investigation. Perhaps most worryingly, it appears that the likelihood of an unexpected death being investigated depended hugely on the patient: for those with a learning disability, just 1% of unexpected deaths were investigated, and for older people with a mental health problem, just 0.3%.

We obviously await a full response from the Government when the report of the investigation is published, but a number of immediate questions need answers today. First, does the Health Secretary judge services at the trust to be safe? A recent Care Quality Commission report found that “inadequate staffing levels in community health services was impacting on the delivery of safe care.”

What advice can he give patients, and the families of patients, currently in the care of Southern Health?

Secondly, the Health Secretary confirmed in his reply that NHS England received the report in September, but can he explain why it still has not been published, and can he provide a specific date on which the final report will be made publicly available?

Thirdly, when was the Health Secretary first made aware of concerns about Southern Health, and what action did he take at that time? What does he have to say to the relatives and friends of people who have unexpectedly died in the care of the trust and who, today, will be reliving their grief with a new anxiety?

The issue raises broader questions about the care of people with learning disabilities or mental health problems. Just because some individuals have less ability to communicate the concerns about their care, that must never mean that any less attention is paid to their treatment or their death. That would be the ultimate abrogation of responsibility, and one which should shame us all.
The priority now must be to understand how this was allowed to happen, and to ensure this is put right so it can never happen again.

Mr Hunt: I agree with what the shadow Health Secretary says. She is absolutely right in both the tone of what she says, and in the seriousness with which she points to what has happened. It is important to say that this is only a draft report. To put the hon. Lady’s mind at rest, I am completely satisfied that NHS England took this extremely seriously from the moment we understood that there was an issue about the tragic death of Connor Sparrowhawk. David Nicholson, the then chief executive of NHS England, and Jane Cummings, the chief nurse, met the family and ordered the independent investigation. It is a very thorough investigation.

As the hon. Lady will understand, when there is an investigation about something as serious as avoidable mortality, we have to give the trust the chance to correct any factual inaccuracies and challenge the methodologies. It has taken from September until now to get to the point in the process where the report is ready to be published. I have been assured by Jane Cummings this morning that it will be published before Christmas. We will not allow any further arguments about methodologies to stand in the way of the report being published before Christmas, as was always planned.

On the hon. Lady’s very important question about whether services are safe at Southern Health, we have the expert view on that, because we set up a new chief inspector of hospitals and a new inspection regime. There was an inspection of Southern Health, and it got a “requires improvement”. The inspectors were not saying that its services were as safe as they should be, but that its services, along with those of many other trusts in the NHS, needed to become safer. She was right to draw attention to some of the failings alluded to in the report.

The hon. Lady can draw comfort from the fact that this matter has been taken seriously. NHS England commissioned a report, which is, by all accounts, hard-hitting. I have been following the situation since we first understood the issues around Connor Sparrowhawk’s tragic death, and so has NHS England. That is why we have a report that I think will lead to important changes.

The fundamental question on which we all need to reflect is why we do not have the right reporting culture in the NHS when it comes to unexpected deaths. We have to step back, be honest and say that there are reasons, good and bad, for that. People are extremely busy, and there is a huge amount of pressure on the frontline. People have an understandable desire to spend clinical time dealing with the patients who are standing in front of them, rather than going over medical notes and trying to understand something that went wrong. Sometimes, there will be prejudice and discrimination. The whole House will unite in saying that we must stamp that out. Sometimes, people do not speak out because they are worried that they will be fired or penalised. We have to move away from a blame culture in the NHS to a culture in which doctors and nurses are supported if they speak out, which too often is not the case.

The whole House will want to unite in supporting the leaders of the NHS who want to change that culture. It is unfinished business from Mid Staffordshire NHS Foundation Trust; it is important to get it right, and I know that the NHS is determined to do just that.
sure she will understand that at the heart of this issue is the need to get the culture right. Clinicians should not feel that a trust will take the easy route and blame it all on them, rather than trying to understand the system-wide problems that may have caused a clinician to make a mistake in an individual instance, and that is what we must think about.

Jeremy Lefroy (Stafford) (Con): Behind each statistic is a person and a family, and the Secretary of State is right to say that finger-pointing should not be directed at clinicians alone; it is more important to consider the whole system and the culture in a trust. Will he encourage all trusts, and all medical and nursing schools, to make the Francis report on Mid Staffordshire compulsory reading? There is so much in there that could prevent such occurrences in future.

Mr Hunt: No one knows more about the Francis report than my hon. Friend, because of the direct impact that it had on his local hospital, and he is right to talk about that culture change. There is an interesting comparison with the airline industry: when it investigates accidents, the vast majority of times we point to individual failure. When the NHS investigates clinical accidents, the vast majority of times we point to individual failure. It is therefore not surprising that clinicians feel somewhat intimidated about speaking out. People become a doctor or nurse because they want to do the right thing for patients, and we must support them in making that possible.

Norman Lamb (North Norfolk) (LD): The coalition Government rightly established a public inquiry to look into the appalling care at Stafford hospital, and the Secretary of State has pointed to the challenge to the culture that the Francis report engendered following that scandal. Is this the moment to consider something similar for people with learning disabilities, or those with severe and enduring mental ill health, who too often continue to be treated as second-class citizens in our NHS? Sara Ryan, Connor Sparrowhawk’s mother, has called for a public inquiry. Will the Secretary of State consider that? It seems that it is time to shine a light on what is going on.

Mr Hunt: I am happy to consider that. The right hon. Gentleman and I are completely on the same page on these issues. My only hesitation is that a public inquiry will take two, three or four years, and I want to ensure that we take action now. I hope I can reassure him and the House that by, for example, publishing Ofsted-style ratings for the quality of care for people with learning disabilities across every clinical commissioning group, we will shine a spotlight on poor care in the way that the Francis report tells us that we must. I do not see the need to get the culture right. Clinicians should not have confidence that the scrutiny and oversight, particularly for young people with learning difficulties, will be ongoing.

Mr Hunt: I can absolutely give that assurance to my hon. Friend’s constituents. I hope they will consider the tone of my earlier remarks and realise that we are not looking at this simply as an issue for Southern Health. Clearly, important changes must happen there and must happen quickly, and we will do everything we can to make sure that they happen. I also think, however, that there is a systemic issue in relation to the low reporting of avoidable and preventable deaths and harm, and the failure to develop a true learning culture in the NHS, which in the end is what doctors, nurses and patients all want and need.

Mr Ben Bradshaw (Exeter) (Lab): I thank the Secretary of State for his statement and congratulate NHS England on what sounds like a very thorough report. I remind him that challenging the methodology was exactly the same first line of defence used by the now disgraced management at Mid Staffs hospital. Will he answer the specific question my hon. Friend the Member for Lewisham East (Heidi Alexander) asked as to when Ministers first knew about problems in the trust, which we hear go back to 2011, and what action they took as a result?

Mr Hunt: I thank the right hon. Gentleman for his comments. I hope I did address that by saying that the first time was when we realised there were issues around the tragic death of Connor Sparrowhawk. That is what started the process and led to the independent investigation. Because NHS England wanted it to be very thorough, that investigation went right back to 2011 and up to 2015. It looked at all unexpected deaths in that period, and at the reporting culture and lessons that had or had not been learned as a result. A lot of action has been taken. I can also reassure the right hon. Gentleman that during that period we have been implementing the recommendations of the Francis report, which has meant that throughout the NHS there is a much greater focus on, and transparency in, patient safety.

It is important to give the NHS credit. During the past three years, we have actually seen a 25% increase in the number of reported incidents. I think people are treating this much more seriously than in the past, but there is much more to do.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I, too, welcome my right hon. Friend’s statement and the news that he plans to accept the recommendations of this very sobering report. Will he reassure the House that anyone found to have been deliberately contributing to patient neglect or failing to investigate avoidable deaths will be held to account both by the professional regulators and the full weight of the law?

Mr Hunt: I can of course give my right hon. Friend that assurance, but there is a note of hesitation in my response. That is partly because professional standards, as my right hon. Friend knows, are not a matter for politicians—they have to be set independently by the General Medical Council and the Nursing and Midwifery Council—and partly because if we are going to improve the reporting culture, which in the end is what the report is about, we have to change the fear that many
doctors and nurses have that if they are open and transparent about mistakes they have made or seen, they will get dumped on. That is a real worry for many people. Part of this is about creating a supportive culture, so that when people take the brave decision to be open about something that has gone wrong they get the support that they deserve.

Mark Durkan (Foyle) (SDLP): As well as asking the Secretary of State how the learning on this very important issue will be shared with the devolved Administrations, may I ask whether all other trusts are being advised that they will now probably receive approaches from families—no doubt Members may be contacted in this regard, too—who have questions about their own experiences? Will he ensure that they will be sensitive to such approaches about possible historical cases?

Mr Hunt: I can give the hon. Gentleman that reassurance. Trusts understand that that is already happening and has been happening. All trusts will have families that have been in touch with them with concerns about potentially avoidable or preventable deaths. I hope that this will be a reminder to all trusts that they need to take those concerns very seriously indeed.

Dr Andrew Murrison (South West Wiltshire) (Con): The disparity in excess deaths between vulnerable groups at Southern Health is truly shocking, but of course responsibility for looking after the people in question spans health and social care. Is my right hon. Friend content that we have in place the informatics that will allow outliers to be identified, and therefore rectification to be under way? One assumes that that could easily be done by NHS England, but at the moment the informatics seem to be problematic in this respect.

Mr Hunt: My hon. Friend is absolutely right. That is why Professor Sir Bruce Keogh is developing a methodology to help us understand the number of avoidable deaths and the reporting culture at a trust level. We have a good methodology for understanding the number of avoidable deaths on a national level. The Hogan and Black analysis says that about 3.6% of deaths have an avoidable component. I hope that those concerns very seriously indeed.

Diana Johnson (Kingston upon Hull North) (Lab): Is the Secretary of State satisfied that families seeking truth and justice for their loved ones are having to rely on pro bono lawyers for advice and representation, and on crowdsourcing to get legal advice?

Mr Hunt: I am afraid that that probably does happen. We all, in all parts of the House, passionately believe in and support the NHS. It should never come down to lawyers. When there is a problem, we need a culture where the NHS is totally open and as keen as the lawyers. When there is a problem, we need a culture that is under way. One assumes that that could easily be done by NHS England, but at the moment the informatics seems to be problematic in this respect.

Mr Hunt: I am afraid that that probably does happen. We all, in all parts of the House, passionately believe in and support the NHS. It should never come down to lawyers. When there is a problem, we need a culture where the NHS is totally open and as keen as the families are themselves to understand what happened, whether it could be avoided, and what lessons can be learned. If nothing else, that is the big lesson that we need to make sure we act on as a result of today’s leaked report.

Bob Blackman (Harrow East) (Con): It is clear from my right hon. Friend’s statement that there is a cultural problem in Southern Health and across the NHS. Does he agree that far too often NHS management and clinicians are far too defensive and end up arguing about the data rather than addressing the underlying causes, which would fix the problem in the first place?

Mr Hunt: My hon. Friend is right. It is quite heartbreaking that when these happen we seem to end up having an argument about methodology and statistics, and whether it is this many thousand or that many thousand, rather than looking at the underlying causes. We have to ask ourselves why people feel that they need to be defensive in these situations. We have to recognise that everyone is human, but, uniquely, doctors are in a profession where they make mistakes, as we all do in our own worlds, people sometimes die. The result of that should not automatically be to say that the doctor was clinically negligent. Ninety-nine times out of 100, we should deduce from the mistake what can be learned to avoid it happening in future. Of course, where there is gross negligence, due process should take its course, but that is only on a minority of occasions. That is where things have gone wrong.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Not many people are as grateful to the NHS as I am, having just returned to full health thanks to the intervention of the wonderful team at Guy’s hospital, so any criticism I make of the NHS is in the generality. Many of us have known for a long time that there is a problem with access to full NHS treatment for people with learning difficulties. In particular, speaking as a member of the newly formed Autism Commission I can say that many people on the autism spectrum have poor communication skills and finish up with inadequate access to the health service. I do not particularly want a public inquiry; I want fast action to change the culture now. The Secretary of State is absolutely right about that.

Mr Hunt: I am delighted that the hon. Gentleman was looked after by Guy’s and St Thomas’s, where my mother was a nurse and where I was born, so I have connections to that trust as well. He is right about making sure that we get the culture right. It is about creating a more supportive environment for people who do a very, very tough job every day of the week. When we have a conversation along those lines with patients and with our constituents, they understand that as well. More than anything else, they want to know that lessons are going to be learned and acted on.

Mr Andrew Turner (Isle of Wight) (Con): Was it necessary to delay the report’s publication for two or three months—a week or two I could understand—and will it now be published not in a fortnight’s time, before Christmas, but next week, when we will be here?

Mr Hunt: I hope the report will be published next week. The commitment I have from NHS England is that it will be published before Christmas. I am confident that, whenever it is published, it will generate huge media interest, rightly so and partly thanks to the shadow Health Secretary’s urgent question. When the draft report was sent to the trust, it came back with 300 individual items of concern, and it was right for NHS England, in the interests of accuracy and justice, to consider fully all those concerns. It has given me an assurance, however, that, whether or not it can reach an agreement with the trust about its contents, the report will be published before Christmas.
Mr Jim Cunningham (Coventry South) (Lab): What will the Secretary of State do about whistleblowers? As most Members know, we have had problems over the years with whistleblowing and people being victimised by the NHS after raising concerns.

Mr Hunt: Sir Robert Francis’s report “Freedom To Speak Up”, which I received and presented to Parliament just before the election, looked specifically at this issue and the difficult problems people face when they speak out about a problem in their trust. Sadly, on occasions, not only are they hounded out of that trust but they find it difficult to find a job anywhere else in the NHS, because word gets round on the old boys’ network. I think, however, that if we need whistleblowing at all, we have failed. We need a culture where, when people raise concerns, they are confident they will be listened to. That is a big statement to make, but other industries have managed it, including the airline, nuclear and oil industries. I do not think any health care service in any other country has managed to get this right. Individual hospitals—Salford Royal in this country, Virginia Mason in Seattle—have fantastic learning cultures, but I want the NHS to be the first whole health economy to get that culture right.

Rehman Chishti (Gillingham and Rainham) (Con): I welcome the Secretary of State’s answer to the urgent question. I speak as a Member with a hospital in special measures that had the seventh-highest mortality rate in the country in 2005-06. Does he agree that to address this problem we need tough CQC inspections, good local leadership—Medway hospital now has an excellent chief executive—and the right support from the Government?

Mr Hunt: My hon. Friend is absolutely right. It seems wrong to draw any crumbs of comfort from the awful things in the draft report, but we can draw some comfort from the fact that the NHS itself is commissioning hard-hitting reports that do not pull any punches—the new CQC inspection regime does exactly that. I commend all the staff at Medway hospital who have worked so hard to raise the standard of care over the last few years. I know it has not been easy for them.

Liz McInnes (Heywood and Middleton) (Lab): The Secretary of State has not yet mentioned the role of the medical examiner. Does this latest tragedy not illustrate that culture needs to change so that people can be more uninhibited about talking about the problems they face within trusts and hospitals. May I remind him that the culture is set from the top? I therefore invite him to come to the Dispatch Box again and inform the families and the House when Ministers were kept informed of what happened before the new CQC inspection regime had got under way. The old CQC regime was rather a tick-box approach, partly because the people doing the inspections were often not doctors who could make peer-review judgments about the quality of services. If someone is not a doctor, there is a tendency to want to tick yes or no in reply to a question rather than to deal with the underlying issues. Having judgment in our inspections will be a very important step forward.

Ruth Cadbury (Brentford and Isleworth) (Lab): This investigation would not have happened if it had not been for the tenacity and work of Sara Ryan, Connor Sparrowhawk’s mother. Is it right that the family’s legal representation was funded by crowdsourcing?

Mr Hunt: I think it is tragic when anyone has to resort to the courts to get justice. Sara Ryan is one of many who have had to go to huge out-of-pocket expenses to get justice and the truth with respect to their loved ones. Last week, I went to the launch of James Titcombe’s book. He campaigned for years and years to get justice and the truth about the death of his son, Joshua. That is exactly what we have to change.

Mrs Flick Drummond (Portsmouth South) (Con): Will the Secretary of State confirm that the draft report also covers the Southern Health Foundation community-based mental health services for adults? That received a “good” in the CQC report published in February 2015. Is my right hon. Friend satisfied that the CQC report was rigorous enough?

Mr Hunt: I believe it does cover the mental health services for adults, but I will check and write to my hon. Friend. When the CQC does its inspections, it is important for it to inspect individual elements of what a trust does, and it gives different ratings to different parts. We need to recognise that even within one trust it is possible to have big variations in the quality of care. As I say, I will look further into this and write to my hon. Friend.

Peter Kyle (Hove) (Lab): The Secretary of State rightly mentions the fact that the culture needs to change so that people can be more uninhibited about talking about the problems they face within trusts and hospitals. May I remind him that the culture is set from the top? I therefore invite him to come to the Dispatch Box again and inform the families and the House when Ministers first knew that there were problems in this trust.

Mr Hunt: I think this is now the third time I have said it, but the answer is that Connor Sparrowhawk’s tragic death happened in July 2013. Sara Ryan then campaigned bravely. As always on these occasions, it started with a local process where concerns were raised with the trust. The matter was escalated to NHS England in early 2014 when David Nicholson, the chief executive, and Jane Cummings, the chief nurse, got involved. Ministers were kept informed throughout, and that was the point at which Mazars was commissioned. It is a very thorough report, and we will see it when it is published before Christmas.
Business of the House

11.13 am

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give us the business for next week, please?

The Leader of the House of Commons (Chris Grayling): The business for next week is as follows:

MONDAY 14 DECEMBER—Consideration in Committee and remaining stages of the European Union (Approvals) Bill / Lords, followed by debate on a European document relating to the relocation of migrants in need of international protection, followed by debate on European documents relating to the European agenda on migration.

TUESDAY 15 DECEMBER—Opposition day (13th allotted day). There will be a debate on climate change and flooding, followed by a debate on the Government’s housing record. If necessary, consideration of Lords amendments.

WEDNESDAY 16 DECEMBER—Consideration in Committee of the Armed Forces Bill, followed by debate on a motion relating to the welfare cap, followed by motion to approve a money resolution relating to the Riot Compensation Bill, followed by, if necessary, consideration of Lords amendments.

THURSDAY 17 DECEMBER—Debate on a motion on protecting 16 and 17-year-olds from child sexual exploitation, followed by a debate on a motion on conception to age two, the first 1001 days. The subjects for these debates were determined by the Backbench Business Committee.

After that, we will break for the Christmas recess. The provisional business for the week commencing 4 January 2016 will include:

MONDAY 4 JANUARY—The House will not be sitting.

TUESDAY 5 JANUARY—Remaining stages of the Housing and Planning Bill (Day 1 of a two-day Report and Third Reading). It will be helpful if I remind colleagues that the House will sit at 2.30 pm that day, while Westminster Hall business will be scheduled between 9.30 am and 2.30 pm. Further details will appear on the Order Paper.

I should also like to inform the House that the business in Westminster Hall for 17 December will be:

THURSDAY 17 DECEMBER—Debate on a new tobacco control strategy.

Next week there will be a statement on the outcome of the climate talks in Paris, a statement on local government finance, and—as I promised during business questions a couple of weeks ago—a statement updating the House on the situation in Syria.

Chris Bryant (Rhondda) (Lab): Happy Hanukkah, Mr Speaker.

Tuesday of this week saw the 50th anniversary of the entry into force of the Race Relations Act 1965. It was by no means perfect, but that was the first time a Government—and it was, of course, a Labour Government—had attempted to tackle racism in this country. The Bill was passed by a majority of only 261 votes to 249, because all the Conservatives voted against it.

I remember very clearly that, when I was a curate in High Wycombe, one of our churchwardens, the wonderful Ellie Hector, used to talk to me about how shocked she and her family had been by the racism they experienced when they arrived in this country from St Vincent in the 1950s—and it was not just the “No blacks, no Irish, no dogs” signs. She said, “We had been taught at Sunday school in St Vincent, by English Sunday school teachers, that we were all created equal, but in England, even in church, people used to move to another pew just because they had found themselves sitting next to someone who was black.” Well, thank God, Labour legislation helped to change things in this country.

Talking of which, I am delighted that the House is to debate international human rights day this afternoon. It commemorates another Labour Government achievement, the European convention on human rights, to which this country was a signatory in the 1940s, and which we followed up with the Human Rights Act 1998. We will fight to defend that, because we are proud of our Labour legacy.

The Tories, however, seem intent on abolishing every vestige of the Grayling legacy. I predicted that the new Justice Secretary would get rid of the ludicrous courts charges, and lo, it hath come to pass. The prisoners’ book ban, the Saudi execution centres, the “secure college”—all scrapped. So terribly sad! Now the Information Commissioner has described the view of the Leader of the House on freedom of information as a return to “the dark ages”. I know that I am in danger of becoming the love child of Russell Grant and Mystic Meg, but I hereby predict yet another U-turn. Would it not be better if the Leader of the House did his own U-turn this time, rather than allowing the Justice Secretary to do it for him?

The petition requesting the banning of Donald Trump from entry to the United Kingdom now has more than 400,000 signatures, which means that we will end up having a debate about it in the House. Indeed, there are so many signatures that the website has actually crashed. I am sure that every single one of us in the House would want to say to that man, “You are a nasty, mendacious bigot, and your racist views are dangerous.” The obvious answer in the United States is simply “Vote Hillary”—I should inform the Hansard reporters that that is spelt with two Ls—but just in case Mr Trump gets on to a plane bound for the United Kingdom, I have a solution. I think that the Home Secretary should steam down to Heathrow, or whichever airport it may be. I think that she should position herself on the tarmac, dressed in one of her Gloria Gaynor outfits, and tell him “Just turn around now, ’cause you’re not welcome any more.”

The Leader of the House announced that the Committee stage of the Armed Forces Bill would be debated on Wednesday. May I urge the Government to consider new clause 6, which would require the Government to institute a review of compensation for former members of the armed forces who suffer from mesothelioma? It is surely a scandal that members of our armed forces are given only a small proportion of the support that is available to civilians with exactly the same condition. Mesothelioma is a hideous disease, and most sufferers die within a few months of contracting it. Surely we, as a country, can do better than this.

We would think that in Advent the Government would want to do everything to ensure that everybody has a stable home—not a home in a stable—but on the very last day of the Committee stage of the Housing and Planning Bill the Government have tabled a niggardly
little amendment that is aimed at forcing people out of their council home after just two or five years. Is that really the Tory Christmas message? Do they not understand that home is where the heart is? So can the Leader guarantee that at the final stages of the Bill we will have two days for Report, legislative consent and Third Reading?

May we also have a debate on the sanctions regime affecting benefit claimants? If a claimant arrives even a minute late for an appointment or an interview, he or she will be sanctioned, often as much as three months' benefits. But this week the Work and Pensions Secretary turned up fully 15 minutes late for an interview himself, and the latest figures suggest that his great universal credit scheme, which was meant to have been rolled out to 7 million people by now, has reached only 141,000. At this rate he will not be a few minutes late; he will be six generations late, as it is going to take 150 years to get there. Surely he should practise what he preaches: should he not be sanctioned and have three months' salary docked from his ministerial pay?

We know the Government are determined to sneak as many changes in through the back door using secondary legislation as possible. That is why we want an oral statement before Christmas on Lord Strathclyde’s report on the powers of the House of Lords, but the latest piece of skulduggery is the Education (Student Support) (Amendment) Regulations 2015, which will scrap maintenance grants for the poorest students. The Institute for Fiscal Studies warns that this means that students from the poorest backgrounds will leave university with substantially higher debts than their better-off peers. Surely that is wrong. Because of the way the Government are doing this, there is no guarantee we would even have a debate on this drastic measure, so will the Leader agree to early-day motion 829 and grant us a debate as soon as possible?

[That an humble Address be presented to Her Majesty, praying that the Education (Student Support) (Amendment) Regulations 2015 (S.I., 2015, No. 1951), dated 29 November 2015, a copy of which was laid before this House on 2 December 2015, be annulled.]

We also want an oral statement on airport capacity. To be honest, we would prefer a decision, as would the whole of British business, but as the Government are still in a holding pattern some 30,000 feet above Richmond Park, we will make do with a statement. Will the Leader of the House guarantee, however, that there is not going to be some press conference in which the non-decision is announced, and that the announcement will be made in this House first?

I was ordained a deacon 29 years ago on Monday, so I hope you, Mr Speaker, will allow me to revert to type for a brief moment. I hereby publish the banns of marriage between Luke James Sullivan, of this parish, the Opposition Chief Whip’s political adviser, and Jemma Louise Stocks of the parish of Ashton, at St Maurice’s church in Ellingham in Northumberland this Saturday. If any of you know any reason in law why they may not marry each other, you are to declare it. Speak now or forever hold your peace. We wish them well.

Chris Grayling: At least we know that if unfortunate circumstances arise in the Rhondda the hon. Gentleman can return to his old career in the Church.

May I start by congratulating the hon. Gentleman on his award by ITV Wales as MP of the year? I give him my warm congratulations—and I am sure the award will be very well received on his own party’s Benches.

May I also say to Members on both sides that I hope everyone is aware of the call for evidence from the restoration and renewal Committee? It has been circulated to all Members, and a number of informal discussions and drop-in sessions will of course be held while the Joint Committee does its work. I know that the shadow Leader is doing that work with Members on the Opposition Benches, and I am doing so with Members on the Government Benches. The call for evidence is designed to invite responses from any Member who has an interest in these matters, and I encourage everyone to take part.

On the comments made by Donald Trump, let me make two things clear. First, I believe the Muslim community in this country is a valuable part of our community and that it is made up of decent, hard-working, law-abiding citizens who have nothing to do with a tiny extremist sect within the Islamic world that is threatening deeply unpleasant things not only to the people of this country but to Muslims in the middle east as well. I utterly reject any suggestion that our Muslim community is to blame for the terrorist threat the world faces. But I also say in relation to Donald Trump that I believe it is better to deal with this in a democratic debate, and for us to reject those views absolutely and to make it clear to everyone that such views have no place in a modern society.

On mesothelioma, I will take a look at the issue the hon. Gentleman raises; I have every sympathy with the view that it is a dreadful disease and I will take a look at that point.

On the Housing and Planning Bill, I am not sure that he was listening to my statement, because I announced the first of two days of debate for its Report stage and Third Reading. He will therefore have plenty of time to debate these matters.

The hon. Gentleman talked about being late for Department for Work and Pensions matters, but I noted last week that the Leader of the Opposition was late for the wind-ups in the Syria debate—perhaps the most important debate of this autumn session. After the shadow Foreign Secretary had started his speech it was a good five minutes before the Leader of the Opposition shuffled in, so I do not think I would talk about lateness if I was on the hon. Gentleman’s side of the House.

On student finance regulations, the hon. Gentleman is well aware that if he wants a debate on a regulation in this House, all he has to do is pray against it. I am not aware of any recent precedent where a prayer made by the Leader of the Opposition and his shadow Cabinet colleagues has not led to a debate in this House. The hon. Gentleman will be well aware that that is a simple process.

On airports, I am sure that when a decision has been taken—it has not been at this moment in time—I will discuss with my colleagues how we can bring the right information to this House.

I have a couple of other points to make. I echo the words to the happy couple; we wish them well for this weekend.

Let me finish by talking about the justice system. I am very proud of what this Government have done on the rehabilitation of offenders. My right hon. and learned
Friend the Member for Rushcliffe (Mr Clarke) started the work and I continued it, as the Lord Chancellor is doing. Today, if someone goes to jail for less than 12 months, they receive 12 months’ support after they have left. Under the Labour party, people were released with £46 in their pocket and left to walk the streets without necessarily having anywhere to go, and with no support and no guidance—nothing. I will therefore take no lessons from the shadow Leader of the House about legacies in the justice system—I am very proud of mine. He talks about the ludicrous criminal courts charge, but I just remind him that he voted for it.

Mr Speaker: I am delighted to join in the congratulation to Luke and Jemma. We hope they have a wonderful day at the weekend and a great life thereafter.

Bob Blackman (Harrow East) (Con): Happy Hanukkah, Mr Speaker. The Chairman of the Backbench Business Committee has been talked away on urgent constituency business and he asked me to explain what has happened with the business for next Thursday. The Committee advertised the normal pre-recess Adjournment debate, but by the close of business on Monday only five Members had requested to speak in it, so on Tuesday the Committee took the decision of allocating the debating time to two items that have more than 30 Members wishing to speak on them. I trust that Members will understand the rationale for the decision making.

I now come to the issue I want to raise. This week, Harrow council has announced that it is going to slash public health funding by 60% over the next three years. That short-sighted decision will mean that programmes on smoking cessation, tackling obesity, diabetes, sexually transmitted diseases and other aspects of public health will go awry. Clearly, other councils may be deciding to take a similar approach. When this money was allocated to councils I warned of a risk if it was not properly ring-fenced. May we therefore have a debate in Government time on the important issues of public health, because in the long-term addressing this will cost the NHS millions?

Chris Grayling: First, I thank my hon. Friend for explaining the reasons for the debate structure next Thursday. I was slightly disappointed that we are not having a standard Adjournment debate, as I know one or two other Members are. We should take this opportunity to send a message across the House to say that to ensure that this debate does happen in its usual form before future recesses, Members need to put in a request to make sure that there is demand; otherwise we end up with the kind of debate that he described.

My hon. Friend makes an important point about public health. It is often a false economy to economise on public health, but as a senior member of the Backbench Business Committee he is very well placed to secure such a debate on a topic that he rightly says is very important.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing next week’s business.

More than 400,000 people have now signed a petition to ban Donald Trump from entering the UK, following his appalling and outrageous comments about banning people of the Muslim faith from entering the United States. In Scotland, we have already stopped him being one of our GlobalScots and stripped him of his honourary degree from Robert Gordon University in Aberdeen. I hope that the Leader of the House will find some leadership and convey the strong sense and feeling that exists in the whole country. Why not bring this e-Petition to the Floor of the House in Government time so that all the issues can be properly debated? Such is the sense of outrage throughout this country that the public expect us to do that.

I note from the business statement that we have two days for the Housing and Planning Bill. We could not have two days for a debate on Syria, yet we have two days for what is considered to be English-only business in the House. I do not know how the two issues can be conflated. Surely we should have two days to discuss Syria. I am glad that the Leader of the House has announced that there will be a statement on Syria before the House rises for Christmas. I hope that the Prime Minister will make it, because we must hear from him about the efficacy of United Kingdom action thus far. A number of us have great concerns about what is happening in Syria. I am talking about not just the difference that our four or six planes make on the ground, but the targets that are being selected. I have questions about how 12 countries, which have been bombing Syria and having difficulty in identifying targets, could neglect a big oilfield in the desert until the UK got involved. We need to hear from the Prime Minister about action thus far.

The Leader of the House likes his anniversaries, so I am pretty surprised that he did not mention the fact that the Prime Minister has led the Conservative party for 10 years—and what a legacy thus far. The “Scandal of Hunger” report from the all-party group on hunger speaks of “armies” of people going hungry in the UK, with the Chair of the Work and Pensions Committee talking about children going for days without a meal. Is there not something wrong in the reign of Dave when we can spend obscene amounts of money on weapons of mass destruction, and find money at the drop of a hat for ill-conceived military action, yet leave children to go hungry in every constituency in the United Kingdom?

We are also surprised that there was no mention of the Strathclyde report on the House of Lords, because that was supposed to be here before Christmas. I am sure that the whole House is interested to hear how this Government intend to deal with these recalcitrant be-ermined tribunes of the People, though I think it is a bit of a foregone conclusion that they fully intend to cook the ermine goose. Given that the Lords like to dress up like some ill designed Santa Claus, is this not the time of the year that we think of the peer?

Chris Grayling: The hon. Gentleman never loses his abilities as a natural performer. I gently remind him that Lord Strathclyde said that he hoped to complete his work before Christmas. I hope that that continues to be the case. It is my intention to update the House as soon as I can.

The hon. Gentleman talked about the remarks of Donald Trump. I can reiterate only that I wholeheartedly disapprove of what he said—frankly, it was nonsense. However, I am aware of the petition that is growing in size. Of course it is not for me to decide how to handle a petition; we now have a Petitions Committee. It is right...
and proper that it is the House that decides what matters should be brought for debate through the mechanism of the Petitions Committee. Doubtless, he will make his representations to the members of that Committee.

I have a slight sense that the hon. Gentleman is trying to reopen the debate on Syria. Let me remind him that the House debated the matter for eleven and a half hours, as part of 20 hours of debate and questions over a nine-day period. The debate showed the House at its best. We heard some really fantastic, thoughtful and well-articulated speeches that set out both sides of the argument. We heard some insightful comments from the Scottish National party. We had a magnificent speech from the shadow Foreign Secretary and some really thoughtful speeches from those on the Conservative Benches. The House voted and decided overwhelmingly to extend the action from Iraq to Syria, and we will update the House when it is appropriate.

The hon. Gentleman will also recognise the need to update the House on two other important areas: the humanitarian work and the peace process, which will hopefully deliver a lasting political solution to Syria. We will keep the House updated on all those factors, and we will have a full update before the Christmas recess begins.

The hon. Gentleman talked about food banks and hunger. I simply remind him that, under this Government, unemployment has fallen sharply. Crucially, the number of children growing up in workless households has fallen by hundreds of thousands. That will make a transformational difference to many of the most deprived communities in this country.

The hon. Gentleman said that I should perhaps have drawn attention to the Prime Minister’s 10th anniversary as leader of the Conservative party, but he was in the Chamber during questions last week and he must remember that I did it then.

Sir David Amess (Southend West) (Con): In the light of the foolish and mean-spirited decision to end the tradition of the Christmas Adjournment debate, which allows between 15 and 20 Members to raise matters of a general nature, will the Leader of the House consider in future setting Government time aside for the debate and view it as a Christmas present to the House?

Chris Grayling: One of the disappointments about the Backbench Business Committee’s decision is that the House will not have the opportunity to hear my hon. Friend’s customary magnificent, insightful and thoughtful speech in the Adjournment debate before the start of the recess—a tradition that neither I nor the House would wish to lose. It is very much my hope that the Backbench Business Committee, swamped with requests for a debate ahead of the next recess, will be able to continue this important tradition of the House in future.

Anna Turley (Redcar) (Lab/Co-op): On 17 October, the Government held a steel summit in Rotherham. The outcome was that the Government committed to having three working groups that would report before Christmas. Obviously, we have one more week to go. I would be delighted to have a commitment from the Leader of the House or the Minister for Small Business, Industry and Enterprise that they will report back to the House either verbally or in written form on the outcome of those three working groups.

Chris Grayling: It is coincidental that the Minister concerned is sitting next to me at this moment and from a sedentary position she says, “We will”. I can give the hon. Lady that assurance.

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): As my right hon. Friend knows, for some while now I have been campaigning for the decriminalisation of prescription errors made by community pharmacies. Before the election, the all-party group on pharmacy was told that the Government would publish proposed legislation by the end of the year, but I now understand that is unlikely before the spring. May we have a statement from the Department of Health on this very frustrating delay?

Chris Grayling: I know how assiduously my hon. Friend has pursued this matter, as he has a number of other important issues. I am aware that the Department of Health is moving ahead as rapidly as possible and intends to introduce changes at an early date. The Health Secretary will be back in this House on the day that we return in January and I advise my hon. Friend to take advantage of that opportunity to ensure that that momentum continues apace.

Mary Glindon (North Tyneside) (Lab): In my constituency, the award-winning company SMD risks losing an order for Russia worth £80 million because it cannot get an export licence under Government trade sanctions. Without that order, there will be large job losses. This week, the company’s redundancy consultation group delivered a letter to Downing Street seeking intervention from the Prime Minister as there is a distinct possibility that the problem could be overcome with Government support. Will the Leader of the House urge the Prime Minister to give the letter serious and urgent attention?

Chris Grayling: Of course this is an important issue. We always want to ensure that we take advantage of international business opportunities where possible. I will ensure that the Prime Minister is aware of the hon. Lady’s concern and, of course, the Minister who is coincidently sitting alongside me is aware of the situation and is up for having a discussion with the hon. Lady about it.

Andrew Percy (Brigg and Goole) (Con): Loneliness remains the biggest killer of elderly people, and Christmas is a reminder of that. May we have a debate at some point about a strategy to tackle loneliness among older people? Will the Leader of the House also take this opportunity to pay tribute to Community Christmas, the excellent charity doing everything it can this Christmas at events such as that at the Forge in Scunthorpe to ensure that older people will not be on their own this Christmas?

Chris Grayling: My hon. Friend makes an important point. I commend Community Christmas for the work he describes, and charities around the country will be doing such work this Christmas. I would send a message to everyone in this country with a lone neighbour who...
might spend part of this Christmas alone: it is not a big hassle to invite them round for a drink sometime over the Christmas period. I hope that everybody will think of doing that.

Derek Twigg (Halton) (Lab): In view of the appalling news today that NHS discharge delays have hit record levels and that the NHS has missed various targets, including its key cancer target, may we have an urgent debate or an urgent statement from the Secretary of State for Health on the Government’s failure to manage the NHS properly and their totally inadequate response in the comprehensive spending review?

Chris Grayling: I reject what the hon. Gentleman says. The NHS is doing a very good job in challenging circumstances, facing rising demand and increased treatment opportunities. We continue to increase the money available to the national health service to deliver those treatments to patients. It is interesting that although we have made that commitment, we have heard no such commitment from Labour, and in Wales, where Labour is in control of the national health service, we see things going backwards.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): It is about time we had a debate on the unsuitability of the opaque and arcane hybrid Bill process in this House, of which HS2 is currently the subject. I have been contacted by many of my constituents who, in good faith and for the first time, are petitioning against the new proposals put forward by the Government in additional provision 4. Instead of those petitions being heard, 75% of those petitioning on the Chilterns have had their locus standi challenged by HS2 and must defend their right to give evidence to the HS2 Committee or lose their right to petition. They will just not be heard. This shows that the hybrid Bill process is complicated, inequitable and frustrating, not only for Parliament and the Members who have been sitting on the Committee for 18 months, but for the very people whose lives are impacted by this horrible project. Can we not, in 2015, find a less cruel and more easily understandable process?

Chris Grayling: I know that my right hon. Friend has been an assiduous representative of her constituency over what I know has been a difficult issue for her and her constituents locally, and I commend her for the work she has done and is doing. She makes an important point about the complexity of the hybrid Bill process. The Procedure Committee or the Public Administration and Constitutional Affairs Committee—I see my hon. Friend the Member for Harwich and North Essex (Mr Jenkin), who chairs the latter, returning to the Chamber—might look at this. It is an interesting point about the use of hybrid Bills and how they work, and my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) may like to talk to our hon. Friend the Member for Harwich and North Essex about examining that in his Committee.

Mr Speaker: It is very useful that when a celebrated denizen of the House is referred to, he is just about still in the Chamber.

Jo Stevens (Cardiff Central) (Lab): Many Members will have seen a report in The Guardian today about the exploitative work practices in Sports Direct, which include paying less than the national minimum wage and daily body searches of employees, down to the outside of their underwear. May we have a debate, please, in Government time on exploitative work practices and on the failure of national minimum wage enforcement?

Chris Grayling: First, it is illegal to pay less than the minimum wage, so where there is prima facie evidence of that it should be brought to the attention of the relevant authorities. The Secretary of State for Business, Innovation and Skills will be here on Tuesday for questions and the hon. Lady might like to raise the matter with him.

Henry Smith (Crawley) (Con): I congratulate my right hon. Friend the Prime Minister on raising, during his visit to Iceland at the end of October, the unacceptability of that country carrying out commercial whaling. May we have a debate to put further pressure on those fortunately few countries that still carry on that outdated and cruel practice?

Chris Grayling: My hon. Friend makes an important point. Those of us who believe in conservation deplore whaling where it takes place. Whales are magnificent creatures. It would be a tragedy if any species of whale were to become extinct. I do not support the hunting of whales and the Prime Minister was right to raise the issue in Iceland. This area of conservation, like many others, should be brought before the House regularly. I hope my hon. Friend will use the various avenues available—perhaps through the Backbench Business Committee—to make sure that this and other conservation issues are continually on the agenda of this House.

Chris Stephens (Glasgow South West) (SNP): The Leader of the House will recall that on 29 October I raised the issue of the abolition of the Commonwealth War Graves Commission pension scheme and the concerns that many hon. Members have. Despite his assurances, we have heard nothing since from the Government. Will the Government make a statement and inform Members what discussions and decisions have been made on the matter?

Chris Grayling: I always seek to follow up issues raised with Departments. If we have not had a response, I will make sure I chase up again today and get a proper response for the hon. Gentleman.

Tim Loughton (East Worthing and Shoreham) (Con): Last week the hon. Member for Worsley and Eccles South (Barbara Keeley) led a very well-supported debate in Westminster Hall on the disproportionate effect of changes to the pension age on women born in the 1950s. My podcast on the subject has now been viewed more than 130,000 times, so it appears that this affects a great many more constituents than was envisaged—I urge them to write to their own MP, rather than to me. Given that yesterday the former Pensions Minister, Steve Webb, said that the Government had not been properly briefed and got the decision wrong, will my right hon. Friend urge our right hon. Friend the Secretary of State for Work and Pensions to come to the House to explain the processes behind this and explore what transitional measures might now be taken?
Chris Grayling: This issue has been raised in recent months by Members on both sides of the House, including at business questions. I commend my hon. Friend for the popularity of his podcast; he clearly has a wide influence in these matters. I will ensure that his concerns are drawn to the attention of the Secretary of State, who I am sure will wish to address them when he is next in the Chamber. These are difficult decisions, of course. As life expectancy in this country rises, which is a good thing, that brings particular pressures on the public purse and challenges that we and previous Governments have had to face.

Several hon. Members rose—

Mr Speaker: Order. We are short of time, so we need short questions and short answers, please.

Tom Brake (Carshalton and Wallington) (LD): Will the Leader of the House ensure that it is made clear in this afternoon’s debate on the transatlantic trade and investment partnership that: first, TTIP does not present a threat to public services and, if it does, the Government will block it; and secondly, the Government will push for an investor-state dispute settlement to guarantee that Governments will not be sued as a result of policy changes and, if it does not include that, the Government will block it?

Chris Grayling: The right hon. Gentleman has put his concerns on the record, and they will have been heard by the Minister sitting next to me, my right hon. Friend the Member for Broxtowe (Anna Soubry). He is of course welcome to stay for the debate. He is right that there has been a huge amount of inappropriate scaremongering about TTIP; it is being used by left-wing pressure groups as a vehicle to make an anti-Government campaign more widespread. It is about time those groups acted more responsibly and stopped telling people things that are simply not true.

Mark Pawsey (Rugby) (Con): My constituents in Brownsover saw their GP surgery close on 17 April this year, so many must now make a bus journey to see the doctor. NHS England is in the process of arranging for a new surgery to be developed, but the project has been beset by delays and there is no clear indication of when it might be delivered. Many residents in that part of the constituency have acute health needs. May we have a debate on what can be done to get my constituents the service they deserve?

Chris Grayling: No area can afford to do without GP services for any length of time, particularly in winter. My hon. Friend has made an important point that I suspect will be noticed by those in the health service— they tend to be when they are raised in the House—but the Secretary of State for Health will be here on the first day after the Christmas recess, so I suggest that my hon. Friend raises the matter then if things have not moved forward.

Mr David Winnick (Walsall North) (Lab): If there was to be a debate on that deeply dagged man Trump, would it not be useful to make two points: first, in this country we have legislation against inciting racial hatred, which is a very effective law that I certainly hope will remain; and secondly, and most importantly in many respects, we have effective gun control, which I do not think would do any harm in the United States?

Chris Grayling: It is unusual for me to find myself in complete agreement with the hon. Gentleman, but I am absolutely with him on that. My only concern is that I do not think we should give those remarks the oxygen of publicity, because that helps rather than hinders. The remarks were unacceptable and, in my view, unrelated to the real world. We have a Muslim community in this country who deplore what is happening internationally and play a really important role in our society and economy, and we should value them for what they do.

Mr Nigel Evans (Ribble Valley) (Con): Christmas is coming, and so is a statement on airport expansion in London, apparently. I heard the Secretary of State for Transport say today that he has not yet made a decision, but Radio 4 has been spreading a wicked rumour that he is about to fudge that decision. Will the Leader of the House please remind the Secretary of State, before he makes the decision, that too much fudge is bad for you?

Chris Grayling: I am sure that the Secretary of State has noted my hon. Friend’s comments. What I can tell him is that no decision has yet been taken—there is plenty of speculation about it in the media—on how to respond to the Airports Commission’s report. Of course, if such a decision is taken, it will be right and proper to have a statement to this House.

Kevin Barron (Rother Valley) (Lab): I had the opportunity to meet members of the Heathrow workforce in Committee Room 11 yesterday afternoon. They told us that implementing the Davies commission’s recommendation would benefit not just them but the British economy. I read this morning that the Prime Minister is going to announce today that the decision is going to be delayed for six months. Are the Government more concerned about the outcome of the mayoral election than the benefit to the British economy?

Chris Grayling: I can only say to the right hon. Gentleman that he is just going to have to wait for a decision to be taken. Despite what has been said in the media, I say to the House again that no decision has been taken on how to respond to that report. When it is, we will respond to the House appropriately.

Mr David Nuttall (Bury North) (Con): It is now one year since the report by the nuisance calls and texts taskforce, led by Which?, was issued. May we please have a statement on what progress has been made in implementing its recommendations and what remains to be done?

Chris Grayling: My hon. Friend makes an important point. I will make sure that his concerns are passed on to the relevant Minister and I will seek to get a letter to him, to update him on what is happening.

Albert Owen (Ynys Môn) (Lab): Last week during the Syria debate I asked both the Prime Minister and the Foreign Secretary an important question regarding collision warning systems and whether the RAF planes flying over Iraq and Syria were equipped with the latest technology. I got no answer. Therefore, may we have a statement or, indeed, a debate on that very important issue, because our air people deserve the best kit possible so that they can fight in our interest?
Chris Grayling: To reiterate, I committed two weeks ago to having an updated statement on Syria before Christmas. There will be such a statement next week and the hon. Gentleman will have the opportunity to raise that specific question again.

Rehman Chishti (Gillingham and Rainham) (Con): Councillor Gloria Opara on Medway Council, who was born in Nigeria, has raised with me the threat that Boko Haram poses to people in Nigeria. May we have an urgent statement on what the Government, along with the international community, are doing to address the terrorist threat in Nigeria and what we are doing to assist the 10.5 million children not in education who are susceptible to radicalisation in that country?

Chris Grayling: My hon. Friend makes an important point. Of course, we have been actively engaged in discussions with the Nigerian Government about how we can help them in the struggle against Boko Haram, a deeply unpleasant group that has committed some serious atrocities. In particular, it has committed some appalling atrocities against the Christian community in Nigeria. We should do everything we can to help the Nigerian Government resist what is a very unpleasant movement.

Simon Danczuk (Rochdale) (Lab): South Street nursery in my constituency, which has been rated outstanding by Ofsted for the past nine years, could face closure by Rochdale Council because of massive cuts to its budget by this Conservative Government. Should we not have a debate on how this Government are adversely impacting on childcare provision?

Chris Grayling: The best councils around the country have adapted well to a more challenging financial environment and are continuing to deliver and support high-quality services. I cannot comment on the effectiveness of Rochdale Council; suffice it to say that many other councils have managed to do things differently without that kind of cut. There will be a statement on local government finance between now and the Christmas recess, and the hon. Gentleman will have a chance to raise those concerns with the Secretary of State.

Jeremy Lefroy (Stafford) (Con): The spouse of a constituent of mine lives, together with their child, in a part of the world that I will not name but that is very affected by extreme terrorism at the moment, yet she has been denied a visitor’s visa to come and visit her husband with her child in this country. May we have an urgent debate on the denial of visas to family members in such situations?

Chris Grayling: It is always difficult to comment on an individual situation, because I do not know enough about the circumstances. My hon. Friend makes an important point on behalf of his constituent. I am sure the Home Office will look as carefully as it can at the application, but it has to take difficult decisions sometimes. Without knowledge of the circumstances, it is very difficult for me to say whether this is a matter that has been got right or wrong.

Diana Johnson (Kingston upon Hull North) (Lab): Twenty MPs from six parties in this House wrote to the Chancellor before the comprehensive spending review, seeking further resources for those affected by contaminated blood. We have not had a response to that letter. In the meeting that we had with the public health Minister, the hon. Member for Battersea (Jane Ellison), she promised that a statement about the consultation on the resources available would be made to this House before the recess. Can the Leader of the House assure me that there will be an oral statement to this House before we finish next Thursday?

Chris Grayling: Several Departments have made commitments to update the House on a variety of matters before the Christmas recess. I simply give an assurance that every Department is working hard to ensure that it fulfils such commitments.

Liz McInnes (Heywood and Middleton) (Lab): I reiterate the question asked by my hon. Friend the Member for Cardiff Central (Jo Stevens). Sports Direct has 450 stores nationwide and should be an exemplar as an employer. May we have an urgent debate on how the closure of Her Majesty’s Revenue and Customs offices will help us to enforce the national minimum wage?

Chris Grayling: The changes in the HMRC structure are simply because, as more and more of its work is done online and more and more of us deal with our tax affairs electronically, maintaining a network of 170 offices does not make sense. We have decided to rationalise the structure to one with more specialist centres, which will enhance, rather than detract from, what HMRC does.

Callum McCaig (Aberdeen South) (SNP): The decision to remove £1 billion from the carbon capture and storage competition is the latest kick in the teeth for the green and low carbon technology sectors. I have asked the Secretary of State for Energy and Climate Change several questions to which she claims she does not yet know the answers. May we have a debate or a statement from the Secretary of State so that we can tease out why this disastrous decision was made?

Chris Grayling: I know that the hon. Gentleman has already raised this issue. I am not embarrassed by our record on renewables. During the last quarter—over the summer—more than 25% of our energy generation came from renewables, which is a step change from where we were previously. This Government and their predecessor, the coalition Government, have moved to develop renewable energy in this country, but we do not have unlimited funds and we must use those funds carefully. The Secretary of State has taken the decision not to move away from carbon capture for the long term, but to have a mix of energy generation. The mix that she set out in her statement in this House two weeks ago is the right one. She will be back in the House on 7 January, when the hon. Gentleman will again have a chance to ask her about his concerns.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Fewer than 10% of people in this country any longer make anything, but the vibrancy and health of manufacturing are crucial to the future of our country. Tonight, there will be a celebration of manufacturing on the terrace, hosted by the Engineering Employers Federation. I know that we will be able to talk a bit about this in the TTIP debate, but may we have a debate soon about the importance of manufacturing and how we can support that sector in our country?
Chris Grayling: I absolutely agree with the hon. Gentleman about the importance of manufacturing. I wish him well with his event this evening. He could certainly bring to the attention of the Backbench Business Committee the need for a general debate on the importance of manufacturing. However, I gently remind him as a Labour Member of Parliament—that is more directed at his Front Benchers than at him—of the popular myth in this country that manufacturing fell sharply as a proportion of our national income under Conservative Governments in the 1980s. In fact, that proportion barely changed at all in the 1980s, but under Tony Blair and Gordon Brown it almost halved.

Peter Grant (Glenrothes) (SNP): Last Tuesday, when the Leader of the House announced the arrangements for the Syria debate, he told us that he was not aware of any “specific reason” why the Prime Minister could not be in the Chamber on Thursday to allow us to have a second day of debate. Is the Leader of the House now in a position to tell us where the Prime Minister was last Thursday, and is it standard practice for him to be kept in the dark about his Cabinet colleagues’ commitments?

Chris Grayling: Surprisingly enough, I do not watch every inch of the Prime Minister’s diary. What I told the House then, and I say again today, is that if a matter is sufficiently important for the Prime Minister to be in the House, he will be in the House. It was important for him to be in the House, and he was here last Wednesday to lead the debate, which lasted for 11 and a half hours. I think that showed this House at its best: it was the right way to do things.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): My constituents Mr and Mrs Peacock are registered with the Telephone Preference Service. However, a company called Real Time Claims continuously harasses them over the phone, and has even cited the Data Protection Act 1998 as a defence for constantly harassing them. How can we stop this?

Chris Grayling: This is clearly a matter of concern to Members on both sides of the House. I would say to both my hon. Friend the Member for Bury North (Mr Nuttall) and the hon. Gentleman that I will talk to both my hon. Friend the Member for Bury North (Mr Nuttall) and the hon. Gentleman that I will talk to the relevant Department and get them a response, before Christmas recess, about what is happening on that front. He has performed an important service by raising the matter in this House today. I encourage him to talk to the data protection regulators about any individual business that is misbehaving. There are mechanisms to deal with that, and they should be used.

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is worth reflecting on the comments of the previous Pensions Minister yesterday, who said: “we made a bad decision” on the increases in the state pension age. I think that Mr Webb is right and that hundreds of thousands of potential pensioners in this country will be discriminated against. Will the Leader of the House call an urgent debate on this matter, and will the Government reflect on the mistakes that they have made on pension provision in this country?

Chris Grayling: There are plenty of avenues that would allow the hon. Gentleman to call such a debate. The Backbench Business Committee or the Adjournment debate are both mechanisms. We have had to take difficult decisions about the pension age, against the background of an ever-ageing population. The previous Government took similar decisions. It is a reality that people will retire later than they would have done in the past. We will continue to have discussions with Members about the detail, but we cannot escape the reality that we face.

Mr David Hanson (Delyn) (Lab): Will the Leader of the House tell us when the next meeting of the Welsh Grand Committee is likely to be? It has not met since the election and it met only once in the year before the election, yet prior to that it met eight times a year on average. I knew that he was keen on Welsh MPs not speaking in English debates, but I had not realised that he had extended that to Welsh debates.

Chris Grayling: The right hon. Gentleman does talk a lot nonsense sometimes. As he knows, I have never sought to exclude Welsh MPs from speaking in English debates. The essence of the reform is that we do not to exclude Welsh or Scottish MPs from speaking in debates on English matters. Of course, the same does not apply the other way around. The Welsh Grand Committee will have a lesser role in the future because we are in the process of devolving substantial additional powers to Cardiff, but I will look at what is happening with the Committee and write to him.

Owen Thompson (Midlothian) (SNP): Yesterday, during the debate on women and the economy, the Economic Secretary to the Treasury responded to a number of queries asking her to validate the figures she was quoting on domestic violence refuges by informing the House that they came from “the online system”. Will the Leader of the House make a statement on the roll-out of that new font of all knowledge that the Government seem to be using?

Chris Grayling: I do not think we need an additional statement, because the hon. Gentleman has made his point.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): May we have a debate about Disclosure and Barring Service checks, and about how individuals can be better supported while they wait for those checks to be completed? A number of my constituents have lost out on employment as a result of DBS checks not being carried out on time. I believe that this area would benefit from the attention of Ministers.

Chris Grayling: I have had a similar experience in my constituency. On more than one occasion, I have, as a constituency Member, given the Disclosure and Barring Service a good push to try to get a response for a constituent who was waiting on a job offer. The hon. Gentleman makes an important point and I will make sure it is relayed to my colleagues. There is no excuse for putting people in a position where they might lose a job offer because of this process.

Alan Brown (Kilmarnock and Loudoun) (SNP): This week, I received three letters from No. 10 Downing Street, all hand delivered. Each letter told me that a written constituent who was waiting on a job offer. The hon. Gentleman makes an important point and I will make sure it is relayed to my colleagues. There is no excuse for putting people in a position where they might lose a job offer because of this process.
received the letters, I had the answers from the Foreign Office, which demonstrates what an archaic waste of time such letters are. If the Government are serious about cutting the cost of politics, can we have a Government debate on the archaic systems and institutions of this place, and on how we can seriously save money?

Chris Grayling: Many Departments are now responding to questions electronically. It is a bit harsh of the hon. Gentleman to criticise both the team at No. 10 and the Foreign Office for being extremely quick in responding to his questions. We aim to please.

Andrew Gwynne (Denton and Reddish) (Lab): By capping the number of occupants at five and renting properties rather than buying them, as has happened at Porlock Avenue in Audenshaw in my constituency, Serco, which is contracted by the Home Office, avoids planning and licensing requirements relating to houses in multiple occupation. May we have a debate on asylum dispersal addresses, as this sharp practice risks undermining public confidence and community relations, which none of us wants to see?

Chris Grayling: We will shortly have Communities and Local Government questions. I would never support inappropriate practices, but it might be the case that not putting large numbers of asylum seekers in the same place and instead allowing them to blend into the community is the right thing to do.

Point of Order

12.4 pm

Lilian Greenwood (Nottingham South) (Lab): On a point of order, Mr Speaker. This morning at Transport Questions, in response to my question about airport expansion, the Secretary of State stated that “when an announcement is to be made, I will make it in the House.” However, it has also been reported that there will be a press conference setting out the Government’s new position later this evening. Is it in order for the Transport Secretary to commit to making a statement in this House first, only to proceed to announce the policy in the press when the House is not sitting? At the very least, would it not be a great discourtesy to the House to do that?

Mr Speaker: The short answer to the hon. Lady is that if the Government have an announcement to make—whether of a final decision, as they see it, on this matter or appertaining to that final decision and describing the process to be undertaken and the specified period in which it will be undertaken—it should be disclosed to the House first so that hon. and right hon. Members can have an opportunity to question the Secretary of State. He is an extremely experienced Minister and a very experienced Member of Parliament, and he is well able, as he regularly demonstrates, to fend for himself at the Dispatch Box. These matters should be treated of in this Chamber and not somewhere else. It is blindingly obvious that that is the wish of the House today, and I feel sure that the Leader of the House will communicate that as necessary.
Backbench Business

Transatlantic Trade and Investment Partnership

12.6 pm

Geraint Davies (Swansea West) (Lab/Co-op): I beg to move,

That this House believes that the Transatlantic Trade and Investment Partnership, the Comprehensive European Trade Agreement, the Trade in Services Agreement and any associated investor-state dispute settlement provisions should be subject to full parliamentary scrutiny in the UK and European parliaments.

I am amazed that the Leader of the House, who is just leaving the Chamber, has described opposition to the Transatlantic Trade and Investment Partnership—TTIP—as a political campaign by left-wing pressure groups. I do not think that the Chair of the European Scrutiny Committee, the hon. Member for Stone (Sir William Cash), or the Chair of the Environmental Audit Committee, my hon. Friend the Member for Ogmore (Huw Irranca-Davies), fall into that category. They, along with members of the Business, Innovation and Skills Committee and many other Committees, are interested in this matter for a variety of reasons. I am pleased that Members from all parties across the House have taken an active interest in this vital issue. I note that the Leader of the House has now left in ignorance, but that is as we would expect.

When I spoke on this subject a year ago, I talked about arbitration problems and big companies focusing on suing democratically elected Governments over laws that might undermine their future profits. Today, in the context of the COP 21 talks in Paris, I want to make the key point to the Minister for Small Business, Industry and Enterprise that unless the environmental imperatives coming out of Paris are integrated, in a binding and legally enforceable way, into the EU free trade agreements with Canada and the United States, we will be in danger of sleepwalking into environmental oblivion, irrespective of what comes out of the talks.

Mr Jim Cunningham (Coventry South) (Lab): It is right that this motion should come before the House today. Going back to my hon. Friend's comment about the Leader of the House, how can we trust the Government with industrial relations when we have their anti-trade union Bill going through the House? This should be scrutinised on the Floor of the House, as should the Bill going through the House? This should be scrutinised on the Floor of the House, as should the effects on public services, given the presence of American trade union movement, which sees TTIP as a great opportunity to ensure that the rights we have in Europe are replicated in the US. As an internationalist, I would expect the hon. Gentleman to support such a change.

Geraint Davies: I share that aspiration, but the issue is whether those rights are legally bound and enforceable within TTIP, and they are not. My point is not that we should burn, shoot and get rid of TTIP; we should pull the ISDS teeth out of the wolf, and genetically edit TTIP so that it includes environmental imperatives, enforceable rights at work, and human rights. It should be a blueprint for future global trade, rather than a blueprint for the destruction of environmental and human rights.

Margaret Greenwood (Wirral West) (Lab): Does my hon. Friend agree that Labour MEPs have sought a common position in the EU Parliament on TTIP, and are calling for a full carve-out of all public services, the inclusion of all binding and enforceable workers’ rights, and strong safeguards on food, health and safety measures? That specifically excludes the investor-state dispute settlement mechanism, which is not democratic, not open to scrutiny, and not independent or fair to states that are being sued by corporations whose members sit on the board.

Geraint Davies: My hon. Friend makes her point well, and I will come on to some of those issues, especially the ISDS.

Guto Bebb (Aberconwy) (Con): Will the hon. Gentleman give way?

Geraint Davies: I do not want to give way too many times, but I will do so briefly and then make progress.

Guto Bebb: I am grateful to the hon. Gentleman for giving way, and I apologise if my voice is not very strong today. On employee rights, I met representatives of the American trade union movement, which sees TTIP as a great opportunity to ensure that the rights we have in Europe are replicated in the US. As an internationalist, I would expect the hon. Gentleman to support such a change.

Geraint Davies: I am grateful to the hon. Gentleman for giving way, and I apologise if my voice is not very strong today. On employee rights, I met representatives of the American trade union movement, which sees TTIP as a great opportunity to ensure that the rights we have in Europe are replicated in the US. As an internationalist, I would expect the hon. Gentleman to support such a change.

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Margaret Greenwood: I congratulate my hon. Friend on securing this important debate. Does he agree that the Government and European Commission should heed the call from the British Medical Association to
exclude the NHS from TTIP, just as the audio-visual sector and healthcare services are excluded from the EU services directive?

Geraint Davies: At a minimum, we should have a copper-bottomed arrangement such as Finland’s, which protects all health—public and private—as well as social care, from any intervention. At the moment those guarantees are not provided, and things are done on a case law basis. If there is private provision somewhere, that would allow an avenue for American contractors to move in.

Mr Spellar: My hon. Friend lays great weight on the ISDS. Can he say how many agreements Britain currently has that have ISDS provisions, how many cases have been brought against the UK, and how many have been successful?

Geraint Davies: My right hon. Friend knows that a large number of ISDS bilaterals are in play, and that no cases have been taken against us. He also knows that exposure to ISDS will increase by about 300%. If his pet dog goes around biting the neighbours, that does not guarantee that it will not bite him. Just because other people die from cigarettes and he has not, that does not mean he will not. We should protect ourselves against the provisions in ISDS, rather than hear those spurious arguments that are normally regurgitated by Government Members.

Helen Goodman (Bishop Auckland) (Lab): On the specific point raised by my hon. Friend the Member for Warley (Mr Spellar)—

Mr Spellar: Right honourable.

Helen Goodman: By our right honourable Friend, this is not about the number of court cases taken; it is about ministerial action being inhibited for fear of those court cases. I had that experience as a Minister, and our right hon. Friend is barking up the wrong tree.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We need short interventions because there is a lot of interest in this debate. The hon. Member for Swansea West (Geraint Davies) is 10 to 15 minutes into his opening speech, and I would not like him to give it all away through interventions.

Geraint Davies: I will resist responding to the comment about barking.

On the ISDS, we know that big companies use the powers available to them to sue democratically elected Governments. For example, the Lone Pine fracking company is suing the Canadian Government for hundreds of millions of dollars because Quebec brought out a moratorium on fracking. In a well-known case, Philip Morris is suing Uruguay and Australia over tobacco packaging. The Dutch insurance company, Achmea, is suing the Slovaks for trying to reverse health privatisation. If those powers are available, corporations will use them to maximise profit. Why should they not? That is what they are there to do. I am not saying that they are immoral, because that is what they do and that is what we expect. Our job is to regulate to ensure that the public interest is put first.

There is also an issue of sovereignty. The comprehensive economic and trade agreement will last for 20 years; some people are worried about the EU, but future Governments would be bound by these rules for 20 years. I think that is wrong, and a lot of Conservative Members have raised that point with me.

Albert Owen (Ynys Môn) (Lab): Will my hon. Friend give way?

Geraint Davies: No, I will not.

Albert Owen: Will he give way on that point?

Geraint Davies: Go on then.

Albert Owen: I am grateful to my hon. Friend. I realise that he is getting a little frustrated with the amount of interventions, but mine is brief and specific to the motion. He talks about the scrutiny of this House. Will he explain what method of scrutiny would be used? Would scrutiny be done by a Committee, or would a Minister come to the Dispatch Box, so that the whole House could provide scrutiny?

Geraint Davies: The issue is already being scrutinised by the European Scrutiny Committee, and the Environmental Audit Committee, on which I sit. The Business, Innovation and Skills Committee is also interested in it, and the provision will clearly have a widespread impact, so it should be brought before the House. I would like recommendations to be made by this House in an advisory way to the European Parliament, so that it can table amendments. At the moment, everything is being decided by negotiators behind closed doors. That is completely unacceptable, and it will just be a yes/no decision with ratification. CETA was agreed in September 2014, and it sounds as if it is having some sort of legal washing. It will be brought before Members of the European Parliament next spring.

I want to mention regulatory chill because of the pressure and threat of that sort of action. Already, the EU has withdrawn its demands for transparency and clinical data in trials. That means that if a big drugs company does 10 trials and three go wrong—thalidomide, for example—and seven go right, it only has to publish details of the seven that go right. That is worrying, as are the bits and pieces about trade secrets, which clearly undermine and inhibit democracy. There are issues of rights at work, and the problem of CETA being agreed, because that is a Trojan horse that allows all the powers created in the investor-state dispute settlement to come in through the back door and bite our democracy, public services and public finances.

Andrew Percy (Brigg and Goole) (Con): Will the hon. Gentleman give way?

Geraint Davies: No, I will not. I want to dwell on the fact that as we sit here, 20 million people in Beijing are crying because of the environmental damage of trade and the unregulated economic activity that supports it. Meanwhile, in Cumbria, people are flooded because of the impact of climate change, and no one seems to be asking why. We should ensure that future trade agreements for the EU, Canada and the US have enforceable environmental imperatives that constrain corporations from making the situation worse, and that that spreads to China and elsewhere. However, nobody seems to be speaking about elsewhere.
We need trade laws to be trumped by what comes out of Paris in a legally binding and enforceable way, but that is not happening at the moment. I spoke with the Secretary General of the OECD, who was making a speech in Paris when I was there at the conference. He said that a £200 billion subsidy is currently given to fossil fuels and that he was not happy about that. I said, “What about getting the environmental imperatives from Paris as minimum standards into TTIP?” He scratched his head and said, “We haven’t thought about that, but it might be a good idea.” That is where we are, but the EU is asking for an oil and gas pipeline from the US to get shale gas and all sorts of oil over here. What will that do for our carbon footprint?

This is a case of trade on the one hand and the environment on the other, and we need an integrated approach to global sustainable development. I think that the ISDS should be stripped out of TTIP. People say, “What about the investors? They should be protected,” but investors have judicial review and breach of contract, and they already use those rights in public courts. The only difference is that in public courts the public interest is weighed against the commercial interest; on an arbitration panel, it is all about private interest, and public interest and public health issues are not really weighted.

Let me give an example. Tecmed is a waste disposal plant in Mexico that breached new regulations. The Mexican Government decided not to renew the contract because of that breach. Tecmed went to an arbitration panel and Mexico lost the case and had to pay £5 million, plus £8 million court costs. My point is that if the UK requires stronger emissions standards to live up to our promises regarding a 1.5° or 2° increase in temperature, the ISDS could come along and sue us for obliging companies to move forward with those requirements from Paris. Tribunals, as opposed to public law, are more heavily in favour of investor protection than public protection. That is the wrong way around.

Lord Maude said to me, in response to questioning by the European Scrutiny Committee, that companies deserve a bit of compensation if Governments intervene, and that there was nothing wrong with that. The point I am trying to make, however, is not that there should not be compensation. The Minister will be aware of the case in which the Costa Rican Government took back land with natural value—endangered species and habitats—and provided compensation of $1.9 million. The owners of the land took them to an arbitration tribunal, which did not factor in public interest or public value—that had nothing to do with it. It was all about commercial issues and it was decided to fine the Government $16 million. The ISDS favours the private sector, not public interest or natural habitat, so we need to strip it out of TTIP.

Another issue with ISDS is that it can trump national law and previous national law. In the case of Deutsche Bank v. Sri Lanka, the Supreme Court in Sri Lanka brought forward existing laws to stop payment to Deutsche Bank. Deutsche Bank went off to an arbitration panel, an international court, and, even though its arrangements had been made after the national law had been passed, it won the case. This implies for Britain that, if TTIP goes through in its current state, the Climate Change Act 2008 will be trumped by ISDS. That is unbelievable in terms of sovereignty and democracy.

A lot of Conservative Back Benchers are up to speed, but there are a lot of turkeys voting for Christmas on the Government Front Bench. We will not have protection for our famous products, such as pasties, Welsh lamb, Cumbrian sausages and so on. The headline in The Sun was lyrical: “Pasties get a pasting.” We could have Welsh lamb produced in Nebraska.

The TTIP environmental chapter makes reference to Rio and Copenhagen, but it contains nothing that would not allow investors to trump enforcement. There is no binding enforceability. None of the pledges in the environment chapter are carved in stone, and they could be overturned by arbitration panels. Those pledges need to be legally binding, with an enforcement mechanism that goes through national courts.

In a nutshell, I am suggesting that ISDS be removed from TTIP. Article 1 of CETA should say that the provisions in TTIP will be, without reservation, subject to the 2015 Paris conference and subsequent treaty agreements, that TTIP should be consistent and contribute to the targets agreed in Paris and subsequent COP meetings, and that we do not go down the route of harmonising by means of the proposed regulatory co-operative body. Harmonisation of standards is a good thing in principle, but it would all be decided behind closed doors by civil servants subject to lobbying from industry. That is not something we want.

Finally, there are a lot of things wrong with TTIP that we need to change, but the motion relates simply to scrutiny. I am not for abandoning TTIP. We need a blueprint for future global trade. TTIP is a blueprint for future global trade. That is the wrong way around.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. There will be an eight-minute limit on speeches.

12.24 pm

Mr Peter Lilley (Hitchin and Harpenden) (Con): I congratulate the hon. Member for Swansea West (Geraint Davies) on securing the debate and on raising some very important points that this House should consider seriously.

As the last Member in this House, I think, who was involved in negotiating a successful international trade round—the Uruguay round, when I was Secretary of State for Trade and Industry—I am extremely in favour of free trade. I believe there is a strong case for unilateral free trade, although that is not easy to sell to the electorate. A priori, therefore, I approach the TTIP agreement from a position of strong support. I am very suspicious of critics of TTIP who are often simply against trade, simply against markets, simply against choice, simply against business and simply against America.

Kelvin Hopkins (Luton North) (Lab): Will the right hon. Gentleman give way?

Mr Lilley: I will not, because the hon. Gentleman may find in a minute that I have answered his question. I am especially hostile to all those people who press the button on 38 Degrees campaigns that relate to anything against trade and business. I was rather surprised, therefore, to find myself sympathising with four people
who appeared in my surgery and announced, to a groan from me, that they were members of 38 Degrees and had concerns about TTIP. They actually raised some very important points that resonated with me from my experience of past negotiations.

I am, of course, totally in favour of removing tariffs, but that is a relatively minor aspect of what TTIP is about. Over the years, we have been hugely successful in removing tariffs and straightforward barriers to trade. They averaged 40% back when the general agreement on tariffs and trade was set up. They were still around 15% when I was negotiating. The tariffs now between the United States and Europe average less than 2%. Half of all goods traded between the two continents are entirely tariff-free. That means, of course, that those that are subject to tariffs can be higher. On clothing, the tariffs are up to 30% and on cars the US levies a tariff of 2.5%. The EU, under the influence no doubt of German car manufacturers, levies a tariff of 10% on imports of cars from America.

Abolition of the remaining tariffs is worth having and would be the final success of GATT. TTIP goes far beyond that, however, and into harmonisation of regulation, rules on investment and rules on procurement. It is true that those sorts of rules can, either by intent or by accident, be used to inhibit trade. We should avoid using them in that way and we should seek, if we can, agreements to anti-discrimination rules so that neither in the business of investment nor procurement would either the United States or the EU be allowed to discriminate against firms from the other side.

My concern, and the concern of my constituents who declare themselves to be members of 38 Degrees, is that we may be creating a bureaucratic and legal process that may escape proper democratic control and may be subject to improper corporate influence. It is also symptomatic, although this is the least important point, of bureaucracies that perpetuate their existence even when the task they were established to do is largely complete. Literate Members of this House—we are all literate—will remember Dickens describing the circumsloction office, whose chief, Lord Tite Barnacle “had died at his post with his drawn salary in his hand” defending the existence of an organisation that no longer had any need to exist. Actually, because we have succeeded on tariff negotiations, we should be scaling down, not up, the international bureaucracy and not giving it far more undemocratic powers.

Even during the Uruguay round, I had my concerns. First, I was concerned about accountability to this House. The negotiations were so complex that it was difficult for the House to hold Ministers to account, and it was easy for Ministers to present a fait accompli to this House and say they had achieved the best compromise.

Jeremy Lefroy (Stafford) (Con): Does my right hon. Friend agree that one of the bodies scrutinising TTIP very assiduously will be the US Congress? It would not let things go that it felt put their own people at a disadvantage.

Mr Lilley: I would like to hear my hon. Friend say that this House is going to exercise democratic control rather than relying on the American Congress.

Partly because Ministers were so little accountable to this House on this issue—I cannot remember having to respond to any debates on it—officials were very reluctant to be accountable to Ministers. In almost every other area where I was in Government, I thought that British officials were wonderful and that the caricature of them in “Yes Minister” was false, but where an international bureaucracy was involved and there was limited democratic control, they were extremely reluctant to respond to Ministers’ requests about what they were up to or to explain the compromises they were making. I had to argue very hard and strongly to reassert my control over officials. Ultimately, of course, it is up to Ministers to do that.

Bob Stewart (Beckenham) (Con): Does my right hon. Friend think that TTIP will be in any way accountable to this House? It does not look as though it will be.

Mr Lilley: There are aspects where I think we are in danger of unnecessarily handing over accountable powers, and we should be very careful about doing so.

Negotiations, then and now, are aggravated by the fact that we are negotiating at second hand through the EU and at arm’s length. I campaigned for continued membership of the EU in 1975, and I have accepted that we have to make some sacrifices to have a common market, but we should be aware that we have only second-hand control. My hon. Friend the Member for Stafford (Jeremy Lefroy) thinks that we should probably rely more on the American Congress.

Jeremy Lefroy: Will my right hon. Friend give way?

Mr Lilley: No, I am sorry. I know that I am sadly misrepresenting my hon. Friend. All these problems are comparatively easy when we are just dealing with the abolition of tariffs. When we are handing to international bureaucracies and legal tribunals wide areas of regulation, investment rules and procurement, the problems may be greater.

My other concern about bureaucracies is that they may be unduly influenced by corporate lobbying. The less responsive they are to elected Members of this House, the more likely they are to be responsive to corporate lobbying. I am not one of those who believes in the dogmatic Marxist view that the world is run by a conspiracy of corporations and big business, nor that big business always wants to deregulate. In truth, the people in bureaucracies and big business have a common world view and believe that they should run things collectively with as little interference from democratically elected politicians as possible.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Will the right hon. Gentleman take an intervention?

Mr Lilley: I will not, I am afraid.

Moreover, big business has a natural interest in regulation being used as a barrier against small businesses trying to enter the market or new businesses trying to innovate.

We should be very careful about creating international bureaucracies outside the control of democrats that may prove less responsive to elected Governments but more vulnerable to corporate regulation. The hon. Member for Swansea West raised the specific issues of fracking
and genetically modified foods. I am very strongly in favour of fracking, and very strongly in favour of allowing GM to be used: I happen to have the main research institute on that front in my constituency. Ultimately, these decisions should be made democratically. To me, it is far more important that democracy should prevail than that some international bureaucracy should support my prejudices on fracking and GM, as it probably would. It is up me and people like me in this House to persuade the majority of Members and the majority of the public that something is right, and not to say, “Let’s support an international bureaucracy because it is going to take the decision out of our hands and reach what we think is the right view.”

I am unequivocally in favour of removing tariffs. I would welcome agreement under TTIP to anti-discrimination rules whereby Europe and America agree that they will not discriminate against foreign companies in procurement and investment. However, I would be very careful about creating a self-perpetuating international bureaucracy and handing to it powers that are largely out of the control of elected representatives and too much under the influence of corporate lobbying. At the end of the day, democracy is more important even than free trade.

12.34 pm

Mr John Spellar (Warley) (Lab): I declare an interest as the chairman of the all-party European Union-United States trade and investment group and as an unashamed supporter of trade. Over the centuries, trade has been of huge benefit to this country, particularly to the west midlands, which grew on the back of trade. Indeed, the west midlands is the only region of the UK that has a positive trade balance with China. Equally significantly, trade has been the engine by which hundreds of millions of people around the world have been lifted out of poverty. We need only look at the growth of China. I will come back to some aspects of that, as they were mentioned by my hon. Friend the Member for Swansea West (Geraint Davies). Hundreds of millions of people in China have seen their lives changed dramatically as a result of trade.

In debating these trade deals, there have historically been those in this House and in British politics who are opposed to trade. This is not a recent argument.

Kelvin Hopkins: My right hon. Friend will know that all the nations that have achieved dramatic improvements in their economies have done so with a degree of protection. The Chinese have used a massive devaluation of their currency against the western currencies behind which they have seen their economy develop rapidly. Protectionism works.

Mr Spellar: I am pleased that my hon. Friend wants us to move towards a more rules-based system that will enable us to develop more effectively. Trade has worked in that regard, and I am glad that he concedes that.

A great mythology is being developed around this. When I asked my hon. Friend the Member for Swansea West how many agreements the UK has had that involved ISDS, he was reluctant to reveal that the answer is 94. How many cases have been taken against the UK on that basis? My understanding is two. How many of those cases have been successful? My understanding is none. Mention is made once again of the very long-running Philip Morris so-called case. It is absolutely true that Philip Morris said it was lodging a case. Has it gone anywhere? Has it stopped the Australian Government taking action? Of course it has not. One of the more regularly cited cases is that of Slovakia’s health insurance system. We are often told that a Dutch insurance company managed to secure substantial damages from the Slovakian Government. That is true, because the case was about whether, under the existing contract, it could repatriate its profits to Holland. In a second case, which everybody seems to forget, the Slovakian Government won, and also got costs, because the tribunal held that the company was not empowered to intervene in the democratic processes of a sovereign state.

I particularly take issue with the Government over the fact that while the Leader of the House might talk about left-wing groups campaigning with scare stories, Ministers will not take on the myths so that we can get back to arguing about the issues that my hon. Friend rightly raised. The Government just hide away engaging in the negotiations and will not take these issues on.

Dr Andrew Murrison (South West Wiltshire) (Con): If ISDS has been used so little, and given the concerns that have been expressed by all sorts of groups, particularly in relation to the NHS, why does the right hon. Gentleman think it is so important to have it as part of TTIP, which is an arrangement that, like my right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley), I would in general strongly support? ISDS appears to be the sticking point for a very large number of people.

Mr Spellar: I would strongly hold to that. I am just saying that ISDS is not the great problem that people are claiming. The hon. Gentleman mentions the NHS. The European Commissioner wrote to the former Trade and Investment Minister about the impact of TTIP on the NHS, saying:

“Member States do not have to open public services to competition from private providers, nor do they have to outsource to private providers.”

It is a decision for this Government, and nothing to do with any trade deal. She continued:

“Member States are free to change their policies and bring back outsourced services back into the public sector whenever they choose to do so, in a manner respecting property rights (which in any event are protected under UK law)”. 

Geraint Davies: Does my right hon. Friend agree, though, that the essential difference is that ISDS tribunals are held in private, the primary focus being the investor and commercial and trading law, whereas a public court involves the public interest and transparency, which is intrinsically better? There are lots of cases where these big companies have claimed enormous damages, but I will not go into that. This is about the intrinsic shape of the system.

Mr Spellar: My hon. Friend and I will have to discuss this matter later. The problem is that such a process would require the creation of a supranational court, unless there was an agreement on reciprocity between the Supreme Court and the European Court, which might cause problems with Conservative colleagues.
There was very little controversy over CETA and the discussions with the Canadians, or those with the Koreans and all the other countries with which the EU has conducted trade talks, until we began discussions with the United States, which touched many people’s nerve endings and neurons.

Andrew Percy: The right hon. Gentleman is absolutely right that if we scratch beneath much of the opposition, we find blatant anti-Americanism. Does he agree that it is deeply offensive to the Canadian Government to describe CETA as a Trojan horse for TTIP, as if “little Canada” were doing America’s dirty work? That is the implication, and it is deeply offensive to Canada, a country with standards of protection that go beyond our own in many areas.

Mr Spellar: I thank the hon. Gentleman for a point well made.

My hon. Friend the Member for Swansea West then talked about China and, interestingly, about the environmental situation there. If the EU and the US do not do a trade deal to enshrine the current free trade and democratic liberal order, the Chinese will be the ones setting the parameters of world trade, and he has rightly identified that they might be much less concerned about issues such as workers’ rights and the environment.

With regard to the Canadian deal, my hon. Friend raised concerns about food and the implications for geographic indicators—Welsh lamb and so on. In fact, one of the great attractions not only for farmers in the UK but for framers across Europe, particularly southern Europe, is the provision for geographic indicators; and, to be frank, one of the attractions for Canada and the United States is the ability to sell GM, so a trade of GM for GI might well come out of these talks and be of advantage.

Jonathan Reynolds: (Stalybridge and Hyde) (Lab/Co-op): Will my right hon. Friend give way?

Mr Spellar: Unfortunately, the clock is running.

As I indicated earlier, the Leader of the House talked about scaremongering by the far left, and we have received emails again from 38 Degrees, which will no doubt be castigating me again on Facebook. Interestingly, its standard email this time had a link to a pamphlet by John Hilary of War on Want published by the Rosa Luxemburg Foundation. I excuse the ignorance of Conservative Members, but a number of Opposition colleagues might be aware of the dissident communist Rosa Luxemburg, if not necessarily of the Rosa Luxemburg Foundation and its deep links with Die Linke in Germany, the far left party that grew out of the old East German Communist party. There is a lot to be said against the old East German Communist party, but it was pretty good at propaganda and agitation. There are valid arguments to be made, but hon. Members must be clear about the driving force behind the campaign.

Unfortunately, the right hon. Member for Hitchin and Harpenden (Mr Lilley) touched on an area alluded to by my hon. Friend the Member for Swansea West: the European Scrutiny Committee. It was the neuralgic reaction of some Conservatives to anything involving the EU. Let us be frank: one of the key enablers of our conducting trade negotiations around the world is our membership of the EU. It enables us to negotiate through the combined strength of the EU, contrary to the views of Mr Farage, who believes we could somehow negotiate trade deals on our own. When we campaign next year to remain members of the EU, we will find that many of the arguments being made against TTIP reflect the arguments against the EU. In the modern world, there will be some trade of sovereignty for effectiveness and relevance, and that is why we should support the agreement.

12.45 pm

Guto Bebb (Aberconwy) (Con): Is it a pleasure to follow the passionate speech of the right hon. Member for Warley (Mr Spellar). I apologise to the House for my voice; I hope it lasts for eight minutes, but if not I might sit down early.

I declare an interest: I am the secretary of the all-party parliamentary group on European Union–United States Trade and Investment. I am proud to stand here in support of TTIP. This is another example of how elements in British society are trying to close down debate. In August, my daughter, who is 14, left our house to do her paper round. She came back in and said there were 20 people picketing outside my house because I was the secretary of the all-party group. They were basically accusing me of wanting to kill people by selling off the NHS. If we are to have a debate about this, we should at least make it an honest debate and avoid intimidation. We have a duty to debate it openly and transparently, and intimidation has no part in that.

This is the fourth time we have debated TTIP in the Chamber. The hon. Member for Swansea West (Geraint Davies) has secured two debates, and the all-party group has secured another two.

Alex Chalk (Cheltenham) (Con): Is not a danger that this debate is premature? The proposed agreement has not been reached, and before it could be ratified its text would have to be distributed to the 28 member states and this House, where proper scrutiny could be applied?

Guto Bebb: My hon. Friend makes an important point, but I do not think the content of the agreement is the issue; the issue is an anti-free trade agenda hiding behind TTIP. It is not a protest against a proposed trade deal; it is an attack on free trade.

We have heard about the so-called secrecy of the negotiations. It is true that the final text has not been released, but all the proposals are available online. If any Member or their researcher were to google “TTIP”, they would find the text of the negotiations. This is probably the most open trade negotiation we have ever entered into as part of the EU. When I hear these accusations of secrecy, therefore, I wonder whether people know they can google the issues being debated. The all-party group has held open meetings in the House, attended by 100 to 150 people, on the effect of the proposed treaty on the automotive sector, public services, textiles, and food and drink producers. To claim there has been a lack of discussion in the House is to make a false argument and to play into the hands of protesters who are against not the treaty per se but the concept of free trade.

Jonathan Reynolds: I am finding this debate quite interesting. I agree with the pro-trade sentiments of the all-party group on TTIP, but, to echo the comments of
the right hon. Member for Hitchin and Harpenden (Mr Lilley), should not a decision about whether we accept hormone-treated beef in the UK lie outside the remit of a trade organisation and be a decision for the House?

Guto Bebb: As somebody who represents a Welsh constituency with a significant number of lamb producers, I want to see Welsh lamb offered for sale in north America, which is not currently the case. If the way to get that product into the north American market is through a European trade agreement with north America, I am willing to look at the detail of that agreement. I stress again that the remit for the negotiations was agreed by 28 member states of the EU. There have been two motions in the European Parliament. The EU trade negotiator has been to the House twice to explain the EU’s remit and how it is developing the agreement. So there has been an opportunity to engage, and the final agreement will be scrutinised as well. If there is concern about some of the concessions made, perhaps on a quid pro quo basis, those issues could be identified at a later stage.

It is important to address head on the so-called threat to the national health service—and I have to say that it is a so-called threat. I hope that every Member who speaks in this debate has read the detailed, three-page letter from the European trade negotiator to the Health Committee on 11 December 2014, which makes it very clear that there is no possibility of an impact on our health service, or on public services more widely for that matter, as a result of the TTIP agreement. It categorically states that “all publicly funded public health services are protected in the EU trade agreements, and this approach will not change for TTIP.”

That brings us back to the crux of the issue and the point raised by the chairman of the all-party group—that the debate seems to be about the fact that we will be making an agreement with the United States of America. Let me state clearly as the secretary of the all-party group that I have had literally thousands of emails from all parts of the United Kingdom accusing me of all sorts of skulduggery in relation to this proposed trade deal. I was quite impressed by the fact that the people emailing me believed that I had far more power than I have ever had as a Back-Bench MP.

Mr Andrew Smith (Oxford East) (Lab) rose—

Geraint Davies rose—

Guto Bebb: I will not take interventions.

The important point is that not a single email was ever sent to me about the deal with Canada, unfortunately described, in my view, as a Trojan horse for TTIP.

Mr Andrew Smith rose—

Guto Bebb: No, I will not take an intervention.

Not a single email was sent about that agreement, so it difficult not to conclude that this is not about trade and not about the health service, but about a latent anti-western, anti-US agenda, which I find disreputable.

Mr Smith rose—

Guto Bebb: No, I will not take an intervention on that issue. The point needs to be made and it has been made.

We are clearly having a dishonest debate on this issue. Claims have been made that have not been substantiated and we have had accusations of secrecy that do not stand up to scrutiny. It is clear, too, that issues are being raised about ISDS, but I argue that that case was demolished by the right hon. Member for Warley. The hon. Member for Swansea West has offered no explanation of why not one of the 94 agreements has been the subject of any complaint to my inbox; we seem to have these concerns only because TTIP is a deal with the US.

I have now dealt with some of the concerns expressed by the hon. Member for Swansea West, but I think we should also look at some of the opportunities that will come from TTIP. My right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley) was right that tariff barriers are comparatively low. It is clear from talking to regulators on both sides of the Atlantic—the European Union and the US—that the regulations are often not specifically there for the safety of the public in the US or the EU; they are there as a means to offer a protectionist stance for some industries.

It makes very little sense, for example, for our booming and hugely successful exporting car industry to undertake a crash test that is completely different in the US from that in the EU. The crash test is different because the regulations are different, and the effect is to add over £600 to the cost of Mini Cooper. The dashboard has to be changed to accommodate the mechanism for the airbags necessary to comply with US test regulations. Nobody believes that a crash in the US is any different from one in the EU, but the test is different—at huge cost to the car industry. If the TTIP agreement were to be secured and some of the regulatory burdens removed, there would be potential for a 7% growth in exports.

Similarly, when we talk about the need for a manufacturing-led recovery, it is difficult to believe the concerns of Labour Members when the opportunity arises to get rid of some of the counterproductive and anti-competitive regulatory burdens but they are not willing to work with manufacturing sectors to reduce them.

More importantly, the regulatory burdens are extremely unfair on small and medium-sized enterprises. Larger companies have the capacity to deal with the regulatory burdens in the US and subsequently to deal with the regulatory burdens in the European Union. The small businesses in my constituency have world-class products to offer, but are not in a position to sell them to the US because the regulatory burdens provide a barrier to their potential to trade. Small businesses that send packages online through the internet often find themselves in difficulty when dealing with the US because they do not know whether the rules and regulations applying to imports through the postal system into the US would be the same as they are in Europe. Again, larger businesses—the Amazons of this world—can cope quite easily with those challenges, but smaller businesses operating in my constituency cannot.

To talk about this agreement being one for large multinationals is to miss the point. The point of the agreement is to reduce the regulatory burden, which large companies are quite happy to impose because it closes the opportunity for small businesses to compete against them.
12.56 pm

Rachael Maskell (York Central) (Lab/Co-op): Will the hon. Gentleman give way?

Guto Bebb: No. I have only a minute left.

The fact that I have a drinks producer in my constituency who is unable to put in a second production line in order to get the correct bottle size is a classic example of the way in which regulations work against small businesses and to the advantage of larger businesses.

Finally, when it comes to being an MP from Wales, let me say categorically that the denial of Welsh lamb from my constituency to the US consumer is utterly disgraceful. The agricultural sector is broadly clearly supportive of this treaty. Yes, we need to scrutinise it; yes, we need to ensure that the House has a say in the agreement; but we should try to grab the opportunity for growth in all parts of the United Kingdom, and not least in Wales.

Jo Stevens (Cardiff Central) (Lab): Does not the ISDS system effectively constitute a private court staffed by private judges with private lawyers, based on private law for private profits?

Christian Matheson: Indeed. I shall buy myself a nice, top-of-the-range Range Rover. If the Government reduce the speed limit on the motorways to 50 mph, am I allowed to sue them because they have taken away my enjoyment in driving that car? It is exactly the same with TTIP. If the Government choose to change the law, it is their right to do so, and there should be no caveats for large corporations.

Andy Slaughter (Hammersmith) (Lab): I am glad that my hon. Friend is addressing the issue of ISDS, which is of great concern. It was introduced, we were told, to give security to investors against weak legal systems in developing countries. Whether or not that is true—my hon. Friend has just made a good point—I do not believe that we have a weak legal system in this country, despite what the Government have done. The idea that the private law rights of multinationals should be put above the system that applies here is disgraceful.

Christian Matheson: My hon. Friend makes a good point, but I now wish to give an example of the perils that ISDS may bring. It involves another regime, but it could easily be transcribed into TTIP. Veolia has sued the Egyptian Government for alleged breach of a contract for waste disposal in the city of Alexandria on the basis of a bilateral agreement between France and Egypt.

At a time when Egypt is in a vulnerable and uncertain position politically, we should be helping it to develop democratic structures. When the Egyptian Government introduce a minimum wage that will probably benefit most ordinary Egyptians, we should support their action, but apparently Veolia has sued the Egyptian Government for taking that action. How stupid and short-sighted is it to sue the Egyptian Government and lower the standards of living of ordinary Egyptian workers at a time when we are trying to persuade Egypt that Islamism and the Muslim Brotherhood are not the way forward? This is an example of a western corporation undermining the wellbeing of ordinary people. That is what ISDS does: it enshrines the rights and priorities of globalised corporations over and above those of ordinary people, and the results could be catastrophic.

Mr Spellar: As I made clear earlier when I mentioned the Philip Morris case, lodging a case and winning a case are not one and the same thing, but my hon. Friend may be right. Has anything happened to the Veolia case?

Christian Matheson: I believe that it is still going through the process, but it is the principle on which the case is based that concerns me: the principle that corporations should have their own private mechanism for resolving disputes, rather than adopting the accepted legal procedures of the country in question.

Jo Stevens: (Cardiff Central) (Lab): Does not the ISDS system effectively constitute a private court staffed by private judges with private lawyers, based on private law for private profits?

Christian Matheson: What a shame that I am not as articulate as my hon. Friend. She has hit the nail on the head. ISDS is a mechanism that undermines the rule of law by giving a separate system to large globalised corporations and taking away from them any sense of responsibility to elected Parliaments such as ours, or to countries like Egypt where we may be hoping to foster and develop democracy.
Andrew Percy: May I just even things up? We are, I am sure, in the business of facts here. Far from ISDS being for the benefit of private corporations, it is a Government mechanism, agreed by Governments largely for the benefit of Governments.

Christian Matheson: I do not agree. I think that it is largely for the benefit of private corporations. The hon. Gentleman and I will have to differ.

I want an economic system that works for the people, not one in which the people work for the system. TTIP will enshrine the dominance of global corporations, which have driven down wages, moved jobs into areas where they think they can pay people less, increased personal and family insecurity, and—let us be clear about this—made tax-dodging into an art form.

Rachael Maskell: Will my hon. Friend give way?

Christian Matheson: I am about to end my speech, but I will always give way to my good friend the Member for York Central.

Rachael Maskell: I am grateful to my hon. Friend. Does he share the concern that the American Federation of Labour and Congress of Industrial Organisations has expressed about the North American Free Trade Agreement, which has brought about the loss of so many jobs and has had such a negative impact on the American economy?

Christian Matheson: My hon. Friend and I have known each other for a good few years, and we were both involved in the creation of one of the first global trade unions, along with American unions. The United States was mentioned earlier, and I am certainly not anti-United States, but my contacts in the American trade union movement are absolutely opposed to TTIP because they believe that their jobs and their terms and conditions—[Interruption.] The Minister says, from a sedentary position, that that is not true. I should like to know when she last spoke to any American trade unions, because I speak to them quite regularly.

I believe that the interests of the Conservative party are now enshrined in the large global corporations and the City of London. I believe that we could and should design a trade deal along the lines of TTIP that could benefit ordinary people, but TTIP is not that trade deal.

My right hon. Friend the Member for Warley (Mr Spellar) talked about the European Union. One thought has occurred to me, although perhaps I am wrong; no, surely not. TTIP could well be a Trojan horse for those who would have us leave the European Union. The EU, for all its faults, imposes social, economic and environmental constraints on corporations. TTIP would provide the free trade deal that is sought by so many of those who want us to leave the EU, without any of the social and environmental benefits.

Guto Bebb: Will the hon. Gentleman give way?

Christian Matheson: I am about to sit down.

I worry about the possibility of a ready-made deal that would enable us simply to leave the European Union, withdraw from the requirement for social, environmental and employment protections, and then sign up to something that would involve no such protections. That is my fear, and I shall be watching the debate on the European Union carefully and with not a little suspicion.

1.6 pm

Robert Jenrick (Newark) (Con): I thank the hon. Member for Swansea West (Geraint Davies) for enabling us to debate this issue. I am very glad that we are having the debate, and that my right hon. Friend the Minister for Small Business, Industry and Enterprise will be responding to it.

I have a great deal of sympathy with the motion. I think that we need accountability when it comes to one of the biggest trade deals in history—if not the biggest—and that the House should provide that accountability. I also think that few significant issues in politics today have been so poorly considered in the public realm. That may be due to a lack of knowledge for which, perhaps, we are all responsible. We, as parliamentarians, should play our part in trying to inform and educate the public as well as listening to them, so that everyone in the country understands the true nature of this deal. However, there has also been a huge amount of misinformation and distortion on the part of certain groups, and that has led to a general sense of concern. Like other Members, I have received hundreds of emails and letters about this issue over the last year or so. I believe that the concern is unnecessary, because there is far less to fear than those groups suggest, but a more important consideration is that it obscures, purposefully, the huge opportunity that this deal presents to all of us.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): I think that the hon. Gentleman put his finger on it when he used the phrase “far less to fear”. He said that people did not understand the deal, but that is because it has not been properly explained to them. Some of them fear that there is a Trojan horse, but whether there is or not, we cannot move forward without consensus among the public, whether they are worried about jobs, about the environment, or about the precise contents of TTIP. If people do not understand something like this in a representative democracy such as ours, what can we do?

Robert Jenrick: The hon. Gentleman has made a good point. That is why I am pleased to see that the Minister is present, and why I was pleased when, on the occasion of our last debate on this subject—in 2014, I believe—my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) responded on behalf of the Government. I want more Ministers to convey the case for TTIP to the public, engaging in a genuine, informed debate, and trying to sell the deal in a rational way. Present, it is being led by groups who have come out with some pretty poor-quality public discourse.

Some of the emails that I received this week were fairly ill informed, to say the least. I suspect that they were generated by 38 Degrees. They were all the same, apart from the fact that the adjectives varied: the deal was variously described as dodgy, dangerous, evil and sinister. There could not be a more pathetic quality of debate. Let me say to those behind the emails, “For goodness sake, have the strength of your convictions: raise the quality of debate and argue rationally, rather being so immature.”
The Government must lead the debate. They must support a project which I believe has huge potential to build transatlantic links to bring Britain and Europe closer to America, and to create a huge and important new free trade area and myriad opportunities for jobs and growth. We are not necessarily talking about large corporations; as was rightly pointed out by my hon. Friend the Member for Aberconwy (Guto Bebb), this is about businesses both large and small. Only last week, I met representatives of some businesses that will benefit from this kind of deal. They were not large corporations, but small and medium-sized businesses that were trying to make a living and create jobs.

Mr Andrew Smith: What is the hon. Gentleman’s answer, however, to the concerns raised by his right hon. Friend the Member for Hitchin and Harpenden (Mr Lilley) about the real dangers TTIP presents of disproportionate corporate power being used to manipulate a bureaucracy which is not democratically accountable?

Robert Jenrick: I will come on to that now, because there are a few specific points I want to make, some of which have already been raised by other Members. One is about healthcare. This has been a political football on both sides of the House for far too long. As my hon. Friend the Member for Aberconwy said, the Health Committee wrote to the negotiators and received an incredibly comprehensive reply, which I would recommend to any Member. I have sent it to every constituent who has written to me about TTIP. I am not a friend of the EU—I am a Eurosceptic—so it is unusual for me to say that this is one of the most straightforward, comprehensive, honest answers I have ever seen from a European bureaucrat. I say this to other Members: “Please, if you haven’t read this, read it and send it to your constituents, because it does more to debunk the myths than anything else I have seen on this debate.” I will not rehash it, but I think it is incumbent on every Member of this House to read it and to appreciate how comprehensive it is and that it demolishes all those myths and scaremongering.

Overall, suppliers are already able to offer hospital services and health-related professional services through a commercial presence in the United Kingdom. The important thing for everyone who engages in the provision of health services and healthcare through companies in this country is that they have to comply with UK standards and regulations in the same way as British healthcare providers do. Those standards will remain under the sovereignty of this country and this Parliament, regardless of TTIP.

I appreciate that there is genuine concern about ISDS, but again I think it is fairly ill informed. I was a lawyer and the first case I worked on as a trainee solicitor many years ago was for a small British investor that had used a bilateral investment treaty very similar to this one to invest in eastern Europe. This perfectly legitimate UK company had seen its licence revoked illegitimately by that Government, and this small investor was able to use that treaty to get its money back and win justice. This is not about large corporations exploiting the system; it is about all investors around the world, including our own businesses being able to hold other Governments to account and ensure that they do not make arbitrary and poor decisions that negatively affect British companies.

As we have heard, ISDS is not a novelty. This is not some new threat that has recently emerged. These clauses have been put into most trade deals for years and years. I have heard the familiar examples of odd cases and inactions around the world, but these clauses have not had the effect that has been described in the media. As we have heard, 3,400 of these clauses have been inserted into trade deals globally. The EU and its members have 1,400 such clauses in various trade deals, and the UK has 94 in our existing bilateral treaties. We have twice been challenged and we have never lost a case under an ISDS.

What we have done, however—this is an important point that has not been made—is successfully bring claims against other countries. We have had slightly more success in that regard because the point of an ISDS is to underline the value of the total agreement and make sure no individual investor or business can be disadvantaged by another Government or union of Governments breaking the obligations they have entered into and negatively affecting our own businesses and investors, large and small.

It has been said that these treaties have primarily been used in developing countries, such as in the case I just mentioned, where potentially the legal system was not as good as ours or that of the United States, but of course although the US does have a very good legal system, it is a very expensive legal system where cases can take a long time. I actually think that this would be a very useful device for our small and medium-sized companies.

Similarly, there are states in the EU—some southern European countries, for instance—where American investors I have met and spoken to over the years would be very reluctant to sail into if they had to rely entirely on taking matters to the legal processes of those states to challenge the bona fide of local officials in respect of whether they were complying with the agreement. On both sides of the Atlantic, although there would be very few cases, I think they would generally be beneficial.

I was going to talk about transparency, but nobody could have put that point better than my hon. Friend the Member for Aberconwy, and of course a degree of secrecy and confidentiality is important, because the US has very good negotiators in trade talks, and we want our negotiators in the EU, which is in a difficult position being a union of 28 nation states and Governments, to be in the best possible position in these talks, and not simply give everything away. This is one of the more transparent trade deals we have seen, and certainly one of the most transparent the EU has done, and the commissioners are trying to be as forthcoming as possible.

This free trade deal is, as we have heard from at least some Members, a huge opportunity. The United States is not a threat to us; it is the UK’s single biggest export destination. Some 17% of our exports go there, and it is important for a whole range of our sectors, such as aerospace, as we have heard about, the creative industries, and the luxury goods industry. The UK is a world leader in that, and America is home to more affluent households with disposable incomes of more than $300,000 than any other country. It is a huge market, therefore.

Only last Friday I visited a business in my constituency that is trying to put hearing loops into the New York metro, but is having to spend thousands of pounds to meet the various and complex regulatory burdens involved.
Richard Arkless (Dumfries and Galloway) (SNP): On that point, would the hon. Gentleman try to persuade his Government colleagues that the US should lift the ban on haggis, and would he welcome that?

Robert Jenrick: That is a very good point and I certainly would welcome that. I want to see British businesses from all parts of the United Kingdom getting into those markets and creating jobs.

We have heard that tariff barriers are now quite low—down to around 3%—but it is the non-tariff barriers that need to be pushed aside for the benefit of businesses like those in my constituency, and TTIP offers a huge opportunity to create the jobs and growth of the future. It is a massive potential win not just for our constituents and businesses, but for humanity as it offers an opportunity to bring the west together to protect our economic and national security.

Peter Grant (Glenrothes) (SNP): Like most of the other speakers in this debate, I am instinctively in favour of trade. Scotland has got a fantastic story to tell given the world-class quality of so many of our goods and services. We want to be able to sell them around the world, and I think that those around the world want to be able to buy them without restrictions. We should instinctively support the principle of free trade, but completely unregulated free trade is not an unmixed blessing.

We have to ask ourselves who ultimately free trade is there to benefit. Is it there to benefit a handful of major corporations, is it there to benefit a handful of well-placed people with the ear of particular Governments, or is it there to benefit the citizens who produce the wealth for all those businesses? I know where my loyalties would lie, and at the moment I am not at all convinced that free trade as envisaged in TTIP is going to give the benefits to the correct place.

We should remember that what we are being asked to agree today is not that TTIP is a good idea or a bad idea, but that TTIP should, before being set in law, be brought back and properly scrutinised and debated in this Parliament, and I would argue in the Parliaments of other EU member states as well. I find it ironic that the party whose leader is going around Europe right now arguing for better protection for the alleged sovereignty of this place in dealings with the EU also seems to be saying to us that we can trust EU officials to sign us up to trade deals and we do not need to bring the deal back to this Chamber or anywhere else in this place for it to be considered and scrutinised. Yes, there will eventually be a binding vote in the European Parliament, but there should be a proper, well-informed debate and a vote in this Parliament at the very least to give a clear indication to UK MEPs as to how we would like them exercise their vote.

Owen Thompson (Midlothian) (SNP): Does my hon. Friend agree that one of the biggest concerns about the whole process is the lack of transparency? Nobody knows exactly what is happening.

The Minister for Small Business, Industry and Enterprise (Anna Soubry): It is on the internet!

Peter Grant: My hon. Friend makes a good point. I hear the comment that it is all on the internet, but I hope that when the Government respond, or when someone responds on their behalf, they will be able to explain the following to us: if it has been on the internet and has been so widely available for so long, why is it that MEPs have been given the opportunity to scrutinise it for only the past week? That is being done not in an open debate, but in a closed room where they are allowed to take handwritten notes but are not allowed to take photocopies of that document out of that room to show to their constituents or to anybody else. Why is the EU insisting on that degree of secrecy if the whole thing is already widely available on the internet?

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP) rose—

Peter Grant: I am sorry, but I would like to make a bit of progress.

I entirely agree with the calls from across the House asking for an open and honest debate. I agree that it is deprecable if any politician or their family is subjected to intimidation because people disagree with their point of view, no matter how sincerely or passionately that disagreement might be held. However, the same people who are calling for an open and honest debate have also dismissed everybody who has concerns about TTIP, including the hon. Members for Stone (Sir William Cash) and for Clacton (Mr Carswell), as being part of some left-wing campaign. These people seem to think it is a bad thing that an organisation has made it as easy for ordinary citizens to lobby their MP as it has always been for multinationals, which get managing consultants and lobby consultants to do it for them. It seems that we have gone from being a “left-wing campaign” a few minutes ago—I have been a part of pretty few left-wing campaigns and I sometimes think we could do with some more of them—to being completely “anti-American” and then completely “anti-western”. The last time I checked I was a westerner. The only anti-western person in my household is my wife, and she is anti-western only to the extent that I am not allowed to watch cowboy and Indian films.

George Kerevan (East Lothian) (SNP): On this anti-western argument, does my hon. Friend agree that the American trade unions are just as vociferous in demanding safeguards, in particular the removal of the investor clauses?

Peter Grant: My hon. Friend is absolutely right; this is not a case of America wanting to push everything through and Europe wanting to stand in the way. There are vociferous supporters of TTIP on both sides of the Atlantic, but there are also those who have genuinely held concerns, not only in left-wing organisations, but in some business organisations, among some people, such as those I mentioned, who are certainly not left-wing politicians in this place, among trade unions, and in that well-known bastion of left-wing activism the British Medical Association, although the Government have dismissed it in those terms previously.

We are talking today not specifically about the merits or demerits of TTIP and its associated potential agreements, but about where decisions should be taken on whether
TTIP goes ahead. It would be a bit ironic if Members who have taken the time to come here to take part in the debate on whether we should have a debate on TTIP voted at the end of the afternoon not to have a debate about it. I am therefore assuming that there will be no need for a Division.

Concern has been raised about the ISDS, which we are told has now been completely replaced by the international court of something or other. We do not know exactly how that is going to operate as yet. My question is: why is it needed? Ordinary citizens who are aggrieved about the actions of the Government in their own country can try to rectify that through the democratic process, and I commend 38 Degrees for making that a bit easier for those who cannot afford their own lobbying consultants. If they feel aggrieved that the Government have acted in a way that is against the law, ordinary citizens have recourse to the legal system within their own country or within the country of the Government whom they think has acted against them. The legal system is imperfect and so is the parliamentary democracy system, but they are available to ordinary citizens. Why does a big multinational company need a further line of recourse which is not available to ordinary citizens? Why does a citizen whose family were hounded out of Zimbabwe in fear of their lives not have recourse to compensation through the international courts, yet a multinational company that is unhappy that its profits from selling tobacco in some countries may be reduced has access through an international tribunal? Why do ordinary citizens not have that? Why is that tribunal needed in the type of country that we claim to be, where there is a mature legal system, and the courts system is designed to be impartial and to give everybody a fair hearing? If the concern is about southern Europe, I point out that the nations of southern Europe are part of the European Union.

Guto Bebb: I find the hon. Gentleman’s comments fairly imperialisitic, because the implication would be that we do not need this sort of mechanism in a deal with the United States, because we have mature legal systems, but if we are having these deals with a third world country, we may need it. I find the comment odd.

Peter Grant: The point I am making is that there could be concerns about the maturity of the legal system of some countries with which we might want to enter into international agreements. The example given earlier was countries in southern Europe, but the last time I checked they were part of the European Union. If they are acting in breach of a treaty that has been signed up to by the EU, I would have thought that there would be recourse through the European courts. If there is not, perhaps that needs to be looked at. I fail to see why it is necessary to have a separate form of recourse for companies that want to sue sovereign democratic Parliaments and Governments, one that is not made available to citizens of the countries who have elected those Parliaments in the first place.

Robert Jenrick: The hon. Gentleman is making a decent point, but the UK is already in bilateral investment treaties with a range of other countries around the world that have mature democracies, and some of these treaties have ISDS arrangements. The EU, including the UK, has just signed up to one such treaty with South Korea. Is he suggesting that we withdraw from all those bilateral investment treaties around the world, including important ones such as the recent one with South Korea?

Peter Grant: I am not suggesting that at all. I suppose the question might be: if the ISDS has been so successful, why is it being scrapped and replaced by something else?

One final observation that I want to make is that although the Government clearly regard completion and ratification of TTIP as being a major selling point for staying within the EU—I believe the Foreign Secretary said as much before the European Scrutiny Committee—a sizeable body of public opinion in the UK takes the opposite view. I do not know how sizeable it is, but it is there. There are parts of the UK, including a lot of areas in Scotland, where people want to be part of the EU but will change that allegiance if TTIP goes ahead. That might be music to the ears of some Members, but the Government may be making a massive tactical mistake if they believe that support for TTIP will persuade more citizens to vote to remain in the EU. There is a serious danger that it will actually have the opposite impact. The tragic irony of it is that if TTIP is already done and dusted before the EU referendum, people will vote to leave the EU and then discover that they are still lumbered with TTIP for 20 years, because once we have signed up to it even our leaving the EU does not allow us to get out of it.

I make an appeal to Members, and this applies regardless of whether they have already decided in their own minds about the merits or otherwise of TTIP and whether they think it is a good or bad idea. Once we know the full details of what TTIP and its associated agreements are going to mean, surely we must have a proper and full debate in this place, and in the Parliaments of the rest of the EU, at least in order to give MEPs a clear steer as to how they should be exercising their vote in the binding decision that they will take at some point in the future.

Several hon. Members rose—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. He will have to stand up, but I call Andrew Percy.

1.27 pm

Andrew Percy (Brigg and Goole) (Con): I had forgotten how to do it, Mr Deputy Speaker. When I turned up for this debate, I was not intending to speak, but I have been drawn into doing so, having listened to some of the arguments made by Opposition Members. [HON. MEMBERS: “There were not enough speakers!”] That may be a factor as well. Let us start by talking about the things we agree on. It was reassuring to hear Opposition Members talk in favour of free trade and in support of trade. I want to see Welsh lamb sold in the United States, although it is not as good as lamb from Yorkshire and Lincolnshire. I even want us to export haggis, that great north of England foodstuff that we exported to Scotland in about the 15th century. I want to see that sold in the US in the right form—not with the bits missing that must be missing for it to be sold there at the moment. We can all agree on those things.
Drew Hendry: On that point about Scottish and other produce being taken forward, does the hon. Gentleman agree that the Scottish Government should be involved in the ratification of any detail of TTIP before it is implemented?

Andrew Percy: I was questioning the Scottishness of haggis. Of course, the mechanism for determining this treaty is well set out. It will be determined in the national Parliament of the United Kingdom, as it should be, just as it will be determined in the national Parliaments of the 27 other member states. The turnout of Scottish National party Members today is impressive, as it is in a lot of debates. It certainly could not be said that the voice of Scotland on this will not—

Steve McCabe (Birmingham, Selly Oak) (Lab): Will the hon. Gentleman give way?

Andrew Percy: No, I am still responding to this point. The voice of Scotland is going to be heard strongly and loudly on this issue, as it is on so many others. I just want to talk about—

Steve McCabe rose—

Andrew Percy: No, I will not give way. I have changed my mind.

I just want to talk about CETA for a moment. What the hon. Member for Swansea West (Geraint Davies) said about it being a Trojan horse is slightly offensive to the Canadian Government.

Geraint Davies rose—

Andrew Percy: The hon. Gentleman did not give way to me, so I will not give way to him.

Geraint Davies: On that point—

Andrew Percy: Perhaps the hon. Gentleman wants to say that it was not an insult. To use the term “Trojan horse” suggests that the Canadians are in some way being used as a battering ram for the Americans, which is quite offensive. CETA in Canada has the support of the new Government, just as it did of the previous Government.

Much has been said about transparency. The theories on that have been well and truly demolished by my hon. Friend the Member for Aberconwy (Guto Bebb) who quite rightly pointed out that the text of what is being debated is available, and that, at the end of this process, there will be a mechanism for approval in all 28 national Parliaments. One could argue that few things that affect us are subjected to quite so much scrutiny. I am not sure that I can subscribe to the argument of the hon. Member for City of Chester (Christian Matheson), which seems to be that the process of agreeing TTIP could be some sort of conspiracy with regard to leaving the European Union. I did not follow that argument, as it made little sense to me.

John Redwood (Wokingham) (Con): Does my hon. Friend agree that, given the big interest of many of our constituents in what could go wrong with TTIP, it is vital that the UK has both a strong influence and the right to say yes or no, as these are very important matters for our goods and services?

Andrew Percy: I could not agree more with my right hon. Friend. Indeed, I agree with him on so many matters. The issue will come before this House. As I said in an intervention, there is an element of anti-Americanism in this. I am not saying that that is being expressed by those in the Chamber today, but it did come across in an email to me. I do not hear much from 38 Degrees. The people of Brigg and Goole are too busy just getting on with their lives to waste their time forwarding me emails that are written by somebody else, telling me what their view is. I did have an interaction with someone in which I pointed out this view about anti-Americanism. There was then a trail of emails, in which I pointed out that we had all these ISDS agreements with 94 other countries, and that had only been used against us on two occasions, and never successfully. The trail ended with my constituent, who had assured me in his first email that he was not anti-American, saying, “Ah yes, but the other agreements have not had American lawyers involved.” Clearly, there is an element of anti-Americanism involved, and we should not pretend otherwise.

Hannah Bardell (Livingston) (SNP) rose—

Andrew Percy: No, I will not give way, because I will not get any extra time. [Interruption.] I have a lot to say. I could not disagree with anything my hon. Friend the Member for Aberconwy said. He made a fine speech, despite his hoarse voice, on the impact on small businesses. I represent an area that is a mix of big industry and small and medium-sized enterprises. Again, a constituent contacted me with something from 38 Degrees. I was robust with him on this position on TTIP, as I have been since I came to this House in 2010. I explained that it is of benefit to small businesses. His response was, “Well, I run a small business, and I have tried to do trade in America, and it is really very, very hard.” That is exactly my point. Those are the people who will benefit most from this agreement.

I represent an exporting centre in this country. A lot of small and medium-sized enterprises have great products to offer, but only a big corporation can afford all the skills and people necessary to navigate the regulatory difficulties; others can struggle, so this agreement will be of benefit to them.

I wish to say something about the impact on the NHS. Some of the scaremongering has been really scandalous. We looked at this matter in the Health Committee, as my hon. Friend the Member for Newark (Robert Jenrick), who is on the Committee, mentioned. We put a series of specific questions to Jean-Luc Demarty, who is the director-general for trade in the European Commission, and his responses could not have been blunter. It is worth while me reading them out for the record. We asked:

“It is also worth explaining that even without the above reservations and exceptions, the EU trade agreements leave EU governments at all levels free to regulate all services sectors in a non-discriminatory manner...Therefore, in effect all publicly funded...
public health services are protected in EU trade agreements, and this approach will not change for TTIP.”

We were not satisfied with that answer, so we asked another question:

“What would be the consequences for the provision of NHS services, including hospital, primary care and community services, if they were not specifically excluded from TTIP?”

Again, the response was clear:

“in effect all publicly funded public health services, including NHS services, will be protected in TTIP.”

We asked again:

“Does the definition of public-funded Health Services include private companies who run such services paid for from public funds? Does it include third sector organisations?”

The answer was:

“Yes, as long as the services are publicly funded, it does not matter how they are delivered.”

They will enjoy the same protections.

We get a lot of nonsense from the EU, but the answer to this next question could not have been simpler. We asked:

“Is there any opportunity after the exclusion of any public services from TTIP for other countries to challenge that exclusion and, if so, what is the process?”

In other words, can they challenge the exclusion of the NHS? The answer was, “No”—with a big fat full stop after it. It could not have been clearer. Another question was:

“Is there any action that a Member State can take outside the negotiation process to ensure that health or any other public services are exempted from the provisions of TTIP or any other trade agreement?”

The director-general said:

“As above, in the Commission’s view there is no need to take any further action to ensure this result, as public services are always protected in EU trade agreements.”

We received similar answers on charitable providers and when a national Government take back in a service. So, this nonsense being perpetrated about the risk of TTIP to the NHS is shameful. It is about trying to present an image to people in this country that big, bad, nasty American healthcare providers, which are only about profit, will come in and sweep up the NHS for private profit. Nothing could be further from the truth, as has been made clear by US negotiators. One US negotiator was really clear about this. He specifically mentioned the UK and said that TTIP is not a way of the US trying to get access to the publicly funded health system in the United Kingdom. The EU trade negotiator was very clear. He said that the service was wholly excluded already. It does not matter whether the service is privately provided, charitable-sector provided or publicly provided—it is all protected.

When people run around campaigning against TTIP and raising legitimate concerns—and there have been some legitimate concerns—about the process and ISDS, the one thing they must not do is frighten people and say that this is about American businesses coming in and destroying the NHS. The response from the EU—I never quote the EU because I do not like the EU, and I am campaigning for us to leave it—has been absolutely clear on this: the NHS is safe, whether or not there is TTIP. The only bodies that can cause any damage to our NHS, and challenge this in the way that those who oppose TTIP say, are national Governments. Governments are in a position to do the damage to the NHS, but in England, that is not happening because we have an excellent Government doing good things for the NHS. In other parts of the UK, that might be up for debate.

**Several hon. Members rose—**

**Madam Deputy Speaker (Natascha Engel):** Order. Before I bring in the next speaker, I will have to reduce the limit to seven minutes. I call Helen Goodman.

Helen Goodman: I wish to begin by congratulating my hon. Friend the Member for Swansea West (Geraint Davies) on securing this debate. I am very grateful to him for asking me to support his application to the Backbench Business Committee for this very important debate, and I agreed with everything that he said about the risks of TTIP and about the need for us to think more deeply about the institutional architecture as we move forward, so that trade, environment and labour standards are all put on an equal footing.

I also want to say what an excellent speech my hon. Friend the Member for City of Chester (Christian Matheson) made. He drew out the problems that similar arrangements have caused in developing countries. The point that he made demonstrated that those of us who are raising questions are fully in the tradition of all those who back the human rights and democratic values of Europe and America.

The Department for Business, Innovation and Skills has analysed the benefits of TTIP. Its estimate is that the gain in this country by 2027 in terms of higher GDP would be £7 billion. When one hears the figure of £7 billion a year, that sounds like quite a lot, but let me put it in the context of the amount of trade we have in this country and the huge uncertainties about the forecasts as we go forward.

**Kelvin Hopkins: I just want to make the point that statistics are bandied about for political advantage. My hon. Friend is quite right about the £7 billion, but how would it compare with the £62 billion of trade deficit with the European Union? Those are the kind of figures that make £7 billion very small indeed.**

Helen Goodman: The point that I was going to make was that the Office for Budget Responsibility, in its forecast of GDP out to 2020, has an uncertainty of 6% in GDP. That is £160 billion, so we lose the £7 billion of economic benefits in the rounding. I am not saying that there will not be some economic benefits, but we should consider how significant they are and weigh them against the disadvantages that other hon. Members have mentioned. Will this have a significant benefit for our level of exports? By way of comparison, the impact on the level of growth in the markets to which we export is expected to be £338 billion over the next five years. If we have variations in the exchange rate, that will be far greater than the possible benefits we can get from this trade deal.

I am resting my case on the analysis from the Minister’s Department. On the assumption that the Department has got this right, each person in this country would benefit to the tune of £110 a year, or about £2 a week. It is very nice to have £2 a week and I am sure that we
would all rather have it than not, but if the price that has to be paid is a loss of working conditions, labour standards and potential improvements in the national minimum wage or national living wage, the benefits will not in practice accrue to ordinary people in this country. That is why people have doubts about this.

Colleagues have raised the concerns about the national health service, the environment and food standards. I think that the carve-out in the European Commission’s negotiating mandate secured by the French on audio-visual services is extremely important; it is also important that we maintain our cultural resources.

Let me come to the big downside of TTIP, which is the loss of sovereignty inherent in the investor-state dispute settlement. The intellectual integrity and honesty displayed in the speech of the right hon. Member for Hitchin and Harpenden (Mr Lilley), a former Secretary of State for Trade and Industry, made it a very important contribution to the debate.

Mr Spellar: Is not the logic of the right hon. Member for Hitchin and Harpenden (Mr Lilley) just as much that he would rather we were not involved with the EU either, as another supranational body? Is there not a danger in this line of argument?

Helen Goodman: There is nothing in our arrangements with the EU that is similar in any way to the private court system under the ISDS. That was the point that the former Secretary of State was making.

My right hon. Friend the Member for Warley (Mr Spellar) said earlier that not many cases have been taken under ISDS or won under ISDS, but it inhibits ministerial action because Ministers are worried about court cases. My hon. Friend the Member for City of Chester made the point that in developing countries the costs of running these court cases are a further inhibition on ministerial and democratic action.

Geraint Davies: Does my hon. Friend not agree that in most ISDS cases, we are the investor in developing countries, and we would be the ones to take action? In the American cases, they would be taking action against us. We have all the fire to come.

Helen Goodman: My hon. Friend makes a fair point, but I just want to say that I think that Ministers are inhibited from taking policy action by fear of court and legal proceedings. When I was a Minister at the Department for Work and Pensions, albeit a very junior one, I was interested in the entitlements to benefits of migrants from eastern Europe. My officials not only would not make the changes I was asking them to make, but would not even give me advice on the matter. They said, “Minister, to advise you on that would be to advise you on an illegal action.” That is exactly the kind of conversation Ministers will get into with the ISDS.

Mr Lilley indicated assent.

Helen Goodman: I am pleased to see the right hon. Gentleman nodding in agreement.

Robert Jenrick: The UK has 110 bilateral investment treaties, almost all of which have ISDS, including with some very sophisticated countries such as Singapore and Hong Kong, where the legal system, certainly for commercial cases, is acknowledged to be excellent and akin to ours. Is the hon. Lady saying that the UK should withdraw from all or some of those bilateral investment treaties, on the basis of her previous experience as a Minister?

Helen Goodman: I am not saying we should withdraw. Perhaps we should have more parliamentary scrutiny of what is going on under the arrangements we have; perhaps we are shedding a light on them; and perhaps we should be grateful for those constituents who have alerted us to the issue. I am grateful not because we have to accept every single message in its last detail, but because they have triggered my looking into this more deeply.

Lack of transparency in the negotiations, weak parliamentary scrutiny and the risks mean that it is very important that we do not agree to this measure unless we strip out the ISDS. I am extremely pleased to support the motion this afternoon.

1.46 pm

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I last spoke on this issue in February 2014, and I started out, as I will now, by noting that Wales is a proud exporting nation, despite recent setbacks. Wales outperforms the other component parts of the UK, and according to HMRC statistics we have a trade balance of £5.86 billion based on 2014 figures. By contrast, England has a deficit of £125.6 billion.

Despite recent setbacks in Welsh exporting figures, the potential of a trade deal for Wales is hugely significant, but it should not come at any price. The cost should certainly not be the destruction of public services or environmental and safety standards, or the subversion of public justice to one law for corporations and one law for everybody else. I should state from the outset that I am in favour of further developing trade links between the EU, which is already the world’s largest trading bloc, and the United States. However, I still have many reservations about the proposed TTIP, despite the recent attempts by the European Commission to allay those concerns by proposing alternatives.

It is a great irony that the UK Government are dead set on ploughing ahead with TTIP while at the same time jeopardising the future of Wales and the UK within the EU with a referendum conceded in panic by the Prime Minister when UKIP were hot on the Tories’ tails. I see that the renegotiation is not going as well as he planned and I suspect that the charade of Tory unity on this issue will disappear very rapidly as the referendum approaches.

Guto Bebb: Is the hon. Gentleman not concerned that the attacks on TTIP, which is being negotiated by the European Union, are in effect undermining our relationship with the European Union? Is it not the case, therefore, that some of these outspoken attacks are more damaging to the position that he supports, which is continued Welsh membership of the European Union?

Jonathan Edwards: I am grateful for that half-clever intervention. The biggest danger to our relationship with the EU is Tory policy on the needless referendum that we will be having in the next year.
When I spoke on TTIP 22 months ago, I set out many of the concerns that I and my party, Plaid Cymru, had regarding the proposal as it stood then. I set out our concerns about the highly controversial ISDS as well as the potential for the agreement to allow for the privatisation of public services despite the public’s desire to keep those services in public hands, not to mention the concerns over lowering environmental and safety standards through so-called harmonisation.

The economic benefits of TTIP are contested. A study for the Department for Business, Innovation and Skills estimates that the gains for the UK would be £4 billion to £10 billion annually by 2027. However, the average tariffs on trade between the EU and the US are already relatively low. Therefore, many of the proposals within TTIP and much of the negotiation are centred on non-tariff barriers to trade, such as product regulation and standards, which would need to be harmonised, and measures to protect the rights of investors.

Rachael Maskell: Does the hon. Gentleman agree with the Tufts University analysis of TTIP, which concludes that we would suffer a net loss as a result of the proposals for the future of our economy?

Jonathan Edwards: I have not read that report, but I take the hon. Lady’s word for it.

The estimates overstate the gains, and alignment of regulatory standards in areas such as consumer safety, environmental protection, procurement and public health could have substantial social costs. Wales’s existing trade with north America has grown rapidly over the past decade and a half as a share of our overall exports, without TTIP in place. Of course, a trade deal could help to grow that even further, but that should not happen at any social cost, and certainly not at the risk of further hollowing out Wales’s industrial base. Any trade deal that does go ahead should definitely not be a large corporation closed shop in relation to trading across the Atlantic, as TTIP most definitely appears to be at present. Some 99% of Welsh companies are SMEs, making up the backbone of the Welsh economy. In any trade deal they deserve as much of a look-in as the big companies.

Alongside the potential for the default privatisation of public services such as health, the most controversial element of TTIP so far has been the ISDS provisions, which would allow investors to bring proceedings against Governments who are party to the treaty. The proceedings would be heard in tribunals outside the domestic legal system, meaning that Governments might determine policy with an overriding fear of being sued by corporations—a point made earlier. I said the last time I spoke on TTIP, and I will say again, that the US and the EU already have advanced legal systems. Neither is a banana republic, and corporations should abide by the same well-functioning legal system as the rest of society.

Throughout Europe, including here in Wales and the UK, Governments have been listening, and the UK Government and the European Commission have sought to allay concerns via a new proposal for an investment court system, published only last month. It appears, though, that they are only changing the name. My original point is relevant and remains valid. We already have a highly advanced court system in existence in all the places within the reach of the proposed trade agreement. The proposals for any alternative shadow legal system should be dropped immediately. Not to do so is an affront to democracy.

Given that public services are devolved, the devolved legislatures and Governments of the UK should have a veto over TTIP.

Jim Shannon (Strangford) (DUP): I want to put on record how TTIP could affect NHS contracts. We in the Democratic Unionist party are totally opposed to it for that reason. We also oppose ISDS. As health is a devolved matter, we want to put it on record that it should be the regional Assemblies and Parliaments that make the decisions, and the Government should liaise closely with them. Does the hon. Gentleman agree?

Jonathan Edwards: I entirely agree with the hon. Gentleman. I am sure there will be some collaboration on the issue between Northern Ireland, Scotland and Wales in the near future. Those areas of public service delivery are the competencies of those Administrations. They might have a different agenda from the UK Government, and devolved Administrations should be fully consulted on and fully involved in any ratification of TTIP by the UK Government.

I am grateful to groups such as Global Justice Now and the Council of Canadians as well as Unison for bringing to my attention CETA, the comprehensive economic and trade agreement between the EU and Canada, often referred to as TTIP’s little brother. Although there is much public awareness of the TTIP negotiations, CETA is on the verge of being ratified but is not receiving the scrutiny or attention it deserves. CETA includes the most controversial part of TTIP, investor-state dispute settlement. Many US firms have Canadian subsidiaries, thereby allowing US firms to operate in the EU market. Public services are vulnerable because CETA locks in current levels of liberalisation, meaning that future Governments will find it extremely difficult to stop Canadian companies delivering public services in the EU. CETA is due to be fully ratified in mid-2016, and I urge the UK Government, the Welsh Government and the public to reject this deal unless the safeguards that I have outlined in relation to TTIP are put in place.

The public and politicians should also be aware of the Trans-Pacific Partnership, which is little known over here. Again, the criticisms of this proposed deal bear the hallmarks of TTIP and CETA—secrecy, and the fact that large corporations will exert undue influence over public policy through shadow legal systems.

In conclusion, I am still optimistic that a trade deal aimed at further reducing tariffs in order to secure a level playing field can be achieved, and I believe it would benefit Welsh exporters and our economy as a whole. Many of the environmental standards that the EU requires from its producers and manufacturers should not be compromised. They are already above and beyond those required in the US, placing us at an advantage without the potential social costs that would result from the proposals that are the areas of major concern. In order for any trade deal to have my support and that of Plaid Cymru and the wider public, it must unequivocally drop any proposals for a shadow corporate legal system and ensure that the EU’s existing environmental and social safeguards are maintained.
1.55 pm

Kelvin Hopkins (Luton North) (Lab): I congratulate my hon. Friend the Member for Swansea West (Geraint Davies) and other colleagues on securing this important debate. I also congratulate my hon. Friend the Member for Bishop Auckland (Helen Goodman) on her speech. Like her, I agree with much of what the right hon. Member for Hitchin and Harpenden (Mr Lilley) said in a very honest speech.

I am of the left. The Conservatives accuse some of those who oppose TTIP of being on the left. Well, I am of the left. I call myself a democratic socialist, but as our party defines itself in its constitution as a democratic socialist party, I think I am in the right party and I am happy and proud to be so.

Those who support TTIP should read “Fighting TTIP, CETA and ISDS: Lessons from Canada” by Maude Barlow on behalf of the Council of Canadians. Everything they say will be shown to be wrong when they read that.

TTIP must be opposed with all possible force as a dangerous attempt to negate meaningful democracy. It is designed simply to hand economic power to global corporations and to prevent democratically elected Governments from acting in the interests of their peoples. It has been negotiated largely in secret between private corporate representatives and bureaucrats, with no real democratic political involvement and certainly no representation from workers and their trade unions. On the continent of Europe millions of workers are aware of the dangers, and it is vital that the people of Britain, especially the working people of our country, also become properly aware of the dangers before it is too late.

I mentioned Europe and have seen evidence of the growing resistance to TTIP there. I was recently in Brussels, on the day of the European Council, when the Prime Minister announced his intention to write his famous letter to Donald Tusk. What was also significant on that day was the complete lock-down of the political centre of Brussels to protect politicians from a massive anti-TTIP demonstration. There were police road blocks at every turn, with water cannon at the ready and public transport services in the area closed down. I could not persuade a taxi driver to take me anywhere near my destination, and the metro was not stopping at the station serving the political district. Most significantly, there seemed to be an effective news blackout of the demonstration, so the political and bureaucratic establishment was doing its bit to protect the interests of the corporate capitalist world.

There will, of course, be all sorts of public reassurances from that same political establishment that TTIP will be benign and beneficial. That is a lie. If TTIP eventually becomes established, there may be some superficial qualifications, which will simply be pushed aside when the private corporations get their way. There is a parallel in the European Union’s hypocritical and empty commitment to workers’ rights and trade union rights—the sham of so-called social Europe. The Viking and Laval cases show that when push comes to shove, employers’ rights override any supposed worker rights. The Greek bail-out required the Greek Government to restrict trade union and worker rights as a condition of the bail-out, and there is more of that to come.

Now we see the nomenklatura of the European Union seeking to sell out workers’ rights, trade union rights and citizens’ rights to control their own lives and their societies through their elected democratic Governments. We are moving towards the referendum on Britain’s EU membership, and millions of trade union votes will be a significant factor in that referendum. The TUC is strongly opposed to TTIP and my own union, the GMB, is likely to recommend a vote to leave the EU if TTIP goes ahead. If 6 million public sector trade unionists fear that TTIP is going to happen, with the likely threat of privatisation of our public services without redress, and the threat to the services they provide and their livelihoods, they will vote to leave the EU.

I have argued that the EU is fundamentally anti-democratic, although some of my colleagues may disagree. If the Commission does a deal with the US and the corporations, that will confirm what many of us believe—that the EU is an agent of the global private corporate world.

Patricia Gibson (North Ayrshire and Arran) (SNP): The hon. Gentleman talks about the threat to public services. Given that the people of Scotland were told by the Better Together campaign that the best way to protect Scotland’s NHS was to vote no in the independence referendum—the People’s NHS is organising a very effective campaign in Scotland—does he agree with the position of the First Minister, who has asked the Prime Minister specifically to exempt the NHS from TTIP?

Kelvin Hopkins: I would certainly support that.

Over 10 years ago Tony Blair wined and dined American health corporations in Downing Street as a prelude to what has been happening. Private companies, with the connivance of the current Government, are even now buying into bits of the national health service to make a profit, cherry-picking the most profitable bits and leaving the difficult bits for the public sector. I believe that it is time for us all, especially in the Labour party, to wake up to the dangers and reject TTIP before it is too late.

2 pm

Ronnie Cowan (Inverclyde) (SNP): I commend Conservative Members for sitting through this entire debate; if I had gold, silver and bronze medals to hand out, I would have one medal too many.

I agree with the general principles of the motion. It is entirely appropriate for an all-encompassing agreement such as TTIP to be scrutinised by elected representatives in this House and in the European Parliament. As Members are aware, negotiations on the agreement began in July 2013. During the subsequent two and a half years it has been extremely difficult for elected representatives at any tier of government to acquire clear information about it. Holding negotiations behind closed doors rarely instils public confidence, particularly when the results of any agreement will have wide-ranging political and economic ramifications. Unsurprisingly, this lack of transparency has generated widespread public scepticism about the proposed agreement.

Drew Hendry: On that point, if the TTIP agreement is as benign as we have been told, particularly for the NHS, does my hon. Friend agree that we should get the details out into the open so that they can be debated properly in this Chamber?
Ronnie Cowan: I agree with my hon. Friend. My Scottish National party colleagues, whether MSPs, MPs or MEPs, have held a consistent position on TTIP: although Scotland might benefit from a free trade agreement with the United States, we require a number of assurances before we can give the proposals our full support. First, under no circumstances can TTIP threaten NHS Scotland with privatisation. I previously wrote to the Prime Minister regarding that specific issue, as did the Scottish Government, who urged the UK Government “to ensure that the NHS is fully and explicitly exempt from TTIP and, if that is not the case, to use its veto at the European Council to prevent TTIP progressing”.

The UK Government’s response expressed the opinion that TTIP poses no threat to the NHS. I know that my constituents will not find the assurances of a Tory Government sufficient evidence that the NHS is safe from privatisation.

Unionist Members will no doubt say that health is devolved to the Scottish Parliament, but I remind them that any privatisation of health services in England will have associated funding implications for Scotland. It is unfortunate that no clear evidence has been provided regarding the protection of NHS Scotland and that we are instead reliant on an assurance from the EU and the UK Government that we should not be concerned. Legal advice sought by Unite the union was quite clear in concluding that the NHS is:

“Included in the material scope of the TTIP”.

The concerns of many people in Scotland about TTIP and NHS privatisation could easily be alleviated by an explicit opt-out for the NHS in the text of the agreement. As yet that has not been forthcoming. The SNP will continue to engage and advocate for NHS Scotland to receive adequate protection.

Rachael Maskell: Would it not be better to have a positive list of what is included in TTIP, rather than a negative list of what is excluded?

Ronnie Cowan: I could not agree with that. Either way, we need to have the assurances in writing.

Worryingly, there are already examples of Government policy changes resulting in legal action from foreign investors, including in the health sector. We must do everything possible to oppose such a situation in the UK’s nations. I would add that the European Commission’s proposal to replace the investor-state dispute settlement mechanism with the investment court system is little more than a rebranding exercise that will not alleviate the concerns that have been raised. It is unclear to me why an entirely separate legal mechanism is required to “protect” investors from national Governments. Foreign investors should not have the privilege of a special court, and multinational corporations, like individuals, should continue to operate entirely within the existing legal framework.

For those reasons, the text of any TTIP agreement must be subject to parliamentary scrutiny before the UK votes on it at European level. The Scottish Parliament must be part of that process, as Holyrood is best placed to determine the effects of any agreement on Scotland.

I have no objection in principle to free trade agreements, but it must not be free trade at any cost. The potential threat to NHS services, the transfer of powers to the private sector and the lack of transparency in the negotiation process are all areas of serious concern. It may yet be possible to reform TTIP in a positive way, but that can be done only when elected representatives have a more active role in drafting the agreement. Until the European Commission recognises these concerns, I am unable to see how any elected representative can give unqualified support to TTIP.

2.6 pm

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): I marvel at the utter certainty of the many hon. Members who are not here. Before negotiations are even completed, they seem to know what is in the final settlement. I marvel, in particular, at the hon. Member for Brig and Goole (Andrew Percy), as we can see him fading away into the mists of the past—

John Nicolson (East Dunbartonshire) (SNP): Like Brigadoon.

Roger Mullin: Yes, like Brigadoon. I marvelled at his utter certainty and faith in the European Union as he read a letter to us for two and a half minutes. We can be comforted by the fact that we received assurances from the UK Government, and from Government Members, on a negotiation that is not complete, and unlikely to be completed for a considerable time.

I am in favour of international trade—it would be surprising if I were not, as the Member who represents the constituency that was home of Adam Smith. It would be wise of Government Members, had there been any here, to read some of his writings and see what leads to free trade and effective markets. My concern is that much of what is being proposed takes inadequate account of small and medium-sized enterprises, for example. We will be faced with a costly, bureaucratic and legalistic international court system.

Drew Hendry: Given the historically important factors for Scotland, such as shellfish and wild salmon, does my hon. Friend agree that it is vital that the Scottish Government understand the implications of the details of any TTIP agreement before it is implemented?

Roger Mullin: Absolutely. That is a particularly important reason why it is not only this House that needs fully and properly to debate any final settlement; it also needs to come to the devolved authorities, and not only in Scotland, but in Northern Ireland and Wales—I assume that Members from Northern Ireland and Wales would welcome that opportunity. If there is anything that new Members, who have been here for a mere six months, have come to understand, it is that this Government have no interest whatsoever in the concerns of the Scottish economy, and it is matched only by their complete ignorance of it.

Anna Soubry indicated dissent.

Roger Mullin: Well, the lady on the Government Front Bench can do her snide little waving, but it does not hide the truth of my statement. [Interruption.] Yes, does she wish to intervene? [ Interruption. ] Silence is golden in some cases.

I commend the hon. Member for Swansea West (Geraint Davies) for securing this fine opportunity to debate this important issue, but I am sure that he, like me, is very disappointed at the lack of interest shown by
Government Members in international trade. I have particular interests that have not been mentioned so far, so I am going to take a little time to delve into one or two other areas.

I became aware some time ago that the Department for International Development had commissioned a study by the University of Sussex on the impact of TTIP on developing countries, or what it called “low income countries.” I would like to read into the record one of the paragraphs produced by the University of Sussex for the Government:

“A transatlantic agreement carries potential threats...in some sectors. The reciprocal removal of...most favoured nation tariffs in transatlantic trade could entail LIC...low income countries—lose market share to the TTIP partners as a result of the fall in tariffs and other barriers.”

In other words, and to put it simply, the removal of barriers to partners within the deal while maintaining barriers elsewhere will make it more difficult for international trade to be accessed by some of the world’s poorest countries, which we should be encouraging to engage in trade. I am concerned about that and hope that when the Minister responds, she will address the effect that the proposal will have on some of the poorest countries in the world.

Like many Members who have already spoken, I am also concerned about the great democratic deficit in the proposed investor-state dispute settlement or, as it is becoming known, the international court system. I was particularly intrigued by the comments of the former Secretary of State for Trade and Industry, the right hon. Member for Hitchin and Harpenden (Mr Lilley), that he was greatly concerned about the issue. ISDS will put in place a system that could usurp the legitimate democratic processes of those countries involved. On this point, as on so many others, those of us who are concerned have been reassured and told that we are foolish because there have been 94 ISDS agreements and nobody ever uses them. If that is the case, allow me to save millions of pounds in negotiating them by suggesting that they be immediately dropped. Then everybody will be happy and content, will we not? Some of the arguments strike me as completely and utterly fallacious, if enjoyable near Christmas time.

I wanted to refer to many other issues. I have been encouraged by my fellow SNP MPs to respond to all the detailed contributions made by Government Members, but since they are not here to hear my words of wisdom, I think I will save them for a more convivial time, in order to take them to task.

John Nicolson: For those of us who are having trouble seeing across the aisle, will my hon. Friend, for the record, remind us how many Conservatives are taking part in this debate? Perhaps he could count them for us.

Roger Mullin: My hon. Friend is being very unkind. I believe there is one to come, but I do not see the right hon. and hon. Members who I would have expected to be flooding the Government Benches, had they a genuine interest in international trade or in the issues under discussion. They have gone away, like much of this Government’s policy.

If anybody needs to be convinced that we need to be concerned about TTIP, the democratic deficit and the way in which it provides favours, but only for the large corporations, this debate has served its purpose and served it well.
Such is the interest in the city that we have had a series of public meetings, one of which I organised. I was very pleased to welcome my colleagues Richard Howitt and Lucy Anderson, who are both Members of the European Parliament, to help throw light on what for many people is still a deeply opaque process.

Of course, I agree with other hon. Members that trade agreements are important, but they are also intricate and complicated, perhaps inevitably so. For many of our citizens they seem very remote, and they are often negotiated under wraps. Even to those of us who are following the detail, TTIP can seem fiendishly complex, but it is so important that it cannot be ignored, which is why we must keep asking questions and make sure that they are answered to our satisfaction.

As other hon. Members have pointed out, of course we are in favour of trade agreements. They bring significant benefits and boost trade and growth, and they should secure and create jobs, bring down costs and extend choice for consumers. The Government tell us that an ambitious agreement could add as much as £10 billion annually to the UK economy in the long term, which would be good for jobs and good for consumers. That would, indeed, be welcome, but those economic benefits are contested, and I suspect that, in truth, the reality is that there is simply no way of knowing for sure at this stage what the potential gains may be. We should beware of hyperbole. We need to be able to weigh the possible benefits against the possible risks, which is why the Government should assess, in a transparent, comprehensive manner, what the real economic impact might be. I understand the Business, Innovation and Skills Committee has recommended that this assessment should set out the potential benefits and risks on a sector-by-sector basis, which would probably provide much sought-after clarity.

There are many concerns about TTIP, and they have been well rehearsed in this debate. I share with many hon. Friends the concerns about the impact on public services, particularly the national health service. The investor-state dispute settlement mechanism might gift transnational corporations the power to sue countries for profits that have been lost as a result of that country’s policy decisions. There is a very real fear that the inclusion of the ISDS mechanism will prevent a future Labour Government from reversing the Health and Social Care Act 2012 in England owing to the fear of the cost of legal challenges they may face.

Mr Spellar: If companies have existing contracts as a result of privatisation, can they not, under contract law, take action in the domestic courts? Is that not the problem, rather than that there will be a new legal procedure?

Daniel Zeichner: I certainly agree with my right hon. Friend that real problems are created by our own Government, and we do not just have to fear TTIP, but TTIP might make the situation worse. As someone who endured the horrors of a tortuous and expensive tendering process for our health services in Cambridgeshire during the past few years and has seen it collapse spectacularly and expensively in recent weeks, my advice to the House is: “Don’t go there.”

We have had reassurances from Ministers. Recently, the Minister for Skills said that “the Government were entirely satisfied that the position regarding TTIP would not threaten the public status of our NHS or other public services. We were entirely satisfied that there was absolutely no intention on the part of the Commission in negotiating the agreement, or on the part of any other EU member state, to allow the status of either our public services or theirs to be threatened.”—[Official Report, 9 July 2015; Vol. 598, c. 568.]

I must say that I am not so sure, not just because of who told us that, but because, from what I have heard, my constituents are not satisfied and because we will not be satisfied until we have concrete proof that a TTIP deal would not irreversibly expose the NHS to competition and threaten its very basis as a public service.

Finally, TTIP is no ordinary trade agreement. Its prime objective is the removal of regulatory barriers to trade, but there is a significant gap between EU and US regulations in a host of areas—safety at work, food production, the use of pesticides and GM crops are just some of them. The danger is that instead of TTIP harmonising regulations upwards to remove regulatory barriers, it will seek the mutual recognition of regulations between the EU and the US. That will inevitably lead to pressure for deregulation in the EU, as EU businesses find that they can no longer compete against US companies that operate to inferior standards of environmental protection and health and safety legislation.

Jo Stevens: There are significant concerns about the United States not ratifying the International Labour Organisation conventions and about violations of fundamental labour rights in the United States, such as the right to organise and the right to negotiate collectively. Does my hon. Friend support the implementation of those core ILO standards within TTIP?

Daniel Zeichner: It would most certainly be good for our Government to recognise many such obligations, and certainly to do so within TTIP. I wanted to conclude that section of my speech by saying, to put it rather crudely, that the US can keep Donald Trump—we do not want that here.

These issues are not easy to resolve, but we should proceed with caution. A trade agreement that brings economic benefits for our country is undoubtedly welcome, but putting ourselves at a disadvantage, undermining our public services and weakening consumer and workplace safeguards is not. We deserve to know what is going on and we demand that the Government stop ducking and dodging and ensure that future negotiations with the EU and the US are done in the open so that everyone can make an informed judgment.

2.23 pm

Mark Durkan (Foyle) (SDLP): It is a pleasure to follow the hon. Member for Cambridge (Daniel Zeichner). Like him, I have heard many concerns expressed by many constituents in relation to this issue at a number of levels. They do not come at it with an anti-American point of view. My constituency enjoys significant US corporate investment—would that we had more—and many people are employed by firms that are US-based or were US-based but now have a more global formation. The city of Derry has long been key to the transatlantic partnership. It was a key transatlantic port for many years, and even during the second world war. As Base One Europe, the Americans’ first base in Europe in the second world war was in Derry. In fact, they started building it six months before Pearl harbour.
My constituency gives such transatlantic relationships a very positive embrace. We are not against anything transatlantic, we are not against trade, we are not against investment and we are not against partnership, but people have a right to be concerned about what has been proposed and to make sure that parliamentarians—at Westminster, in the European Parliament and, I hope, in the Parliaments of other member states—will do due diligence and give due scrutiny to what is involved, because the potential is significant.

I do not dispute that some aspects of TTIP are potentially very positive. I have listened to the arguments that some hon. Members have made in offering assurances about what this trade deal actually represents. However, they too must listen to people’s serious and genuine concerns. I congratulate the hon. Member for Swansea West (Geraint Davies) on introducing this debate, but I also congratulate the right hon. Member for Hitchin and Harpenden (Mr Lilley) on helping to delineate carefully some of the different issues involved.

We have to make sure that we are not creating, in the name of all the good we want to happen in relation to trade and investment, any new constructs that are beyond accountability, meaning that we end up with transnational capital having more legal clout than the parliamentary systems of democratic states in determining public policy and national law.

It is also important to recognise that some hon. Members have cited the assurances given either by Ministers in this Parliament or by members of the European Commission. Some people say, “Well, other investor-state dispute settlement systems have not resulted in cases being lost.” We know that past performance is no guarantee in relation to future prospects. We particularly need to recognise that the scale involved in this deal is much greater than that involved in any of the other existing bilateral ISDS set-ups.

We must remember that there is potential not just for cases against the UK to be lost, but for cases against other member states to be lost, which would then create case law that could, in turn, be used against the UK and other member states. That is a key worry for the devolved Administrations: what are the consequences for them of cases brought elsewhere? Indeed, the devolved Administrations may be targeted—for example, a case may be brought against a devolved health service—because they are seen not to have very deep pockets and are seen not to be in a strong position to hold out against such a case. For some corporate interests, that may then be a Trojan horse to get into other UK services.

We have had such an experience in relation to the EU. The fact is that the European Commission has often introduced directives, and given assurances about its intentions and the import of those directives, but has not then been in control of subsequent European Court of Justice decisions. Such EJC decisions have meant that the European Commission has had to revise its guidance to member states, and member states that previously relied on those assurances have had to bow to different demands.

Christina Rees: Does the hon. Gentleman think that a separate judicial system available only to foreign investors is called for?

Mark Durkan: That could be one answer. There may be something in that. It is interesting that the European Commission seems to have accepted that there are some problems with the proposed ISDS. I noted on the record that the hon. Member for Brigg and Goole (Andrew Percy) said that some legitimate concerns about the ISDS had been made, although he did not tell us what they are. Does the proposed investment court system answer all such questions? I am not sure that it does, and we must look at that. We must come up with a system that actually works in all terms: yes, one that provides free trade, open trade and fair trade, but also one that protects public services in this country.

We must remember that aspects of TTIP have previously been debated in this Chamber and elsewhere. Indeed, the hon. Member for Eltham (Clive Efford) introduced a private Member’s Bill during the last Parliament. I was on the Public Bill Committee on the National Health Service (Amended Duties and Powers) Bill. It was filibustered by Conservative Members who wanted to stop a private Member’s Bill that would have provided belt and braces protection against the implications of TTIP for the health service. If they thought that the protection was already到位 and the Bill was superfluous, it seems strange that they would go to such lengths to filibuster it. The hon. Member for North East Somerset (Mr Rees-Mogg) treated us to hours of papal encyclicals on social good and health. We were treated to his version of “Top of the Pops”, all in an attempt to stop this House putting in place a bulwark to protect health services. That makes people suspicious of the true import of this agreement.

The hon. Member for City of Chester (Christian Matheson) was right to ask how this issue will play into the EU referendum. He said that the arguments that are being made for TTIP could be used by people who want to exit the EU to say, “We can have all the benefits of trade outside the EU.” On the other hand, the referendum will probably be highly personalised as the Prime Minister’s referendum and, as he will have little to show from his renegotiation that will persuade the doubters on his Back Benches, he will instead go before the electorate saying, “If you don’t stay in the EU, you won’t have the benefits of TTIP.”

This referendum may well be sold, as was the original referendum, on the basis of market opportunity. If the market opportunity is the TTIP market, this might become a very significant issue during the campaign. The experience in Ireland shows that issues that appear to be esoteric and technocratic can become the running strand in a referendum—one does not know where that will lie. The fundamental misgivings that people have about TTIP need to be addressed now through proper scrutiny; otherwise we might find ourselves casualties of the public debate during the referendum campaign.
The position of the Scottish National party on the proposed trade deal has been clear and consistent, and was reached democratically by the membership of our party. I reflect the views of my hon. Friends, the membership of my party and many, many Scots when I say that we have real and legitimate concerns about a number of the proposed provisions in the trade agreement that would threaten the ability of elected Governments in Europe to act and regulate in the public interest. I will touch on those concerns later.

At the outset, I will address the value of international trade and foreign direct investment, which are vital to our economy. The debate on this trade agreement is not about the principles of free trade. I and my party are passionately pro-trade. Instead, this debate is about the need to achieve a balance. There must be a balance between securing opportunities for further international trade and doing so transparently, while protecting the integrity of democratically elected Governments to run public services and make decisions in the interests of the people they were elected to serve.

Scotland is an avowedly outward-looking and ambitious nation, and is punching well above its economic weight. According to Ernst & Young, Scotland was the UK’s most successful inward investment magnet outside London last year in terms of the number of investment projects secured. In all, 80 separate inward investment projects came to Scotland last year, almost half of which were from the United States. There is a pattern of competitive excellence. Over the past 10 years, Scotland has secured more than 37,000 jobs from foreign direct investment, making it a narrow second to London but well ahead of other parts of the UK. In the past six years, under the SNP Scottish Government, the value of international exports has increased by 40%. That is good for Scottish business, good for the Scottish economy and good for working people in Scotland. The internationalisation of Scottish business, boosting exports and attracting foreign direct investment remain key to Scotland’s economic strategy. My point is that Scotland is a proud and successful trading nation.

In the interests of balance, it would be remiss of me not to highlight the Conservative Government’s record on trade and exports. There were 4,000 fewer British businesses exporting in 2014 compared with the number that traded internationally in the previous year. Earlier this year, it emerged that the Chancellor has presided over the largest annual trade deficit since records began in 1948—a deficit of £92.9 billion, which is the equivalent of 5.1% of GDP at current market prices. The claim that the Government lay to economic credibility is a myth and it lies in tatters.

I highlight that trading record because it is important to recognise that the economic achievements of the SNP Scottish Government are characterised by an openness to trade with our partners and friends around the world. We welcome the opportunity to forge better trade links and encourage our businesses to release their international potential. However, TTIP represents better trade links at the expense of transparency and democracy, and potentially at the expense of good public services owned and managed by the public. I will address three specific concerns.

The first concern relates to the investor-state dispute settlement, which has been much talked about today. We have seen movement on this issue over the past few months from the European Commission, which has conducted somewhat of a rebranding exercise with its revised international court system, which replaces ISDS. Although the ICS proposals contain a number of important reforms of ISDS, the changes are nowhere near what is required to overhaul the inherently unfair system of extra-judicial rights for foreign investors. The fundamental question of why private companies require the ability to challenge public policy decisions made by democratically elected Governments remains unanswered.

This is not a fringe concern. Without intimating any political preference in the upcoming US presidential election, I highlight the comments of Hillary Clinton in her book, “Hard Choices”. I commend it to the House—it is a great read. She says of trade agreements that “we should avoid some of the provisions sought by business interests, including our own, like giving them or their investors the power to sue foreign governments to weaken their environmental and public health rules”.

While I am talking about views in the US, it is interesting to note the letter of objection to ISDS, which claims that it weakens the rule of law, that was signed by eminent lawyers and academics such as Judith Resnik, professor of law at Yale, and Nobel laureate Joseph Stiglitz.

The SNP has repeatedly pressed the Government for an explicit exemption from the agreement for the national health service. There must be absolute clarity that although the UK is, for the time being, the member state, any decision it takes in the context of TTIP, such as opening up the NHS in England to greater private sector involvement, in no way interferes with the Scottish Parliament’s devolved responsibility for the Scottish NHS. I commend the campaigns that have stimulated public interest in the potential consequences for important public health services, particularly the People’s NHS campaign. I urge the Government to pursue meaningful exemptions for the NHS.

Alison Thewliss (Glasgow Central) (SNP): Does my hon. Friend agree that it is concerning that the public information campaign on TTIP has been left to such grassroots organisations? They are going out and making the case to people on the streets on a voluntary basis, but there is no wider campaign.

Hannah Bardell: I share my hon. Friend’s concern. Perhaps we should draw on the experience of the Scottish referendum, which showed that full engagement and full transparency allow full participation in these processes. It is important that the public have all the information available to them.

My second concern about the potential impact on Scotland of a ratified TTIP is the effect on protected food names and geographical indicators.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): This week, we had an excellent Westminster Hall debate on bees and the use of neonicotinoids. There are worries that TTIP could water down the regulations on pesticides. Does my hon. Friend agree that, in addition to the threats to names and geographical indicators, TTIP poses other threats that could affect Scotland’s clean, green status and its £14 billion food and drink sector?
Hannah Bardell: My hon. Friend makes her argument eloquently, and I share her concerns.

I understand that in the course of the negotiations the UK Government have suggested three Scottish products—Scotch beef, Scotch lamb and Scottish farmed salmon—for inclusion in TTIP as protected geographical products. However, there are at least 11 other protected Scottish food names which must have clear and explicit protection in TTIP. The consequence of this not happening would be the potential flooding of the market with imitation products. I invite a commitment from the UK Government that they will negotiate for the inclusion of special protections in TTIP for the full range of protected Scottish product names.

Negotiations on the scope of TTIP began in July 2013, but the people of these islands, who will be affected for better or worse by this trade agreement, have had to rely on speculation in the column inches of newspapers for any insight into how they might be affected. Indeed, the progress of this trade agreement has been characterised by a lack of transparency, and that is simply not good enough. Again, this is not a fringe concern; it has also been expressed by the President of the German Bundestag, Norbert Lammert, who has indicated that he would even oppose TTIP without a more transparent process of negotiation.

Should an agreement on TTIP eventually be reached, it will be for the Heads of Government across Europe to indicate their approval and for the European Parliament to approve or reject the agreement. On the question of whether the final deal is good for us, good for our public services and good for our small businesses, we will need to place our trust in this Prime Minister’s judgment. I would suggest to him—and to this Government—with the greatest respect, that should an agreement on the scope of TTIP emerge, he might wish to afford this House the opportunity to properly debate the merits of any such agreement. That point has been made numerous times today, and I would welcome a commitment from the UK Government to that effect. I also suggest that that courtesy might be extended to the devolved legislatures and Governments.

It is by no means clear when, or even if, a final agreement on TTIP might emerge. To be clear, should it come to pass that an agreement is reached, any potential economic benefits of TTIP cannot come at the price of the threat of the privatisation of our public services such as the NHS, and it cannot come at the expense of the integrity of our distinct national products. I suggest that public and political confidence, if they are not already lost, might be won by embracing a more transparent process in the progression towards an agreement. I look forward to the contribution from the Government today.

2.41 pm

Kevin Brennan (Cardiff West) (Lab): First, I want to say well done to my hon. Friend the Member for Swansea West (Geraint Davies) for securing the debate. If I counted correctly, there have been 16 Back-Bench contributions. I hope I have not missed anyone out. The speech from my hon. Friend the Member for Swansea West was followed by a very important speech from the right hon. Member for Hitchin and Harpenden (Mr Lilley). His thoughtful and important points about international bureaucracies outside democratic control resonated across the House. My right hon. Friend the Member for Warley (Mr Spellar), the chair of the all-party parliamentary group on European Union–United States trade and investment, put this typically robust style and in a very effective manner.

We also heard speeches from the hon. Member for Aberconwy (Guto Bebb), my hon. Friend the Member for City of Chester (Christian Matheson), the hon. Members for Newark (Robert Jenrick), for Glenrothes (Peter Grant) and for Brigg and Goole (Andrew Percy), my hon. Friend the Member for Bishop Auckland (Helen Goodman), the hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards), my hon. Friend the Member for Luton North (Kelin Hopkins), the hon. Members for Inverclyde (Ronnie Cowan) and for Kirkcaldy and Cowdenbeath (Roger Mullin), my hon. Friends the Members for Edmonton (Kate Osamor) and for Cambridge (Daniel Zeichner), and the hon. Member for Foyle (Mark Durkan). Finally, we heard from the hon. Member for Livingston (Hannah Bardell), speaking from the Front Bench for the Scottish National party. All those speeches made for a very interesting debate, and I look forward to hearing the Minister’s response to it.

There have been several debates on this subject in the House over the past couple of years and I am sure that they have helped to shape the debate about TTIP and to influence the negotiations in a positive way. There is general cross-party support for trade, and for a good trade agreement, but, as we have heard, there is also a great deal of controversy and concern, and in some cases outright opposition.

A comprehensive trade agreement between the EU and the USA has huge potential benefits. The CBI has described it as a global economic game changer, but of course for that to be true we have to get it right. The hon. Member for Livingston pointed out the Government’s dismal record on trade. I can tell her that new figures have come out today on the UK trade deficit in goods and services which show that the figure had risen to £4.1 billion in the three months to October 2015, which is £2.4 billion higher than in the previous three months. If that is not clear evidence that we need to improve our trade and export performance, I cannot imagine what is.

Kelvin Hopkins: Does my hon. Friend agree with Anthony Hilton, who has written in the Evening Standard that the disaster facing us is in fact a trade deficit disaster, and that this Government and future Governments will have to address it?

Kevin Brennan: Yes, my hon. Friend is absolutely right. When the Government discuss deficits, they seem not to want to talk about the trade deficit at all. It is extremely important, however, because it will in effect become a tax on every household in the country if we allow it to persist. We have to do much better, and this point simply highlights the difference between the Government’s rhetoric and the reality of what is happening in our economy.

Estimates commissioned by the Government, and others, suggest that the potential gain from TTIP to British output could be between £4 billion and £10 billion, or 1% and 3% in exports. We must, however, be cautious about the overall figures, as they have been questioned. It would be helpful if the Government could do more to explain their case. In particular, given the wide range of
contributions to today’s debate from Members representing constituents in all the nations and regions of the UK, it would be helpful if they could break down a little further what the potential benefits would be across the nations and regions.

I put a written parliamentary question to the Secretary of State for Business, Innovation and Skills, which the Minister for Small Business, Industry and Enterprise answered recently. My question was about the potential benefits of TTIP to various parts of the UK economy. The part of the question that the Minister could not answer was the part relating to the benefits for the economy of each region and nation. It would be useful if the Government did that work if they want to convince the public across the United Kingdom of the benefits of the process.

We support the core objectives of a good deal—job creation, better wages, higher standards and consumer benefits—but as the debate has shown, there are still legitimate concerns that the Minister needs to address in her response. The desire to get the deal through is understandable, particularly given the US presidential election in 2016. Europe and the US are Britain’s most important markets. The US is already the UK’s largest export market, but more can be done to tackle barriers to trade and to improve market access—hence the need to reach a deal. However, any trade deal must filter down to employees, to small and medium-sized enterprises and to consumers. The business case for TTIP must be more than a case just for business. That point will be crucial in assessing any final deal.

We have set out four tests in the past and I want to repeat them today. The first key test is the ability of the deal to deliver jobs and growth. The second is that it should be open and accountable. The third is the aim to achieve the highest possible standards regarding social and environmental concerns and, of course, wages. Fourthly, the agreement must allow enough space for national Governments to act in their own interests and according to their own democratic mandates. We have been monitoring closely the negotiations between the EU and the US, and the UK Government’s input into them through the prism of those tests. We want the benefits that businesses experience to be passed on to consumers through better choice or lower prices.

I am sure the Minister will argue strongly for the benefits that TTIP can bring, and it would be useful to hear whether she thinks it would be in Britain’s interest to leave the European Union, given that we are negotiating the deal to deliver jobs and growth, securing and creating jobs, and bringing down costs and extending choice for consumers. However, any trade deal must filter down to employees, to small and medium-sized enterprises and to consumers. The business case for TTIP must be more than a case just for business. That point will be crucial in assessing any final deal.

The text does not address the issue of having a separate judicial system that is available only to foreign investors. The European Commission responded to the European Parliament’s demand by publishing on 16 September a proposal for a new mechanism called the investment court system, which would be used as a reference for TTIP and all future trade negotiations. Labour MEPs are considering that proposal closely and have expressed strong reservations about it.

It would be helpful to hear a strong statement on the NHS from the Minister, given the concerns that have been raised by constituents and by right hon. and hon. Members today. When does the Minister believe that the TTIP agreement is likely to be concluded? What representations have Ministers made to the European Union about ISDS, and what are the Government doing to engage better with businesses, charities, consumer groups and trade unions to improve public understanding of TTIP and counter the view that it is all being done behind the public’s back?

The prize of a successful agreement must be shared among all—businesses, employees and consumers—and not just large corporate interests. Labour will continue to push for transparency so that the benefits of this major deal are clear to all. As hon. Members have mentioned, there are concerns about the impact of TTIP on working people and public services in the UK. Our major concern is that the trade agreement has the potential to dilute workers’ rights, and given the Government’s record on that—not least the Trade Union Bill in the other place—those concerns are understandable.

What assurances can the Minister give about the Government’s input into the TTIP agreement is likely to be concluded? What representations have Ministers made to the European Union about ISDS, and what are the Government doing to engage better with businesses, charities, consumer groups and trade unions to improve public understanding of TTIP and counter the view that it is all being done behind the public’s back?

Time is limited, so in conclusion we believe it right that this important issue be debated in Parliament, and we agree that the proposals deserve proper scrutiny at UK and EU level. Labour supports trade agreements that can bring significant benefits through boosting trade and growth, securing and creating jobs, and bringing down costs and extending choice for consumers. However, we want to hear the Government’s response to the legitimate concerns that have been raised in the House today about TTIP.

2.51 pm

The Minister for Small Business, Industry and Enterprise (Anna Soubry): I think you are too young, Madam Deputy Speaker, to remember Sanatogen wine, but yesterday I was unfortunately on my sick bed. In fact, I was so ill—I do not expect any sympathy—that I could barely sip water, never mind Sanatogen wine, but today’s debate has been an absolute tonic. At times my blood pressure rose a little too high for comfort, but I think we have had a really good debate about this important agreement.

Unfortunately I have only about seven or eight minutes to try to answer all the points that have been raised, and I will fail in that. The usual rules apply, and anybody who has raised an important point will get a letter in response to it, because time—as ever—is against me. I congratulate the hon. Member for Swansea West (Geraint Davies) on securing this debate, and hon. Members on the quality of almost all the speeches.
My hon. Friends the Member for Brigg and Goole (Andrew Percy), for Aberconwy (Guto Bebb), and for Newark (Robert Jenrick) raised a point about the unfortunate scare stories that have been put around. I gently chide the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) who spoke about the fact that the Government Benches were empty. In fact, many Members seem to have disappeared by the time he rose to speak—I am sure that was not a comment on his oratory. There were about 15 SNP Members in the Chamber, and it would be silly to suggest that those who were not present do not care about this important matter.

Callum McCaig (Aberdeen South) (SNP): Will the Minister give way?

Anna Soubry: No I will not.

It does not enhance the reputation of the Chamber when hon. Members refer to the lack of people present, because that does not mean that other hon. Members are not in their rooms working and following the debate, or that they will not read it in Hansard. We all care, on all sides of the House, about this matter.

My hon. Friends the Member for Brigg and Goole, for Aberconwy and for Newark made very important points about the scare stories. There has been a lot of unpleasantness around this matter. I would just say to the hon. Member for City of Chester (Christian Matheson) that perhaps he and others on the Labour Benches are not present, because that does not mean that other hon. Members are not in their rooms working and following the debate, or that they will not read it in Hansard. We all care, on all sides of the House, about this matter.

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so TTIP will not hold back action on climate change or undermine current or future legal obligations, under the United Nations framework convention on climate change, to reduce carbon emissions.

TTIP is not a secret negotiation. It is there for everybody to read on the internet, and it is reaching the right conclusions. When it has concluded, it will be for this Chamber to ratify it. It will lie here for 21 days. At that point, any hon. Member could put before the House a motion to reject it. However, I hope that when that day comes Members will accept this agreement because it is about free trade and it is the right thing to do.

3 pm

Geraint Davies: I thank all Members from all corners and all nations of the United Kingdom who have contributed to this excellent debate. The problem that people have with TTIP is ISDS. Nobody has made a compelling case for the inclusion of ISDS. The wolf’s teeth should be drawn so that we can move forward to get the benefits of trade. In addition, we need to introduce enforceable and binding measures to protect our environment, our democracy, our labour standards, and our human rights.

The simple fact is that we want trade. Yes, we will have trade, but let us not trade our democracy, our liberty, our sovereignty, our public services and our environment into the pockets of multinational companies. Let us have trade, let us move forward, let us keep all that we have in Europe that we value, and let us have a global trading situation where everybody can benefit fairly and our environment is sustained.

Question put and agreed to.

Resolved,

That this House believes that the Transatlantic Trade and Investment Partnership, the Comprehensive European Trade Agreement, the Trade in Services Agreement and any associated investor-state dispute settlement provisions should be subject to full parliamentary scrutiny in the UK and European parliaments.

International Human Rights Day

3.2 pm

Jim Shannon (Strangford) (DUP): I beg to move,

That this House has considered International Human Rights Day.

As we celebrate the 800th anniversary of Magna Carta this year, it seems particularly appropriate to debate international human rights to highlight the fact that in many parts of the world the values of Magna Carta, the rule of law and basic rights are routinely, systematically and severely violated; and to ask Her Majesty’s Government whether human rights remain at the very heart of our foreign policy, and, if so, how we protect and promote them in practice. That is the thrust of this debate.

I am aware of the recent reconfiguration of human rights priorities within the Foreign and Commonwealth Office to address human rights within the broad contexts of democratic values, the rules-based international system, and human rights for a stable world. I look forward to hearing from the Minister what that will mean in practice and how human rights will be more effectively delivered under the new framework.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Having written to the Prime Minister and the Foreign Office a fortnight ago regarding proposed mass executions in Saudi Arabia, I am dismayed that the Government evidently do not share my alarm, as I am yet to receive replies. Does the hon. Gentleman agree that if the UK Government wish to be taken seriously about human rights, they need to show more leadership globally?

Jim Shannon: Yes, I do, and I have already put that on the record in debates in Westminster Hall.

I am particularly pleased to have secured this debate alongside the hon. Member for Congleton (Fiona Bruce), who is sitting across the way; she is a dear friend who is well respected in this House. There have been many debates in this House on human rights themes in relation to specific countries, but we have not, to my knowledge, in the time of this Government or the previous one, had a wide-ranging debate with an opportunity to review the human rights situation around the world and the different ways in which Britain—this great nation—has responded to the challenges so far. The House of Lords has had several such debates, and I welcome this opportunity to do likewise.

The Foreign and Commonwealth Office publishes an annual report on human rights, as well as quarterly updates. May I suggest that we consider having an annual debate in Government time in the main Chamber of this House to coincide with the release of the annual report, giving the House as a whole an opportunity to respond to it?

It is vital that we discuss human rights today, on international human rights day, when we commemorate the adoption 67 years ago of the universal declaration of human rights by the UN General Assembly. The declaration was written to provide a common standard for all peoples and nations of which individuals and societies should strive to secure effective recognition and observance. It has helped to shape policy around the world and paved the way for nine legally binding
human rights treaties, including the international covenants on civil and political rights and on economic, social and cultural rights, which were both adopted in 1966 and which more than 160 states have ratified.

Despite these treaties, the human rights and basic freedoms we enjoy in this country are under sustained and severe attack in many other parts of the world. Some 67 years on from the declaration's adoption, the preamble is worth recording in Hansard, because it is very relevant today:

"disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people".

That is what we should focus our attention on.

The first three articles of the declaration make it clear that human rights are not confined by geography, territoriality, culture or religion. As its name suggests, they are universal—for everyone—and as the UN Secretary-General, Ban Ki-moon, has underlined, it is not called the partial declaration of human rights or the sometimes declaration of human rights. Article 1 unequivocally states:

"All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Article 2 states:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction... or under any other limitation of sovereignty."

Article 3 insists:

"Everyone has the right to life, liberty and security of person."

These and the following 27 articles should provide the framework for this debate and our foreign policy.

Jim Shannon: Yes, I do agree. The Human Rights Act is an integral part of this debate, as I think contributions from across the Chamber today will confirm.

Despite everything I have said, freedom of expression, including freedom of the press, is denied in many countries. Journalists, dissidents and bloggers have been arrested, imprisoned or murdered in countries such as China, Bangladesh, Vietnam, Russia, Cuba, Egypt and Iran. Women's rights are abused in many places through rape and sexual violence in conflict. Can we begin to understand the violence, barbarity and horror of what that means? Such things have occurred in parts of Burma and the Democratic Republic of Congo; such acts have been carried out by religious extremists in India and Pakistan; in countries such as Saudi Arabia where women are denied basic freedoms. In addition, the rights of children are under attack through the forcible conscription of child soldiers in many countries and the use of child labour. Refugee rights are a particularly topical concern, given the unprecedented movement of people escaping desperate situations in the middle east and north Africa and the situation of the Rohingya people from Burma on boats in the Andaman sea.

Freedom of thought, conscience or religion is set out in article 18 of the declaration, and is the most basic right of all, yet the right to choose what to believe, to practise one's beliefs, to share them with others in a non-coercive way and to change them is increasingly under threat throughout the world, and it affects everyone, of all religions and no religion. The Conservative party manifesto and the Government have recognised freedom of religion or belief as a fundamental British value, and the Government have pledged to stand up for this right at the UN Human Rights Council in 2017-19.

I am proud to chair the all-party parliamentary group on international freedom of religion or belief, which boasts 55 Members and 22 expert stakeholders dedicated to advancing this fundamental right. Freedom of religion or belief is a litmus test of the state of human rights in any society and is inseparably linked with other freedoms, such as the right to life, freedom from torture and inhuman or degrading treatment, the freedoms of expression and of association, as well as rights such as those concerning unjust detention, the right to a fair trial and the rule of law.

It is vital to recognise that such violations affect everyone, not just particular religious or belief communities. Minority belief women and children are particularly vulnerable, and are often doubly discriminated against for their identity. As Andrew Copson, chief executive of the British Humanist Association, and Benedict Rogers of the Christian Solidarity Worldwide highlighted, wherever Christians are persecuted, minorities from within Islam—Shi’a or Ahmadiya, for example—also suffer, as do the Baha’i. Where Muslims are the prime victims as in Burma, and the Uighurs as in China, Christians and other minorities suffer alongside them.

In many parts of the world, those who choose to exercise their right not to believe, to reject religion and to become agnostics, atheists or humanists, face discrimination, arrest, imprisonment, torture or even death. That is the reality of today’s world. Religious freedom involves far more than merely freedom to worship, and is not just a concern for some minorities that hold strong religious convictions. Religious freedom is not just a right to be tackled in moments of crisis.

My first suggestion for policymakers and diplomats therefore is directly to address freedom of religion or belief as a mainstream human right inseparably linked with other fundamental freedoms, and proactively to address religious freedom abuses before they escalate and result in devastating violence—the like of which we have seen at the hands of Daesh in Syria and Iraq. Ensuring that individuals have freedom of religion or belief is in the interests of all nations, including our own.

This year, 100,000 Christians will be murdered because of their faith, while 2 million will live in what is called an endangered neighbourhood. That is just one section of religion—and shows what can happen to them and to all the other religions as well. Extensive research carried out by Georgetown University’s Berkle centre demonstrates that greater religious freedom leads to
better security, stability and even economic growth, and that it reduces extremism, societal tensions, violence and even poverty.

Promoting and securing the right of individuals to have the freedom to practise their beliefs in peace and safety is a fundamental British value that we all uphold. It should therefore be treated seriously as a framework on the basis of which many of the UK’s foreign policy aims can be achieved. Perhaps the Minister will respond to that point in his reply.

My colleagues will be able to expand on why a strategy including the advancement of freedom of religion or belief should inform how the 2015 national security strategy and the strategic defence and security review should be implemented. In its bid for re-election to the UN Human Rights Council, the UK pledges to advocate “in favour of equality and non-discrimination, including on the grounds that freedom of religion or belief can help to counter violent extremism”.

I strongly believe that it can, so it is a pledge that I welcome and sincerely hope will be carried through.

It is important that the Government not only speak out about religious freedom and other human rights abuses, but proactively ensure that their current policy is not directly or indirectly supporting violations of human rights and particularly of religious freedom. Steps should be taken, for example, by the Department for International Development—it is important for this debate to encompass defence and DFID issues—in line with sustainable development goal 16 to ensure that aid is not given to schools that preach intolerance, as happens in Pakistan, and to encourage trading partners to ensure that religious minorities and those who have non-religious world-views are given equal rights in the workplace. Aid must be channelled, I believe, to organisations and programmes that can demonstrate a sophisticated understanding of freedom of religion or belief and can show how their work will have a positive rather than a negative impact.

Given that the Government have recognised in their various guises the importance of freedom of religion or belief as a fundamental stability and security-generating human right, and given that human rights are to remain at the centre of UK policy abroad, how will the Government ensure that their staff are “religious-freedom literate” and that this right will be taken seriously across all Government Departments? How will the Government ensure that all Departments work in conjunction with each other effectively to secure this right?

While the visits over the last few weeks of the Indian and Kazakhstani Prime Ministers and Chinese and Egyptian Presidents are important for building economic and trade ties, we sincerely and honestly hope that the human rights, and indeed human rights clauses in trade agreements, are kept integrated into the discussions during such visits. It is great to have economic ties, and we should have them, but let us have human rights enshrined and protected as well. Foreign policy cannot be based on fiction and we cannot allow immediate and short-term security objectives consistently to take precedence over more long-term security objectives, even if seen as controversial.

The spirit of the universal declaration of human rights, adopted 67 years ago today, must be respected and upheld. We must strive to secure effective recognition and observance of human rights that will in turn provide all victims of rights violations around the world with the hope that we take their situation personally and we take it seriously. We have an opportunity in this House today to be the voice of those who do not have a voice.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. I am going to impose a time limit of eight minutes, and we will see how we get on.

3.14 pm

Tom Tugendhat (Tonbridge and Malling) (Con): I am delighted to be under your chairmanship again, Madam Deputy Speaker.

I thank the hon. Member for Strangford (Jim Shannon) for his inspirational introduction to the debate, and for organising it. It is essential for international human rights day to be remembered in the House of Commons, which is, in many ways, the foundation of many of the rights of which we speak. It is from this Parliament, and from this voice of free-born sons of the country—originally English, but now including representatives of Scotland, Wales and Ireland—that many of the rights that we now see around the world have sprung. The traditions of democracy that were brought together here 750 years ago led to the rights in the declaration of New York, of which the hon. Gentleman rightly spoke, and which echoed around the world to fight the fascism and hatred that resulted in the holocaust. The hon. Member for Heywood and Middleton (Liz McInnes) spoke of that earlier.

Angela Rayner (Ashton-under-Lyne) (Lab): On this international human rights day, does the hon. Gentleman agree that the issue of violation of the Igbo tribe’s human rights needs to be resolved, and that the Biafran leader should be released, as has been suggested in representations by my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman)?

Tom Tugendhat: The hon. Lady clearly speaks with great knowledge of those issues. I am sure that she will raise them with the Foreign Secretary and the Secretary of State for International Development on the appropriate occasions.

If the House will forgive me, I shall now focus on a specific aspect of human rights, namely the right to freedom of religion. This may surprise some Members, but I am going to begin with a quotation from the Koran. It is from the second Surah, Surah al-Baqarah, which states “la ikra fi al-din”: “There is no compulsion in religion.” One of the seminal tenets of Islam is that it is a religion freely entered into by free people, and one of the reasons why many of us recognise it as one of the great religions of the world is that very principle of freedom—that very underscoring of rights.

Those of us who may not share the same belief system as the Islamic faith, because we are from a Christian tradition, may not follow all its tenets. However, that freedom of association, that freedom of religion and expression, that freedom to choose whose God, which God, or indeed no God, is a fundamental human right. I am very pleased that we are beginning to have this conversation in the House of Commons, which, as we
know, recognises all religions and none. As the west becomes more secular—and, indeed, as the “none” gains more power over the plurality—it is worth remembering that those freedoms do not always apply, and that some religions turn the minds of young men and women towards the extremism that this House would fight. However, I am pleased that we are at last talking not only about extremism as something that we might fight—as we did only a week or so ago, in the debate that was summed up so eloquently by the right hon. Member for Leeds Central (Hilary Benn)—but about a right: a very fundamental right that all people in our country and, we hope, around the world will share.

As we emerge from talk of extremism in the global area, I hope that Members will forgive me for speaking about extremism at home. In view of Operation Trojan Horse and Peter Clarke’s impressive report on Birmingham schools, it is worth remembering that even in our own society—even in our most multicultural and free towns, such as Birmingham and London—it is possible to find havens of hatred and islands of ideology that are absolutely inimical to the freedoms that we expect of all people, not just all British people but people around the world. I am delighted that the Government are fighting that extremism, and I urge them to stand even more strongly against it. When we see young people being brought to the school of hatred rather than the school of understanding, we must fight that with every fibre of our being. It is not those young people who are born to hate, but the so-called leaders, the so-called community elders who teach them hatred, and we must fight that too.

Extremism is of course not just a threat to the souls of humans all around the world; it is a threat to our security and it is therefore absolutely right that when we consider how we shape and defend ourselves, we form one simple principle into which we must all fit. That principle was underlined in this country with the signing of the Great Charter at Runnymede; that single principle was underlined in this country with the signing of King John to pauper, is a fundamental principle. It has been passed in the last 15 or 20 years, that guarantee people speak of, and it is not simply Acts that may have been passed in the last 15 or 20 years, that guarantee those rights; it is the sum total of law that has been built up over nearly 1,000 years that guarantees those rights. Yes, there are other Acts that bring in elements of continental jurisdiction. Yes, there are Acts that bring in elements of other foreign concepts of jurisdiction as well. But personally, when people speak of the right of men, I prefer the rights of British men and women, because those are the fundamental rights that have kept us safe, free from fascism and communism and free to live our own lives in dignity and to practise our own faiths.

That leads me to think about some of the times when we have not been free. There have, even in this great kingdom of ours, been moments when our forebears were not free to practise their faiths, and when they were victims of hatred and religious wars. I am thinking, of course, of the reigns of the great Queens Mary and Elizabeth, when people under their authority executed and tortured people of opposing faiths. There were great saints on both sides of that national moment and there were great heroes on both sides of the debate, but for me what sums up that debate is something we should remember as having the heart of Englishness in it—it was, as we know, a very English moment. What summed it up for me was Queen Elizabeth’s great line: “I will not put windows into men’s souls.” That illustrates the understanding she had that freedom of expression under loyalty to the Crown was an essential part of being part of our kingdom.

That is the central aspect we must remember on international human rights day, because that understanding that freedom of faith and expression is something the state must guarantee for us—that, in our case, the Crown must guarantee—is essential but it works only if the relationship is two-way. Yes, the state must guarantee the freedom of expression, but the freely expressed religious faith must not be of a kind, an ideology or an extremism that seeks to undermine the liberties of others, which in our case means the application of common law.

I am deeply honoured to be following the hon. Member for Strangford, and I am deeply proud to be standing here on international human rights day in this Court of Parliament, which I see very much as the heart of the court of human rights in this world, because this Court of Parliament has been a light, a beacon, a city on a hill. It has been that ideal, and we can see, my own family included, how many migrants, activists and others have been moments when our forebears lives in dignity and to practise our own faiths.

It is not just articles of the common law that some people speak of, and it is not simply Acts that may have been passed in the last 15 or 20 years, that guarantee those rights; it is the sum total of law that has been built up over nearly 1,000 years that guarantees those rights. Yes, there are other Acts that bring in elements of continental jurisdiction. Yes, there are Acts that bring in elements of other foreign concepts of jurisdiction as well. But personally, when people speak of the right of men, I prefer the rights of British men and women, because those are the fundamental rights that have kept us safe, free from fascism and communism and free to live our own lives in dignity and to practise our own faiths.
because we are here to celebrate human rights today, not to bury them. I do not know whether hon. Members have seen the website of the Canadian astronaut Chris Hadfield, but he sent down images of Earth from space and showed us the beauty of where we live. He showed us Earth as one world, where we live together and the only boundaries are those of land and sea. Injustice and discrimination know no boundaries, which is why international human rights are necessary.

The universal declaration of human rights set out articles and protocols. They are the guide, the code, the commandments of how we should live together in a common humanity. The UK was one of the first countries to sign it and was the first to ratify it, in March 1951. What are they? The hon. Member for Strangford alluded to a few of them, but I want to put them on the record: the right to life; the prohibition of torture; the prohibition of slavery and forced labour; the right to liberty and security; the right to a fair trial; no punishment without law; the right to respect for private life; freedom of thought, conscience and religion; freedom of expression; freedom of assembly and association; the prohibition of discrimination; and, under the first protocol, the protection of property, the right to education and the right to free elections. Every single one of those we hold dear in our country, and they are embedded in the declaration’s words.

The universal declaration of human rights was drafted after the ending of the second world war, as a response to the oppression and tyranny that came out of the two world wars. Every one of the rights I listed had been systematically violated, which is why we need the declaration, and why we incorporated it into the European convention on human rights and subsequently into the Human Rights Act 1998. This was not to take anything away or add anything and make things difficult for judges; it was so that judges could read into our legislation whether it is compatible with our fundamental rights. Ministers do not have to do anything apart from declare that human rights and their legislation are compatible.

There is a myth that the European Court of Human Rights is taking some sovereignty away, as it applies the doctrine of the margin of appreciation. The margin of appreciation gives flexibility and enables the Court to balance the sovereignty of member states with their obligations under the convention and now the 1998 Act. It takes into account the sovereignty of member states and their laws.

Breaches of human rights still occur around the world. In Burma, despite the election win by the National League for Democracy, there are political prisoners who still need to be released—Pyone Pyone Aung took part in a peaceful protest and the army can still overthrow a democratically elected Government in cases of national security. That must change. In Australia, Human Rights Watch found that the Government had done too little to address indigenous rights and disability rights—indigenous Australians are disproportionately represented in the criminal justice system. In the USA, the criminal justice system, from policing to prosecution and punishment, is plagued with injustices, such as racial disparities and excessively harsh sentencing. In Yemen, with which a number of Members have links, including my right hon. Friend the Member for Leicester East (Keith Vaz) and the hon. Member for Beckenham (Bob Stewart), who spent his childhood there, Amnesty International has reported 21 air strikes which killed at least 241 civilians and injured 157 people, most of them women and children. The strikes were found to be indiscriminate or disproportionate, and arms are still supplied by the UK.

We then come to the lawyers who have died defending human rights. The Law Society said it was shocked and saddened by the murder on 28 November of the Kurdish human rights lawyer Tahir Elçi. Karim Hamdy, 27, died in February 2015, after two days’ detention in Cairo, with broken ribs and bleeding in the brain. Rashida Rehman was killed in 2014 for defending people charged under Pakistan’s blasphemy laws. Salwa Bugaighis was shot dead in her home in Libya in June 2014 after voting. She was a prominent human rights lawyer who opposed moves to make the hijab compulsory.

Finally, human rights—both the Human Rights Act and human rights generally—are the David to the Goliath of the powerful. They provide help to the helpless and a voice to the voiceless, which is why we must protect them and celebrate them today.

3.30 pm

Fiona Bruce (Congleton) (Con): I congratulate the hon. Member for Strangford (Jim Shannon) on opening the debate on international human rights day so comprehensively, and on all that he does in this regard. It is a pleasure to follow him. Member for Walsall South (Valerie Vaz), and I commend her on her speech and all that she has done, particularly with regard to the people of Burma, over very many years.

This House is debating the most crucial of issues. A former Foreign Secretary was clear that human rights are at the very heart of foreign policy. I thank the Foreign Office Ministers for attending this debate, and for regularly raising human rights issues around the world, as I know they do. It is important that Ministers from the Department for International Development do so, too.

As a member of the International Development Committee and the Joint Committee on Human Rights, I was concerned to see a lack of any focused reference to human rights in the recently published Department for International Development strategy, “UK aid: tackling global challenges in the national interest”. Yes, there was reference to supporting women and girls, and yes there was reference to the disabled, but it is my contention that if there is not a core focus on human rights in our strategy for international development, we will miss out on addressing the cause of so many humanitarian problems around the world, which, ultimately, DFID and our aid funds have to address.

There must be much more focus on human rights in our international aid work. For example, not addressing article 18 disproportionately affects women and girls in any society. Not addressing inequality disproportionately affects the disabled. Twenty-one of the 28 countries in which UK aid is spent are either fragile or conflict-affected, and for many of them, that fragility is at least in part—if not in large part—the result of their Governments’ lack of respect for human rights.

The hon. Member for Strangford mentioned Pakistan, which is a recipient of substantial UK aid, but many other countries that receive UK aid should be challenged on their human rights abuses. In Bangladesh, for example, freedom of expression is denied to journalists, dissidents and bloggers, who are arrested and detained. In Uganda and Sudan—also recipients of UK aid—the rights of
the child are under attack. There is forcible conscription of child soldiers, and child labour. In Ethiopia, where we support women and girls, there is a closing down of the political and media space. In Nepal, where we have done so much to help with the recent disaster relief outcomes, there have been recent endeavours to restrict the constitution. In every country where UK aid is spent, DFID Ministers and in-country officials should challenge it when they see that human rights are not being respected.

Bob Stewart (Beckenham) (Con): I thank my hon. Friend for giving way. I have a huge respect for what she does. Is it her belief that we should not give aid unless human rights are maintained in a country, or do we have to compromise in giving aid? I think we do. What does she think?

Fiona Bruce: It would be a tragedy for the people of those countries to suffer even further and not receive our aid, simply because their Governments were abusing their human rights.

The UN Secretary-General Ban Ki-moon recently said that the freedom for civil society to operate is diminishing around the world, and there is real concern that the space for human rights has been closed down in many countries. Increasing restrictions in some countries is limiting the ability of non-governmental organisations to work or receive funding. If civil society is to play its full role, the international community, with the UK in the lead, needs to act to protect its operating environment, particularly as implementing the sustainable development goals—the new global goals recently signed up to by 93 countries—is a huge challenge. In those countries, the contribution of a healthy civil society, which very much needs those goals to succeed, will be essential. We cannot afford to see civil society space closed down.

Let me give examples of how even in the past few years, new laws and policies in countries that we support have restricted NGOs’ ability to operate. In Kenya, legislative restrictions on freedom of information are inhibiting the fight against corruption, and hundreds of NGOs have been shut down or had their bank accounts frozen. Amendments have been sought to legislation with the aim of capping foreign funding for NGOs at 15%, basically making it impossible for many to operate. Ethiopia, too, had similar restrictions on organisations receiving more than 15% of their money from abroad, and on working on issues such as women’s rights, child rights or peace building. What are the Government doing to help protect civil society space, particularly in countries with which the UK has a relationship?

Let me turn to concerns about sovereignty. If human rights are to be universal, the sovereignty of a country cannot be used as an excuse for ignoring them. We need to resist the growing argument that sovereignty is somehow paramount, and that that therefore allows countries to interpret human rights subjectively. If human rights are universal, they are universal. China cannot say that it is justified in incarcerating its human rights lawyers without due trial process, as it has recently, simply because it is a sovereign country and they have broken its laws. Nor can North Korean officials say, as they did to me only this morning, that they have their “own way” of interpreting human rights. They certainly do. When their view of human rights is state-sanctioned prohibition of freedom of expression, the imprisonment of anyone who utter even the slightest contradiction to the Government’s views and a host of atrocities, including against children, we need to stand up and speak out about them. Particularly when countries have recently signed up to the global goals, with their integral commitment to good governance and strong and stable institutions, we should speak out and challenge them on human rights.

It is a long time since 1948, and somebody asked me recently whether we would be able today to get the same broad sweep of clear human rights expressed in a document as we did then. We at least have the SDGs, or global goals, which were signed only in September; many of the statements in them re-express a clear commitment to human rights. Human rights should be not only universal but transparent. We should be transparent in how we challenge countries such as Saudi Arabia. We are challenging and should challenge it, as a country with which we trade, though it does not receive aid from us. It might be uncomfortable for those countries, and they might not like it, but the public require it, and it is right that we do it.

There are a number of other countries that I would have liked to have spoken about in more detail. The Conservative party human rights commission, which I chair, has done a lot of work to highlight the need to raise human rights and concerns about them across the world. Will Ministers reconsider some of the recommendations that our commission has made over time? For example, we recommended that there be a Minister responsible for international human rights in the Foreign and Commonwealth Office, who could focus on this issue, and that he be supported by an ambassador at large for international human rights; perhaps there could also be a number of special representatives on issues such as genocide, war crimes, crimes against humanity and women’s rights—a model employed effectively in other countries.

Will Ministers consider a high-level international conference, in which the UK takes the lead, perhaps similar to the summit held last year on preventing sexual violence, to raise international attention of increasing concerns about human rights abuses? It could co-ordinate international strategies, and ensure that media institutions and Governments around the world both speak out for oppressed individuals and help to ensure that, in their lifetime, we can truly say: “All human beings are born free and equal in dignity and rights.”

Stephen Timms (East Ham) (Lab): I am pleased to follow the very thoughtful speech from the hon. Member for Congleton (Fiona Bruce), and I welcome the way in which the hon. Member for Strangford (Jim Shannon) opened the debate.

There is no doubt that the publication of the universal declaration of human rights on 10 December 1948, 67 years ago, was a profoundly important moment in establishing the freedoms that men and women should expect to enjoy across the planet in the modern era. Eleanor Roosevelt, who chaired the drafting committee, made the comparison—the hon. Member for Strangford touched on this—with Magna Carta. She referred at the time to the universal declaration as the “international Magna Carta for all”,

[Fiona Bruce]
and in this 700th anniversary year of Magna Carta, it is right for us in this Chamber to underline that comparison. The universal declaration is a vitally important document around the planet.

One of the submissions sent to us ahead of this debate came from the British Institute of Human Rights, which published an advertisement today. I think a meeting is being held at this moment in the other place under its auspices, chaired by Sir Nicolas Bratza, who was the president of the European Court of Human Rights. It is drawing attention to the importance of our own Human Rights Act 1998. In its advertisement, the institute describes the legislation as “the promise of the Universal Declaration of Human Rights made law here” in the UK. I hope it will remain part of our law.

The Conservative manifesto pledged to scrap the Act. As others have suggested, that would be a terrible mistake, sending very bad signals around the world. I note that the Justice Secretary has delayed his consultation on this until the new year, no doubt reflecting serious, very proper concerns among Conservative Members about that course of action. I hope that the Human Rights Act will remain on our statute book.

Like the hon. Member for Strangford, I want to say something about article 18 of the universal declaration, which states:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

There is growing concern that that article, as well as others, is being breached with increasing frequency around the world.

In September, along with the hon. Member for Strangford, I attended a conference in New York of the International Panel of Parliamentarians for Freedom of Religion or Belief, focused on that article. There was a big attendance of parliamentarians from a large group of countries, including European countries and Tunisia, Pakistan, Egypt, Iraq, Senegal, Malaysia and Turkey. It was good to hear a speaker from Iran addressing that conference on the subject of religious freedom. A strong case was made that more needs to be done to strengthen observation of adherence to that article around the world. It is increasingly clear that there is a link between religious freedom and prosperity. There is no doubt that over our history, economic growth has been bolstered by the ideas and inventiveness of people inspired by deep religious commitment. Prosperity has been increased by the contributions and brilliance of many people—including Protestants from France and Jews from central and eastern Europe—who fled to Britain to escape from religious persecution elsewhere, because they knew they would find freedom here to practise their beliefs.

Recent research has suggested that religious freedom more broadly can enable economic growth more directly. It can help create an environment in which wealth creation can flourish. Researchers in the US—the hon. Member for Strangford referred to research at Georgetown University—looked at GDP growth in 173 countries in 2011, controlling for a range of factors, and found a positive correlation between religious freedom and prosperity. That is another ground for us to support and promote article 18 of the universal declaration.

When the conference in New York concluded, the Members who attended sent out three letters. The first was sent to Vietnam, where there are proposals to restrict religious freedom in new legislation. The second was sent to Burma—my hon. Friend the Member for Walsall South (Valerie Vaz) mentioned Burma—and concerned a member of the Myanmar Parliament who was being prevented from standing in the forthcoming election, which took place in November, because he is a Muslim from the Rohingya minority. We wrote to the President of Myanmar to complain about that, and to urge that people not be barred from standing for election on religious grounds. The third letter was sent to the Speaker of the Iranian Parliament, expressing grave concerns about restrictions on religious freedom in that country. In 2010, for example, seven Baha’i leaders were sentenced to 20 years in prison simply for exercising their faith.

We also wrote about a number of Christian figures imprisoned in Iran. I particularly want to mention Maryam Nagash Zargaran, who is serving a four-year prison sentence in the notorious Evin prison. Her sentence began in 2013. She suffers from a serious heart condition, which has significantly worsened in the two years she has served so far. I understand that she was recently allowed a short period in hospital for treatment, but she needs more. I would like the Minister to ask his right hon. and hon. Friends in the Foreign Office to raise her case with the Iranian authorities, because her only crime has been to practise her faith.

One of the submissions that I and, no doubt, others received ahead of this debate asked us to draw attention to human rights violations being suffered by the people of Palestine. It listed articles that are being breached there, such as article 9, which states:

“No one shall be subjected to arbitrary arrest, detention or exile.”

I hope that we will see progress in that country as well.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I have to reduce the time limit to seven minutes, as so many Members wish to speak.

3.47 pm

Jeremy Lefroy (Stafford) (Con): It is a great honour to speak in this debate, and I very much welcome the speeches of all Members who have contributed to the debate so far. Indeed, I do not have an awful lot more to add, but I want to make some points about the relationship between freedom and development and, in particular, as my hon. Friend the Member for Congleton (Fiona Bruce) said, the importance of respecting, and taking great note of, freedom in international development. I do not see enough of that in the aims of the Department for International Development, much as I respect its work.

The right hon. Member for East Ham (Stephen Timms) mentioned the huge contribution that people of religious faith have made to the development of this country, particularly those who fled persecution. He mentioned the Huguenots—I declare an interest, as I come from a Huguenot family—who were followed by the Jews and many others, including Asians from Uganda and, most recently, people from Somalia and Syria. They have all had a tremendous impact on the economic, cultural and social life of this country.
Freedoms, in my view, is absolutely bound up with development. We cannot have long-term development without freedom. If we look at the four main aims of the Department for International Development’s strategy, as set out recently, we see how vital freedom is to them all. If we take the first two—strengthening global peace, security and governance, and strengthening resilience and response to crises—we see that it is often violations of freedom, whether religious or political, that lead to tensions and insecurity. Conversely, countries in which freedom is respected, despite—or perhaps because of—diversity, are often those that are most at peace. I had the honour of living in Tanzania for many years and I chair the all-party group on Tanzania, a country that has lived at peace since independence, even though it has a very wide variety of peoples, including very strong representations of both Christians and Muslims and, indeed, those of neither faith. They have lived at peace because they have respected the freedom of those people to practise their religion and faith. Indeed, more recently they have also respected political freedom since the mid-1990s.

The third and fourth aims of DFID are promoting global prosperity and tackling extreme poverty, and helping the world’s most vulnerable. The right hon. Member for East Ham has already referred to the work of Georgetown University. Amartya Sen’s book “Development as Freedom” was published in the late 1990s. He rightly points out that economic development entails a series of linked freedoms, including not only freedom of opportunity and economic freedom but political freedom and, by extension, religious freedom and freedom of thought.

If DFID is to achieve those four goals over the next five years, as I very much hope it will—it has some excellent Ministers and staff, both here and in the countries in which it operates—it needs to place the upholding of freedom and human rights at its core. I very much support the suggestions of my hon. Friend the Member for Congleton for human rights ambassadors. Indeed, a Minister with that specific responsibility.

In closing, I would like us to pay a little attention to our own record. We sometimes come here and talk about human rights and freedoms around the world, and that is absolutely vital, but we must make sure that we do not let those human rights and freedoms slip in our own country. I believe that sometimes it is necessary to take risks in order to maintain human rights. It is all too easy to think that, by clamping down a little here and with a bit more surveillance there, we are giving ourselves the security that we all desire for ourselves and our families, and yet, little by little, we are eroding those human rights that have taken so much pain and so much struggle over the centuries to realise in this country.

We also have to make sure that we do not consider security and economic progress to be the only goods—the only things—that we should strive for. There are many other things that are very important in life—friendship, family, the arts, laughter, the company of friends. Of course, those things do depend on and flourish with security and economic progress, but security and economic progress are not absolutely necessary to have them. It is vital that we ensure that freedoms and rights are placed above security and economic progress. We can run the risk of saying that unless we keep ourselves secure and unless we make ourselves more and more prosperous, we cannot be free. In fact, it is the other way around.

3.53 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): Today is international human rights day and I want to focus my attention on two communities that are at the heart of my constituency, namely the Ahmadiyya Muslim community and the Sri Lankan Tamils.

Britain’s Ahmadiyya Muslims contribute greatly to this country, and their belief in peace and religious tolerance is an example to us all, as we would expect from a community whose motto is “Love for all, hatred for none”. However, in Pakistan the very same peaceful community continues to be persecuted on a daily basis. It is the only religious community to be targeted by the state on the grounds of faith. In Pakistan, Ahmadis cannot call themselves Muslims and are forbidden by law to vote as Muslims. This state-sponsored persecution has been enshrined in the country’s constitution since 1974. On top of that, they are openly declared as “deserving to be killed”, with neither state nor civic society willing to stand up for them against extremists.

Perpetrators are given free rein to attack Ahmadis, safe in the knowledge that they will not be prosecuted for their actions, and in the past few years alone, hundreds of Ahmadis have been murdered.

It is quite shocking to think that the persecution this community faces is enshrined in Pakistani law. It is a criminal offence, punishable by imprisonment, a fine or even death, for Ahmadis to call themselves Muslim, to refer to their faith as Islam, to call their place of worship a mosque or to say the Islamic greeting, “Peace be upon you”. The laws specifically against the Ahmadi Muslims also conflict with the constitutional right of Pakistani citizens to freedom of religion.

State laws have emboldened other state actors and extremists to harass, attack and kill Ahmadis. They are denied the right to life. Hundreds have been murdered on the grounds of their faith. The deadliest attack on the community occurred in 2010, when the Pakistani Taliban attacked worshippers during Friday prayers at two Ahmadi mosques in Lahore. In 2014 alone, 11 Ahmadis were killed solely because of their faith. This year, a vigilante mob targeted an Ahmadi family in Gujranwala, setting their home alight and killing three family members—a grandmother and her two little grandchildren. No arrests have been made, and Pakistani news channels refused to air bulletins about the incident.

Ahmadis are denied the right to vote—they are disfranchised unless they declare themselves as non-Muslims—and are the only disfranchised group in Pakistan. It is crucial to note that no prosecutions have been brought in relation to any of these murders, or indeed in respect of any killings of Ahmadi Muslims. Civic society fares little better. The Pakistani Urdu press continues to publish fabricated stories inciting violence against Ahmadis, who are often presented as the root cause of the problems in Pakistan. In 2014, at least 2,000 such reports were published. Article 20 of Pakistan’s constitution guarantees freedom of religion. The country is also a signatory to the UN universal declaration of human rights, which makes it obligatory for the Government to safeguard the fundamental rights of all, without any discrimination based on religion, faith or belief.
It is clear that Pakistan is systematically failing to uphold the human rights of all its citizens. The ongoing persecution of Ahmadi citizens undermines Pakistan's progress and development, and stores up huge problems for the future stability of the country. Furthermore, state policies allow extremism to flourish, which threatens the security of Pakistan and the rest of the world. It is also clear that the international community has a moral responsibility to act and to apply pressure on Pakistan to abide by international conventions and treaties to uphold the human rights of all.

The UK Government should consider what further steps to take to ensure Ahmadis have the right to vote in Pakistan. They should think about how to guarantee that UK taxpayers' money will not be used to promote intolerance and extremism in Pakistan. They should decide how to raise the specific issue of anti-Ahmadi laws and corruption that allow extremists to target and murder Ahmadis.

Very sadly, Pakistan is not the only country where we have to be watchful of violated human rights and reflect on the UK's moral responsibility. I am in the process of writing to the Foreign and Commonwealth Office about my concerns regarding the release of UK Government funds to Sri Lanka. I have previously raised the ongoing inadequacy of justice mechanisms.

In Sri Lanka, the Tamil community has suffered greatly. This group continues to be the victim of ongoing security sector human rights abuses. Despite the recent change of Government in Sri Lanka, which may offer some hope, the charity Freedom from Torture has received seven referrals in relation to people tortured in the country since the January elections, including as recently as July 2015. Let us consider the significance of that evidence by comparison with the UK's seemingly unwavering confidence in the new Sri Lankan Administration. This confidence has been expressed in terms of financial support, with our Government providing funds from UK taxpayers partly to fund military reform in Sri Lanka, without any proper safeguards as to how the money will be spent.

Six years after the end of the brutal civil war, not one person has been prosecuted for war crimes, despite the fact that 40,000 Tamils died in the final stages of war alone. Furthermore, contemporary evidence of secret torture camps, sexual violence against Tamil war widows and the militarisation of Tamil lands demonstrate that the UK Government's optimism is unfounded, and their financial support questionable without explicit safeguards.

This example demonstrates that the UK has an incredibly important role to play in encouraging countries to do the right thing when it comes to human rights. Where it can choose between calling for justice against human rights abuses and turning a blind eye, I hope the content of this debate will make it clear what its moral responsibilities should be.

3.59 pm

Suella Fernandes (Fareham) (Con): In today's world, most of the major human rights treaties have been ratified by the vast majority of countries, yet I believe that the human rights mission is struggling. Although I admire and am grateful for the aims, the means have faltered.

In much of the Islamic world, women lack equality, religious dissenters are persecuted and political freedoms are curtailed. Political authoritarianism has gained ground in Russia, Turkey, Hungary and Venezuela. Lesbian, gay, bisexual and transgender communities are treated inhumanely in countries as diverse as Russia and Nigeria. The United States, which denied a fair trial to detainees in Guantanamo Bay, has lost credibility on civil liberties. Even slavery, which was supposedly abolished, continues to exist, with nearly 30 million people being forced to work against their will. Why do more than 150 countries of the 193 that belong to the UN still engage in torture? Why do women remain subjugated in many parts of the world? Why do children continue to work in mines and factories in so many countries? It was not supposed to be like this.

Based on the plight of millions of people, I say that, sadly, human rights law has failed to accomplish its objectives. I have the sense from my experience as a barrister that human rights were never as universal as people had hoped. The belief that they could be forced on countries as a matter of international law was shot through with misguided assumptions from the very beginning. Part of the problem is the imposition of top-down solutions on developing countries. I believe that it is time for a new approach.

I applaud and respect the aspirations of the universal declaration of human rights by the UN General Assembly in 1948, which arose from the ashes of the second world war and heralded a new, brighter era of international relations. It provided a long list of rights, most of which are the familiar political rights that are set down in many conventions or that have been constructed by courts over the years.

The weaknesses that would go on to undermine human rights law were there from the start. The universal declaration was not a treaty in the formal sense. No one believed at the time that it created legally binding obligations. It was not ratified by nations, but approved by the General Assembly, and the UN charter did not give the General Assembly the power to make international law. Moreover, the rights were described in vague, aspirational terms that could be interpreted in multiple ways by national Governments, who were wary of enshrining duties. At that time, the US did not commit itself to eliminating racial segregation. Several countries, such as the Soviet Union, Yugoslavia and Saudi Arabia, refused to vote in favour of the universal declaration and instead abstained.

The words in the universal declaration may have been stirring, but I question how much they have influenced the behaviour of Governments. Yes, countries have changed, but in Saudi Arabia, which ratified a treaty banning discrimination against women in 2007, women are still treated unequally in all areas of life, and child labour exists in countries that have ratified the convention on the rights of the child, such as Uzbekistan, Tanzania and India. In a very rough sense, the world is a freer place than it was 50 years ago, but is that because of the human rights treaties or because of other events, such as economic growth and the collapse of communism?

There are three key problems. The first problem with human rights law is ambiguity. A lack of precision allows Governments to rationalise almost anything that they do, as a result not of sloppy draftsmanship but of the choice to overload the treaties with hundreds of
poorly defined obligations. The sheer quantity and variety of rights, which protect virtually all human interests, can provide no guidance to Governments. Given that all Governments have limited budgets, protecting one human right might prevent a Government from protecting another.

Let us take as an example the right not to be tortured. Brazil is one of the largest democracies, and it is rarely considered a human rights violator, but unfortunately the local police often use torture because they believe that it is an effective way to maintain order and solve crimes. If Brazil’s national Government decided to wipe out torture, they would need to create honest, well-paid investigatory units to monitor the police. They would also need to fire their police forces and increase the salaries of the replacements. They would probably need to overhaul the judiciary, and possibly the entire political system, as well. Such a Government might reasonably argue that their resources should be put to other uses, such as building schools and hospitals. Such value judgments compromise the universality of human rights and undermine the status that it supposedly possesses. Problems such as those arise because the task of interpreting human rights has been left to trusted institutions such as the United Nations. Sadly, the UN is weakened by a lack of consensus between the nations and the lack of an accountable structure and hierarchy.

The second problem is that there is a misassumption running through our rights culture relating to the predominance of the individual over the communal interest. The importance of the individual is seen as the defining axiom upon which we should base our policy and gauge its success. This assertion of individual instincts is frequently transposed into rights and is becoming paramount. It now prevails over consideration of how our choices might affect others and have consequences for those born later, and of how they might be measured by past experience. The third problem goes to the core of our social values. Where is the reverence and respect for the habits, cultures and customs of our own society? Tradition has deteriorated, and British values have declined at the expense of permissiveness. I hope for a fairer society in which value is stored in the commonality of our men and women.

4.7 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to speak in this debate and I congratulate those hon. Members who secured it. It is also a pleasure to follow the hon. Member for Fareham (Suella Fernandes). I actually thought that, for once, I was going to agree with everything she said, but as it turned out, that was not the case, even today.

It would be great if the whole world could celebrate international human rights day, but unfortunately too many countries are still blighted by regimes that ignore the human rights of their citizens and persecute ethnic and religious minorities. Last week, we had a debate on Syria. Despite all the human rights abuses in that country, we on these Benches opposed the bombing of Daesh in Syria. We did so for a variety of reasons, but mainly because there appears to be no co-ordinated political strategy, no exit strategy, no plans for rebuilding and no proper commitments from the coalition on any of those elements.

It is clear that any plans for Syria must be based on lessons learned from Iraq. The de-Ba’athification of Iraq helped to create the power vacuum that led to religious persecution and the rise of al-Qaeda. Now we have come full circle with the creation of al-Qaeda’s offshoot, Daesh. We must ensure that those mistakes are not repeated in Syria. A future Syria must enshrine religious freedom and human rights in its constitution and legal system and ensure that no minorities are excluded or persecuted in revenge.

We have already heard about Saudi Arabia today. I felt that Saudi Arabia was the elephant in the room when we were discussing Syria last week. Not only does it have appalling human rights abuses, but it is clearly a state sponsor of terrorism, given its involvement in Yemen and, of course, in Syria. And yet Britain continues to sell arms to the country. The use of the death penalty is still extensive there, political opposition is closed down, and women are not even allowed to drive cars and are still subordinate to men. We need to send a much stronger message to Saudi Arabia.

Neighbouring Iran also has serious human rights breaches, including extensive use of the death penalty. In 2014, Iran had the second-highest number of executions after China, and it is one of the biggest jailers of journalists and bloggers. Over the years, there have been an estimated 120,000 political executions in Iran, and the UK must speak with a strong voice in negotiations with that country. In many of those countries, it is illegal to participate in homosexual sex and there is a risk of the death penalty if men are caught engaging in homosexual activity. When using examples of such abuses as an excuse to bomb Daesh, we should remember that some other countries still incorporate such things in their legal systems.

I do not have time to mention all the human rights abuses in different countries, but we have already heard about Burma, Sri Lanka, Chad and the Congo. Palestine has not yet been mentioned, although that issue is worthy of a debate in itself. As hon. Members have said, Amnesty International does a great job of publishing human rights assessments for 160 countries.

When talking about human rights we are talking about the great traditions of the UK, but it is worth also reflecting on some of the human rights abuses that have taken place under UK Governments and Administrations since world war two. In the Malayan emergency of 1948, 500,000 ethnic Chinese were forcibly removed from their homes and rehoused in new villages. Between 1952 and 1963, concentration camps in Kenya imprisoned up to 1.5 million people. When Cyprus was agitating for its independence, the story was the same. Suspected rebels or insurgents were rounded up and tortured, and it turned out that a lot of innocent people were wrongly tortured. The Aden emergency in Yemen also led to torture chambers. We must always be careful and never become complacent.

In modern times, we have the scandal of the Chagos Islanders, who were forcibly evicted from their homeland so that Britain could allow the US to set up an air base at Diego Garcia. The Government told lies over the years, and there was obfuscation about what had happened. I call on the UK Government to start making proper plans to allow the Chagossians to return home if they wish to, to allocate funding from the aid budget towards that, and to discuss further funding arrangements with
and brutalised as sex slaves by IS. Iraqi Christian and Yazidi women and girls have been traumatised, others remained captive, and still others were brutally executed by self-proclaimed Islamic State (IS) in Syria. Some were released, victims of unspeakable violence. Over 200 Christians were abducted in the name of Islam, that all too often involve brutality and the appalling treatment of women. In a very un-Islamic way, they invoke the great religion of Islam to justify their existence. We have to speak out about that and we have to be prepared to take action. I think in a way that that was what the hon. Lady was saying.

Suella Fernandes: Does the right hon. Gentleman agree that the aims are laudable but the means by which they have been implemented fall short, thereby undermining the method and the initial aspiration? We should be trusting in our traditional belief in our communal values.

Mr Howarth: I think I did summarise that point of view. That was the argument I understood the hon. Lady was making.

Gavin Robinson (Belfast East) (DUP): Does the right hon. Gentleman agree that in relying on faith to commit human rights abuses, many faith groups and individuals are turning the fundamental tenets of their beliefs on their head?

Mr Howarth: I think I did make that point. If I did not, let me say that I agree with the hon. Gentleman.

Part of my argument, and why I feel strongly about these issues, is that I spent two years as a Minister in the Northern Ireland Office. It is fitting that the hon. Member for Strangford opened the debate. It is also fitting that the hon. Member for Foyle (Mark Durkan) has been here for most of it. The lesson I took from that period in Northern Ireland is that where there has been division in the past and each community sees a radically different future for the communities they represent, focusing on what can unite people for the future instead of what divided them in the past is probably the best way forward. I do not take any great personal credit for it, but the people of Northern Ireland, having made that decision, were able to move forward. I think that lesson can be applied around the world.

I want to conclude by saying a few words about the Human Rights Act 1998. There are a lot of myths about the Act, as though it came out of the ether and was imposed on the British people. It did not. I was a Minister in the Home Office at the time. The Human Rights Act is modelled very closely on the European convention on human rights, which we have already talked about. It was brought into our domestic law so that it would be more convenient for people to access justice through human rights law in domestic courts, rather than having to take their cases off to Europe at great expense. Courts sometimes do misinterpret it, and I understand why the Government get concerned about that, but the way to address it is by dealing with the way the courts operate, not by scrapping the Human Rights Act. I hope that whatever concerns the Government have, some of which may be legitimate, about the Human Rights Act in practice, they do not throw away the principles behind it by scrapping it, or even by the wholesale amendment of it. It is an important statement about the way in which we see ourselves in the world. I really do hope that it remains on the statute book as a strong statement about human rights abuses, many faith groups and individuals are turning the fundamental tenets of their beliefs on their head?

Mr Howarth: I think I did make that point. If I did not, let me say that I agree with the hon. Gentleman.

Part of my argument, and why I feel strongly about these issues, is that I spent two years as a Minister in the Northern Ireland Office. It is fitting that the hon. Member for Strangford opened the debate. It is also fitting that the hon. Member for Foyle (Mark Durkan) has been here for most of it. The lesson I took from that period in Northern Ireland is that where there has been division in the past and each community sees a radically different future for the communities they represent, focusing on what can unite people for the future instead of what divided them in the past is probably the best way forward. I do not take any great personal credit for it, but the people of Northern Ireland, having made that decision, were able to move forward. I think that lesson can be applied around the world.

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political systems. That in itself should be a positive and reflecting all of humanity’s philosophies, religions and that this declaration was endorsed by member states may prove even more remarkable in the long term is which we commemorate and reflect on today. What defended—the universal declaration of human rights, guarantee of all that allows democracy and liberty to be of the second world war was forged perhaps the defining saving our Human Rights Act.

reforming our detention system. Fundamentally, it means human rights abuses by our diplomatic allies. It means means standing up for ordinary people subjected to contradictions separating the Government’s rhetoric from their policy.

Our human rights failings occur not only in terms of international complicity but here at home. Our immigration detention system is inhumane and a violation of detainees’ human rights. We are unique in the EU in our policy of detaining people without a time limit—a policy the Government voted to uphold on Third Reading of the Immigration Bill. A recent parliamentary question I asked revealed that the longest a woman without outstanding criminal offences has been held in detention since 2010 is 588 days. This should never happen. The rights and dignity of people in this country should not depend on a piece of paper.

Why are the Government trying—although I would say unsuccessfully—to attack the Human Rights Act? We should be proud of what the Human Rights Act has achieved. It has upheld the right to peaceful protest, it has helped to defend journalistic freedom, and it has revealed the extent of racism in prisons. If we want to stand up today for human rights, we need to acknowledge the contradictions separating the Government’s rhetoric from their policy.


4.23 pm

Anne McLaughlin (Glasgow North East) (SNP): I congratulate the hon. Members for Strangford (Jim Shannon) and for Congleton (Fiona Bruce), the right hon. Member for East Ham (Stephen Timms), and my hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh)—I am going to train everyone to say the “ch” in “Ochil” at some stage—on securing this important debate.

It is remarkable that out of the bloodshed and destruction of the second world war was forged perhaps the defining guarantee of all that allows democracy and liberty to be defended—the universal declaration of human rights, which we commemorate and reflect on today. What may prove even more remarkable in the long term is that this declaration was endorsed by member states reflecting all of humanity’s philosophies, religions and political systems. That in itself should be a positive and timely reminder of the values that we share right across the globe in the face of those who seek to spread division and death from behind the barrel of a gun. From the top of a soap box. At its heart, the declaration is a recognition and codification of the inherent dignity and rights of all members of the human family. It is not a bestowal of rights by a generous overlord, state or international organisation.

We might wish to reflect on that as we consider the human rights situation in our own jurisdiction. The different parts of the UK have made their own contributions to the recognition of human rights: for English Members, there is the Magna Carta, to which the right hon. Member for East Ham referred, and for Scottish Members, there is the Declaration of Arbroath, which provided a fundamental recognition of the freedom from tyranny, usurpation and subjugation by foreign powers. However, just because these rights are timeless and universal, it does not mean they are always recognised in practice, as many have said today.

My party, my constituents and I are greatly concerned by the direction of travel, rhetoric and philosophy of the Government when it comes to human rights. Two of our finest organisations in this field, Amnesty International and Liberty, share those concerns and are already campaigning stridently to defend our Human Rights Act. While the British Government are moving in the wrong direction, however, let nobody think they are supported by the people of the countries of the UK or by civic society at large.

We are blessed on these islands to have produced some incredible charities, non-governmental organisations and community groups that provide lifelines for their fellow human beings with very little funding. I cannot name them all today, but I want to pay tribute to one, because today is the 30th anniversary of the Scottish Refugee Council, one of Scotland’s leading human rights agencies. I am proud to say it is recognised as an example of best practice in the UK, Europe and across the world. The SRC is known for its pioneering, holistic and asset-based approach to integration that recognises the dignity and resilience of refugees and works with them as actors in this through its holistic integration service. I am sure it would appreciate it if hon. Members signed my early-day motion marking its achievements.

I turn to the international context in which we operate and, in particular, the Saudi Arabians, who, as the hon. Member for Edmonton (Kate Osamor) said—I congratulate her on standing up again for people stuck in indefinite detention in the UK—are busy killing their own civilians and foreign nationals in the name of justice in the most barbaric ways possible: stoning, beheading and beheading followed by crucifixion. The Government argue that engagement with tyrannical regimes might help bring them back into the fold and towards a recognition of universal rights, and I have some sympathy with that view in principle, but in practice this strategy of engagement with Saudi Arabia is clearly not working. No matter how close our Governments and royals, the butchering of civilians in the name of justice increases.

Amnesty tells us that at least 151 people have been executed this year, with scores more due to be executed in the coming weeks. This is the worst rate of execution for 20 years and it includes many so-called crimes that are in fact the exercising of one’s right to free speech and protest. A Sri Lankan housemaid is about to be
stoned to death in Saudi Arabia, and I thank the hon. Member for Mitcham and Morden (Siobhain McDonagh) for raising the rights of Tamils and pointing out that we cannot yet be confident that a change of regime in Sri Lanka will help the Tamils in that country. We need to keep a watching eye on that.

I had never really thought through what stoning entailed until I read about it recently. This woman will be buried up to her neck in sand, and a bunch of men will hurl bricks at her head. She, of course, will be unable to lift a hand to protect herself. There will be nothing to prevent those bricks from smashing into her eyeballs, bursting her nose open and caving in her skull. It was due to happen towards the end of this week. For all we know, she might be buried up to her neck in sand right now, waiting. It is the very Saudi Arabian regime that the Government have befriended that is doing it to this poor woman.

Trying to bring such as wolf in sheep’s clothing back into the fold is not working. It is not pragmatism; it is veiled indifference. As my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown) said, if the Government continue to choose receipts for arms sales over the defence of the declaration, any words they offer today will be empty and meaningless.

Jim Shannon: What comes to mind straight away when we are talking about Saudi Arabia are the 28 Christians—mostly women and children, but a few men—who were having a prayer meeting, but were arrested and then disappeared into the other of Saudi Arabia. They have not been heard of since. That is another example of why Saudi Arabia needs to be taken to task.

Anne McLaughlin: I thank the hon. Gentleman for that. People have disappeared in Saudi Arabia and indeed across the world and nobody seems to know where they are. It seems that we will never find them, yet all that they have done is practise their own religion and their own faith.

The Government were quick to condemn any opposition over the Syria vote last week, but if there is one example of appeasement in the face of tyranny, it is the UK’s relationship with Saudi Arabia. I—and, I am sure, Members of other parties—would welcome a statement from the Government on the role of British-made weapons in the deaths of innocent civilians at the hands of Saudi forces in Yemen. I have received many emails from constituents about that very point. Our constituents hear about people, regardless of where they are in the world.

What of human rights here in Britain? Thanks to groups such as Liberty, we have some examples of how human rights, and particularly the Human Rights Act, have made a real-life impact on our constituents. That is important because, as the right hon. Member for Knowsley (Mr Howarth) said, there is a lot of confusion about what the Human Rights Act actually means.

Diana Bryant’s daughter Naomi was cruelly murdered by a convicted sex offender. Her daughter’s death was not going to be subject to an inquest because the murderer had already been identified. However, by using the Human Rights Act and article 2 on the right to life, Naomi Bryant’s mother, working with Liberty, managed to secure an inquest. That inquest identified a catalogue of failures by public agencies and other partners that allowed a known convicted sex offender to murder Naomi. Without the Human Rights Act, that inquest would not have happened and the victim’s family would have been denied the truth. All our constituents would still have been at risk from the same institutional malpractice that failed Naomi Bryant.

Who would not have supported that mother’s right? Who would not support the right of Mr V, who successfully used the Human Rights Act to ensure that when his wife, living with Alzheimer’s, had to go into a nursing home, it was not one so far away as to make it impossible for him to visit her? Anyone who supports the repeal of the Human Rights Act, that is who.

Let me close with the words of Thomas Muir of Hunters Hill, educated at Glasgow University, which were subsequently cited on the high street of Glasgow at my constituency’s boundary. Muir was sentenced to transportation to Botany Bay for sedition, simply for exercising his right to free expression as it is now generally known—outside regimes such as Saudi Arabia, of course. Speaking from the dock, Muir said: “I have devoted myself to the cause of The People. It is a good cause—it shall ultimately prevail—it shall finally triumph.”

Human rights and their international recognition, protection and fulfilment are the modern successor to that fight, protecting the voiceless, defending the vulnerable. Advocates such as the imprisoned Saudi human rights lawyer, Waleed Abu Al-Khair, are the modern successors to Thomas Muir. My party will continue to fight with all its power to defend them, whether it be through the universal declaration, the European convention or our own Human Rights Act. To do otherwise would be an abdication of our responsibilities and would render pointless our time in this place.

Andy Slaughter (Hammersmith) (Lab): This has been a thoughtful and measured debate—something that this Chamber does very well. I begin by thanking the Backbench Business Committee for sponsoring the debate and the right hon. and hon. Members who have spoken in it: the hon. Member for Strangford (Jim Shannon) and for Tonbridge and Malling (Tom Tugendhat), my hon. Friend the Member for Walsall South (Valerie Vaz), the hon. Member for Congleton (Fiona Bruce), my right hon. Friend the Member for East Ham (Stephen Timms), the hon. Member for Stafford (Jeremy Lefroy), my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), the hon. Members for Fareham (Suella Fernandes) and for Kilmarnock and Loudoun (Alan Brown), my right hon. Friend the Member for Knowsley (Mr Howarth), my hon. Friend the Member for Edmonton (Kate Osamor) and, last but not least, the hon. Member for Glasgow North East (Anne McLaughlin). I am sure that they will forgive me, given the time constraints, if I do not draw more on their excellent contributions.

We are here because this is international human rights day. As has been said, we commemorate the day in 1948 when the UN General Assembly adopted the universal declaration of human rights. The UN wishes us to mark the 50th anniversary of two other international covenants on human rights: the covenant on economic, social and cultural rights and the covenant on civil and political
rights. That is important, because together, the two covenants and the declaration form the international bill of human rights, which sets out the civil, political, cultural, economic and social rights that are the birthright of all human beings. I do not share the pessimism of the hon. Member for Fareham (Sueella Fernandes): I do not think that those international treaties and statements of rights are in any sense a waste of breath or paper. They are the bedrock on which we build, and if we fail to achieve those ambitions, it simply means that we should strive harder to do so.

My right hon. Friend the Member for East Ham (Stephen Timms) mentioned the full-page letter in The Times today, sponsored by the British Institute of Human Rights. It is a very short letter, so I shall read it out, because I think that it makes my central point. It states:

“Today is Human Rights Day. Across the globe, people are celebrating the Universal Declaration of Human Rights. This international Magna Carta for all humanity has inspired so much, including our own Human Rights Act.

Today we celebrate the often overlooked everyday differences our Human Rights Act makes for people across the UK. Our examples are many, whether this is supporting children to access education, stopping inhuman treatment of older people, providing refugees with safety, preventing discrimination, or offering justice for victims and families failed by the system, and many more.

Today we celebrate how our Human Rights Act strengthens our democracy, giving everyone a voice, and ensuring the powerful do not go unchecked.

Today we celebrate how our Human Rights Act does more than defend our traditional liberties. It makes the universal human rights we share with people across the world part of our law here at home.

Today the future of human rights in the UK is uncertain. Today we stand with the Human Rights Act recognising it is the promise of the Universal Declaration of Human Rights made law here at home. We urge our political leaders to stand with us.”

We should not talk only about international obligations. We should celebrate the effect of those measures domestically, and understand why the Government’s decision to attempt to repeal the Human Rights Act is, at best, misguided. However, as international human rights have featured in the debate, I shall say a little about them.

Yesterday I had the privilege of attending a reception given by Amnesty International and hosted by Mr Speaker, who has a long-standing interest in human rights and has campaigned on them in Burma, Sudan, Zimbabwe and elsewhere. The reception was also attended by the right hon. and learned Member for Beaconsfield (Mr Grieve)—it was a very ecumenical occasion—and we heard a speech from the Leader of the Opposition, who has a history of upholding human rights around the world for more than 30 years. He mentioned in particular the recent release of Shaker Aamer, who had been detained at Guantanamo Bay for 14 years without charge or trial. It is shocking that one of our allies, and one of the great democracies of this world, should have treated a British resident in that way.

Many countries around the world have been mentioned, and, sadly, many of them have very poor human rights records. A number of countries still maintain the death penalty, and 141 still practise torture in one way or another. Many eyes are now on the middle east, because human rights abuses are occurring in a number of middle eastern countries. We think, obviously, of Syria, where 250,000 people have been killed, a million injured, 4 million made refugees, and 7 million displaced. Today we may think particularly of the family—a mother and seven young children—who drowned while trying to travel the short distance between Turkey and Greece. I ask the Minister to consider whether we are doing all that we can to ensure that there is an effective search and rescue programme in that area, because the human rights of those people are as important as the human rights of anyone in this country or anywhere else in the world.

Syria is not alone, however. In Egypt, 40,000 political prisoners are detained, 2,500 political opponents have been killed, and 18 journalists are in jail. Palestine, which has been mentioned today, has undergone nearly 50 years of occupation, and there are more than 500,000 settlers, although that is illegal under international law. In Gaza, 1.8 million people have been blocked, victims of collective punishment. We think, also, of the Gulf. Last night I had the privilege of chairing a meeting in the House on human rights in the United Arab Emirates. There was a live video link—because he is forbidden to leave the country—with Ahmed Mansoor, a very brave man who speaks out despite the risk of imprisonment, which he has already suffered, and indeed torture. I think also of Bahrain, which continues to practise torture, despite it being, the Government tell us, a firm ally, and a place where we are building a naval base.

I should also mention Saudi Arabia; it has been referred to several times, but I mention it particularly because on 27 November, the Leader of the Opposition wrote to the Prime Minister about the cases of Ali Mohammad al-Nimr, Dawoud Hussain al-Marhoon, and other young men who have been sentenced to some of the cruellest forms of punishment—death by crucifixion or beheading. I am afraid to say that the Leader of the Opposition has not yet received a response to that letter, but we know from the comments made by the hon. Member for Glasgow North East that over 50 Saudis are awaiting execution in Saudi, including people who were juveniles at the time of their detention, people detained for taking part in peaceful protests, people who have signed blank sheets of paper which were then rendered as confessions, and people who have been tortured and kept in solitary confinement. I ask the Minister and Government urgently to turn their attention towards that country.

I read the article by the Foreign Secretary in The Independent today, and I have to say that it filled me with dismay. The Foreign Secretary talks about “Quiet and continued engagement behind the scenes”, and says:

“Just because the British Government isn’t shouting about an issue from the rooftops, doesn’t mean we aren’t assiduously pursuing a case in private.”

Of course one uses all means to attempt to engage with human rights in countries abroad. He rightly mentioned that Karl Andree, a British citizen, has been released from the threat of being lashed many times in Saudi Arabia, but what about the cases the Leader of the Opposition raises? What about Raif Badawi and the others? We cannot rest on our laurels, we cannot be complacent about these matters, and we do have to speak up. I am afraid that the Foreign Secretary going to Saudi Arabia to apologise, as it were, for the Government
not going ahead with the disgraceful prison contract, and saying that it was business as usual, does not set the right tone on human rights.

Let me return to domestic matters. It is right to say that this country, since Magna Carta, has a proud tradition of human rights under English common law, but the incorporation of the European convention through the Human Rights Act since 2000 has indeed been a sea change and a step forward, and it is shameful that repeal is being suggested. Who benefits from the Human Rights Act? Our armed forces, victims of crime, journalists, those engaged in peaceful protest, victims of homophobia and racism, those with mental health problems, those with disabilities, and those subject to unlawful or intrusive surveillance by the state. Those are the people who have been able to bring rights home, as the Government would put it—who are able to uphold their rights in UK law.

I wonder whether the Government even know what they are doing on this. In Justice questions earlier this week, several Members raised questions that the Government are frankly unable to answer at the moment. The hon. and learned Member for Edinburgh South West (Joanna Cherry) asked about the Sewel convention, and pointed out that the answers given by the Secretary of State for Justice to the House of Lords Constitution Committee show that he does not know whether this is a matter for the devolved Administrations or not. That is a key point that has to be answered.

Another key point is what rights will be excluded. I took part in a small act of civil disobedience earlier today, when, with Liberty, we unveiled a banner in Westminster Hall pointing out what rights were protected by the Human Rights Act, which the Government wished to repeal. I am glad to say that the House authorities treated us with their usual tolerance and politeness. This is a serious matter, however. Earlier this week, I raised with the Secretary of State the case of Andrew Waters, a person with Down's syndrome who had a “Do not resuscitate” notice placed on his bed without the consent of his family, or indeed himself. That is the third of three cases, the others being those of Carl Winspear and Janet Tracey, involving unlawful acts under the Human Rights Act, as has now been determined by the courts.

Those article 8 rights are exactly the rights that the Government have complained about. The Secretary of State was perfectly right in saying that he would not expect such behaviour to be countenanced in law, whatever is in the Government's proposals, but how do they square the circle? How can they say that article 8 rights—the ones particularly attacked by Conservative Back Benchers and Front Benchers—will be preserved if the rights of people such as Andrew Waters are not respected?

What is the answer? The Government have no answer on how to deal with the issue of supremacy—they do not seem to understand it. They have no answer to questions on devolution, and they do not have an answer on whether they will pick and choose which rights to implement. This week, the Duma—the Russian Parliament—decided to introduce a law allowing Russia to pick and choose which of the convention rights it implemented. I would not want to be part of a Parliament that endorsed that approach; I do not want to follow Mr Putin in deciding which rights set down in international law we decide to implement at home. I hope that the Minister and the Government will think again about their entire approach to the Human Rights Act.

4.45 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): On international human rights day, I am grateful to the hon. Member for Strangford (Jim Shannon) for bringing us this debate and to other hon. Members for giving me the opportunity to emphasise the importance that not only this House but the Government place on the promotion and protection of human rights around the world.

Hon. Members have made many valuable contributions today, and we have heard how everyday rights and freedoms that we take for granted are often denied or limited in far too many countries. The hon. Member for Walsall South (Valerie Vaz) described human rights work as the David to the Goliath of power, which puts it eloquently. There has been talk of the Human Rights Act, and I gently say to hon. Members that human rights existed before 1997, when the Bill that became that Act was put through, without proper consultation. Other hon. Members dated human rights back to the Magna Carta, but reference to more recent legislation and documents, such as the 1948 universal declaration, is perhaps the touchstone we all look towards.

I wish to set out this Government's approach to human rights and then address as many as possible of the individual issues raised by hon. Members today. The Conservative manifesto contained a firm and clear commitment to support universal human rights. Members have noted that in many ways we are able to do that with our support for international human rights day. Only yesterday, Baroness Anelay hosted a meeting at the Foreign Office where she set out the UK's pledge for our re-election to the UN Human Rights Council. Today I have published a blog, as have other Foreign Office Ministers. My blog is about the human rights situation in Burundi. Members who are interested in Burundi may wish to stay to hear the Adjournment debate secured by my hon. Friend the Member for Stafford (Jeremy Lefroy), which I am sure will be interesting. I am proud to raise lesbian, gay, bisexual, and transgender issues whenever I can. The hon. Member for Kilmarnock and Loudoun (Alan Brown) urged me to do that, as did my hon. Friend the Member for Fareham (Suella Fernandes). I urge those two to get together to discuss this, as they may find that they agree on a lot more and the world would be a better place if more people agreed with my hon. Friend. Our entire network of embassies and high commissions is holding events or issuing communications today to highlight the importance of human rights issues.

Most importantly, the Foreign Secretary today published an article which, although not fully satisfying the Opposition Front Bench, the hon. Member for Hammersmith (Andy Slaughter), aimed to set out our approach to human rights: how we raise difficult issues with international partners; how we work with partners whose values, histories and cultures are different from our own; and, crucially, how we enable our diplomatic network to flex its muscles where it can have most impact on the human rights of individuals. Many people implore us to speak out more critically and more often, and there are times
when this is the right approach. But there are times when, if our goal is to promote the creation of conditions for the protection and promotion of universal rights, we need to balance the immediate instinct to react at all times, everywhere and in every case, with the potential gains of a more valued approach. It is not about building on foundations of sand, but more about building on foundations that enable us to have irreversible change. When states take actions that wilfully disregard human rights—as we have seen in Syria—we must speak out critically and clearly. However, where there is scope for working with international partners to improve human rights, we undermine ourselves and our position as a force for good if we alienate other countries through megaphone diplomacy.

Recently, we have hosted leaders from China, Kazakhstan and Egypt. Some commentators said that we pulled our punches, but they are wrong. My right hon. Friend the Prime Minister discussed human rights with each and every one of them, and I think the hon. Member for Edmonton (Kate Osamor) would approve of what he said in private.

The issue of Saudi Arabia has been raised by a number of Members, including the hon. Members for Glasgow North (Anne McLaughlin), for Hammersmith and for Strangford. Despite what was said, we do have a strong relationship with Saudi Arabia, and it is in our national interest to do so. Our collaboration with the Saudis has foiled terrorist attacks, directly saving British lives.

There is a massive number of problems, including that of women’s rights in Saudi Arabia, but on that issue the Saudis are making gradual reforms. The UK opposes the death penalty in all circumstances and in every country, including Saudi Arabia. As for the Saudi Arabia’s membership of the United Nations Human Rights Council, there was no election, so the UK’s position was immaterial; Saudi Arabia was elected as part of the Asia-Pacific group’s block of votes.

Human rights remain an integral part of our work and a normal part of our dialogue with all countries. Without the “golden thread” of democracy, the rule of law and accountable institutions, we cannot have the dependable and stable partners on which our own security and prosperity depend. That is why, this year alone, within the UN Human Rights Council, we have delivered 75 Foreign and Commonwealth Office-funded human rights projects in more than 40 countries. This year, within the UN Human Rights Council, we have used our influence to shine a light on human rights violations in many parts of the world, including Syria, South Sudan, Iran and North Korea. I am sure that this House will be unanimous in its support for the UK’s continued presence on the UN Human Rights Council and our re-election bid for a second term.

My right hon. Friend the Foreign Secretary stated at the UN General Assembly that “the stability we seek in relations between nations is best realised through the framework of laws, norms and institutions that together constitute the rules-based international system”.

The national security strategy and the strategic defence and security review, which were published last month, underscore how important that and our human rights work are in the UK’s national interest. We make the point to our international partners that human rights are not just universal but vital to the success of any society. The Prime Minister has called that insight the “golden thread” of democracy, the rule of law and accountable institutions. I am proud that British advocacy has helped put those principles at the heart of the UN sustainable development goals.

I support this idea of a civil society, which was mentioned by my hon. Friend the Member for Congleton (Fiona Bruce). In different ways, that term encompasses exactly what the Prime Minister meant by the “golden thread”.

To support the rules-based international system and the golden thread, we have reconfigured our foreign policy work on human rights around three broad themes: democratic values and the rule of law; strengthening the rules-based international order, for example through our membership of the UN Human Rights Council; and human rights for a stable world, which ensures that human rights are central to the global effort to prevent and resolve conflict, and to deal with terrorism and extremism.

The hon. Member for Strangford and a number of others mentioned freedom of religion and beliefs. There is far too much persecution, particularly of Christians, around the world and in the middle east and this is a profound concern of Her Majesty’s Government. At a senior level, we regularly urge Governments to uphold the rights of all minorities and religious beliefs and to support practical projects that support community dialogue and civil society.

We should also give praise when there are good examples. My hon. Friend the Member for Stafford praised Tanzania, a largely stable country where different religions peacefully co-exist. Our full-spectrum response to extremism contains at its heart support for freedom of religious beliefs. The right hon. Member for East Ham (Stephen Timms) spoke about the international work he has done, as has the hon. Member for Strangford, in chairing the group here in the United Kingdom.

At the heart of this is opposition to religious intolerance, following the school of understanding, not of hatred, as my hon. Friend the Member for Tonbridge and Malling (Tom Tugendhat) put it. The right hon. Member for East Ham raised a specific Iranian case. Human rights in Iran are dire and I would be more than happy, if he wants to write to me about that specific case, to follow up in detail. We are working on a Muslim-led counter-extremism narrative to deal with all extremists. I would love Muslims around the world to follow the lead of the passenger at Leytonstone station last week, who so memorably remarked, “You ain’t no Muslim, bruv.” That was absolutely perfect and encapsulated the moment and what all British people think, regardless of their religion.

Religious tolerance is crucial in defeating extremists and we will not be divided by terrorists. We are under no illusion about the size of the task, but, equally, extremists and terrorists should be under no illusion about the strength of our resolve to dismantle the hatred. That is what our Prime Minister has called the struggle of a generation. It is an enormous threat, but we are up to sorting it out. The UN is committed to resolution 1618, which went through unanimously. We also need to consider a number of other issues.
I am conscious that I am running out of time, but I would like to address the point made by the hon. Member for Mitcham and Morden (Siobhain McDonagh) about the Ahmadiyya people in Pakistan. DFID and the Foreign Office constantly raise the rights of minorities at the highest level in Pakistan, advocating greater tolerance and action against abuses when they occur. In fact, in August the Foreign Secretary discussed with the Interior Minister, Mr Chaudhry Nisar, the importance the UK attaches to the protection of religious minorities. The hon. Lady also mentioned Sri Lanka, and we regularly raise matters of concern with the Sri Lankan Government, although I disagree with a lot of what she said. I am happy to write to her in more detail about the points with which I disagree and exactly why I disagree, but given the time remaining it is important to establish on the record that Her Majesty’s Government does not take as fact everything presented as fact.

In conclusion, human rights are the responsibility not just of each and every state but of all states, and, by extension, of parliamentarians and civil society. We all have a responsibility to hold one another to account domestically and internationally. The House has today shown the key role that it plays in upholding human rights promotion and protection worldwide. I commend the motion to the House.

4.58 pm

Jim Shannon: It is only right that we should thank the 17 right hon. and hon. Members who contributed to the debate. It was fitting that a range of Members from all parties made speeches. I thank the Minister for his detailed and positive response setting out how he will personally address those issues. This House and this great nation of the United Kingdom of Great Britain and Northern Ireland excel on occasions such as this, which bring all the themes and thoughts together. Some of the speeches today were compassionate, inspirational and valuable. They are the sorts of speeches for which this House will be renowned and remembered.

If we focus on why we are here—international human rights day—we can see it as a catalyst for change. The aspirations that we have all expressed today are admirable and should be our goal. The Minister referred to the “golden thread”, which was the theme of his speech and of what the Prime Minister has said. The golden thread of human rights went through all the speeches we heard today. Our job, as I said at the beginning, is to be the voice for the voiceless. Today’s debate managed that, so I thank all right hon. and hon. Members for their contributions.

Question put and agreed to.

That this House has considered International Human Rights Day.

Burundi

Jeremy Lefroy: Thank you, Madam Deputy Speaker. It is a great honour to raise the subject of the political situation in Burundi under your chairmanship, particularly on international human rights day.

Last week we spent 10 and a half hours discussing Syria, the subject of United Nations resolution 2249, but I shall refer to United Nations resolution 2248, which relates to Burundi. Perhaps we in this House ought to pay more attention to resolutions of the Security Council, of which the United Kingdom is a permanent member, because they often highlight crises around the world.

Everyone I have met who has been to Burundi has returned with a love for the country and its people. I had the privilege of going there for the first time in 2011 with the International Development Committee and have returned several times since. I declare an interest in that I help to lead the Conservative party’s social action project Umubano in Burundi with my hon. Friend the Member for Congleton (Fiona Bruce), whom I am glad to see in her place. We worked in Burundi in 2013 and 2014. We had planned to go this year, but unfortunately the political situation there made that impossible.

All those who care deeply about Burundi have been greatly concerned by the violence of the past few months, which started before the presidential and parliamentary elections. We all long for it to come to an end and for stability to prevail. We also wish to see a return to the greater freedom of expression for which Burundi has rightly been commended in recent years, following the turbulent first 40 years after independence.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for giving way. I asked his permission earlier to intervene. I understand that the UN says that since April this year 240 people have been killed. Just yesterday five people were taken away, beaten, shot and disappeared. Their only crime, if it is a crime, was that they spoke out against the president. It is clear to me that the vigilantes think they can do what they like. Does the hon. Gentleman think it is time the vigilantes were restricted and the Government took control?

Jeremy Lefroy: I totally agree. There are still killings almost every day in Burundi. I will come to that later.

I was talking about the first 40 years after independence, which saw several ethnically based mass killings, in particular during 1972, when between 150,000 and 300,000 people were murdered, mainly by Government or Government-inspired forces, including the elimination of almost the entire Hutu elite. I shall spend a little time going through history because it is so relevant to what is happening today. Whereas April 1994 is remembered as the beginning of Rwanda’s terrible genocide, it is often forgotten that the shooting down of the presidential plane that killed the Rwandan President Habyarimana and marked the start of the genocide also brought about the death of Burundi’s President, Cyprien Ntaryamira. He was the second Burundian leader to meet a violent
end within six months, as the democratically elected Melchior Ndadaye had been murdered the previous September.

Violence escalated in 1995 and 1996 and there followed several years of civil conflict. A series of peace talks took place, sponsored by the regional peace initiative in Burundi, mediated by former Tanzanian President Julius Nyerere and held in Arusha, but not much progress was made. Some of the main political parties, including CNDD-FDD—the current governing party—were not involved at this point. In August 2000 a peace agreement, known as the Arusha accord, was signed by the Government, the National Assembly and a range of Hutu and Tutsi groups. This provided for the establishment of a transitional Government for three years, the creation for the first time of a genuinely mixed army, and a return to political power sharing. Neither the CNDD-FDD, nor the FNL—an armed wing of another political party—was involved in the agreement and military activity increased in 2001.

The CNDD-FDD eventually agreed to a ceasefire in December 2002, which came properly into effect in October 2003, when final agreement was reached on the terms of power sharing. The soldiers of the CNDD-FDD, led by Pierre Nkurunziza, the current President, were to be integrated into the national armed forces and given 40% of army officer posts. Negotiations in South Africa to agree a new constitution met with success in November 2004. It provided for a 60:40 power-sharing agreement and both Hutu and Tutsi Vice-Presidents. A minimum of 30% of the Government had to be women.

In 2005 elections were held under the new constitution, resulting in a decisive win for the CNDD-FDD, led by Nkurunziza. He was elected President indirectly, as the new constitution provided, by the National Assembly and Senate. The indirect election is the source of the controversy surrounding the 2015 elections.

This still left the FNL. Rwasa, its leader, announced in March 2006 that he would enter unconditional negotiations to end hostilities and a ceasefire agreement was signed in September 2006. However, talks on points of disagreement broke down and a formal end to the conflict did not come about until 2009. We can see how long the people of Burundi have suffered under various forms of civil conflict.

The presidential election in 2010 saw Nkurunziza returned with 91.6% of the votes cast. International observers believed that the election met international standards, but they expressed concern at the worsening political climate. Between the 2010 election and 2015, low-intensity violence—if there can ever be such a thing—continued. Rwasa had fled in June 2010 and was reported to have moved to the Democratic Republic of the Congo, where he was recruiting fighters. There were killings by rebels and by Government forces. In December 2011 UN Security Council resolution 2027 called on the Government to halt extrajudicial killings.

Amid all this there was real progress. The integration of the Burundian army was generally a great success. It began to take part in many peacekeeping operations, where its skills and discipline were respected. Most notably, it has played a huge role in AMISOM—the African Union Mission to Somalia—alongside the Ugandan and Sierra Leonean armies, and latterly the Kenyan army, in bringing stability to Mogadishu and other parts of Somalia. That cost the lives of more than 450 Burundian soldiers, and great credit and honour must be paid to them. Burundian press and civil society were generally free and active for some of that time. A national human rights commission was established, although the Government delayed setting up the truth and reconciliation commission and the special tribunal to prosecute crimes against humanity committed during the civil war.

With elections due in 2015, the question of President Nkurunziza’s eligibility for another term came sharply into focus. His supporters claimed that, due to an ambiguity in the constitution, his election in 2005 was by Parliament and not by the people, and therefore his election in 2010 marked the beginning of his first term, not his second. Opponents said that the Arusha agreement, on which the constitution was based, stipulated a maximum of two presidential terms, which he has completed this year.

The National Assembly narrowly defeated a proposal to revise the constitution in 2014. However, President Nkurunziza was officially announced as a candidate in April 2015 and the constitutional court validated that on 4 May. The vice-president of the court fled to Rwanda, maintaining that the decision had been made under duress and intimidation. Mass protests followed the decision and were met with very strong force by the police, which was condemned by regional and international figures. Election aid was suspended by the EU and Belgium.

On 13 May there was an attempted coup while President Nkurunziza was in Tanzania to discuss the crisis. It was led by the former head of Burundi’s army and, more recently, its intelligence service, who had been sacked earlier in the year. He specifically cited the President’s candidacy at the forthcoming election, which he blamed for instability. The coup attempt was unsuccessful.

The parliamentary elections were eventually held on 29 June and the presidential election on 21 July. Both were largely boycotted by the opposition parties and both resulted in the CNDD-FDD receiving just under 75% of the vote. According to the United Nations electoral mission, this time the elections were not free or fair. The electoral commission declared a victory for President Nkurunziza.

Since the election, as the hon. Member for Strangford (Jim Shannon) has pointed out, violence has continued, with killings of unarmed civilians as well as armed opposition and Government security forces. This has sometimes been accompanied by rhetoric from political leaders that can only inflame the situation. In one speech on 29 October, a senior politician is reported to have said in respect of action against armed opposition members—this is translated from the Kirundi—“you tell those who want to execute mission: on this issue, you have to pulverize, you have to exterminate—these people are only good for dying. I give you this order, go!”

The United Nations is rightly alarmed. In its resolution 2248, to which I have referred and which was adopted on 12 November, the Security Council expressed its “deep concern about the ongoing escalation of insecurity and the continued rise in violence in Burundi, as well as the persisting political impasse in the country, marked by the lack of dialogue among Burundian stakeholders.”
Fiona Bruce (Congleton) (Con): My hon. Friend the Member for Stafford (Jeremy Lefroy) is making a powerful speech and I know that the concern he is expressing today has endured for several years. Does he agree that addressing the issue is vital, because the political instability in what is already a very poor country is impacting on the poorest the most and in a devastating way?

If Members will bear with me, I would just like to refer to a report that I received this week relating to the children in an orphanage with which Project Umubano members who volunteer in Burundi have a relationship. It says that the children are so desperate for food and medicine that they are “malnourished and often ill...can’t obtain medicines...and there is a real risk that one or more may die.”

Jeremy Lefroy: I am most grateful to my hon. Friend, who has done a huge amount of work with Project Umubano. I have received the same report.

The Security Council resolution also strongly condemned “the increased cases of human rights violations and abuses, including those involving extra-judicial killings, acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests”.

Stephen Phillips (Sleaford and North Hykeham) (Con): The Security Council resolution refers to the escalation of violence in Burundi. Is my hon. Friend as concerned as I am about reports this week—they have not made it into the press, but they are none the less coming out of Burundi—that armed murder gangs are again making their way across the border from the Democratic Republic of the Congo at the behest of those who would ensure that violence serves political ends in Burundi? Does he, like me, look forward to hearing what the Minister is doing about that?

Jeremy Lefroy: I am most grateful to my hon. and learned Friend, who has a very close interest in these matters. I am, indeed, very concerned. The people of Burundi have suffered too much over the past 50 years.

The Security Council resolution also condemns abuses, “including those involving extra-judicial killings, acts of torture and other cruel, inhuman and/or degrading treatment, arbitrary arrests, illegal detentions, harassment and intimidation of human rights defenders and journalists, and all violations and abuses of human rights committed in Burundi both by security forces and by militias and other illegal armed groups”.

In particular, it strongly condemns “all public statements, coming from in or outside of the country, that appear aimed at inciting violence or hatred towards different groups in Burundian society”.

That last point is very significant, given the history of Burundi and the wider region.

I have gone into considerable detail on the history of Burundi as an independent nation, as it is vital to understand the current crisis in its context. This is not something that has happened over the past year or two. I am most grateful to the Minister and, indeed, to his officials for their close attention to this crisis. I know that he and they take it very seriously, and I will now ask a number of questions.

First, can the Minister reassure me that the Government understand how important it is to solve the crisis in Burundi? The mediation efforts led by the East African Community and the African Union through President Museveni should be given the fullest possible support. The Burundian Government, and the opposition, need to co-operate fully with that process. The UN Secretary-General suggested looking at a peacekeeping force, and I urge for that process to be continued. As I have said, the people of Burundi have suffered enough. They are not interested in power struggles between elites who think it their right to rule; they want stability and the ability to live their lives free from fear. I urge President Nkurunziza, whom I have met on two occasions, to engage fully with such mediation. I understand that the Minister is considering a visit to the country. I welcome that: it is a very long time since a British Minister was there.

Secondly, will the Minister consider establishing in due course a full diplomatic mission in Burundi, which I know would be welcomed by many Burundians? They have appreciated UK support over the years. When the International Development Committee was in Liberia last year, we saw the great benefit that a small, cost-effective and influential mission, newly established by the FCO, can bring.

Thirdly, will the Minister encourage our right hon. Friend the Secretary of State for International Development and the Under-Secretary of State for International Development, my hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd), who has responsibility for Africa, to consider restoring bilateral aid to Burundi when a political settlement has been reached? It has the second lowest income per head on earth, and it is both fragile and conflict-affected, so it comes into every conceivable category that DFID treats as a priority. I appreciate that DFID works indirectly in Burundi through TradeMark East Africa and multilaterals, but that is not enough. We are often told, rightly, the respect in which DFID’s work is held and how much its involvement is appreciated. Nowhere would that be more the case than in Burundi. When we look at the map of east and central Africa, we can see that among the countries with which DFID works bilaterally are Tanzania, Kenya, Uganda, Rwanda, the Democratic Republic of the Congo and South Sudan. Only Burundi is missing; yet I would argue that Burundi needs assistance the most.

Fourthly, will the Minister ensure that the innocent refugees from this conflict and their host countries are properly supported through the UN institutions? It was estimated in August that 180,000 people had fled since April—75,000 to Rwanda, 89,000 to Tanzania, and the remainder to Uganda and the DRC. We should express our thanks to those host countries for taking them in. At a time when all eyes are on the Syrian refugee crisis, the world cannot forget such crises elsewhere.

Finally, will the Minister recognise that instability in Burundi, and indeed other countries, has had devastating effects on the people of the region, particularly in the DRC? Up to 6 million people are estimated to have died as a result of the conflicts, some of which had their source in this region, in the DRC during the past 20 years. With elections in the DRC due next year, it is all the more important for Burundi to be at peace.

Burundi is a beautiful country with some of the most hospitable people it has ever been my pleasure to meet. They simply want to live in peace, throw off the shackles of poverty and give their children the chance that all of us would wish to give to ours. What we need now is determination—from the East African Community, the African Union, the international community and, indeed, the United Kingdom—to ensure that the Government...
and opposition groups break the cycle of violence and breaches of human rights that has scarred Burundian politics and life for far too long.

5.17 pm

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): I congratulate my hon. Friend the Member for Stafford (Jeremy Lefroy) on securing this debate, and I commend him for his outstanding and tireless work on both the Joint Committee on Human Rights and the International Development Committee.

I am grateful to other hon. Members, including my hon. and learned Friend the Member for Sleaford and North Hykeham (Stephen Phillips), who asked some specific questions, and my hon. Friend the Member for Mid Derbyshire (Pauline Latham), who has certainly proved the point that one does not have to speak in the House of Commons to have an enormous influence. Her private lobbying, as well as the private and public lobbying of hon. Members in the Chamber, has been instrumental in my reaching the position I hold on Burundi and the actions I will take over the next month.

I first visited Burundi in 2006, and I have since followed the situation there closely. I was there with Christian Aid, along with another hon. Member. I can tell the House that, later this month, I intend to be in Burundi to discuss the situation there, but also in Uganda and Rwanda to discuss both domestic matters and the regional situation.

Before I respond to the specific points that have been raised, I will set out the Government’s position more generally. It is clear that there is a deepening political, humanitarian and security crisis in Burundi. The Burundian Government have refused to engage in substantive political dialogue. That, along with the inflammatory remarks made by senior members of the Burundian Government, has led to an increased risk of civil strife and a deepening refugee crisis, which is unacceptable. More than 200 people have been killed since April, including five people who have reportedly been killed in the past 48 hours or so, either in protests against President Nkurunziza’s third term or in targeted political assassinations. The killings continue daily, so we need a genuine and inclusive dialogue, based on respect for the Arusha accords. Such a dialogue would enable Burundian stakeholders to find a consensual solution to the crisis facing their country, preserve peace and consolidate democracy and the rule of law.

Clearly, the ongoing violence and insecurity are having an impact on the Burundian economy and the humanitarian situation. The Government have little income and livelihoods are being threatened. About 220,000 people have fled the country and are living in neighbouring Tanzania, Rwanda, Uganda and the Democratic Republic of the Congo. Burundi has been blocking the flight of some refugees. The number of internally displaced people is therefore high in Burundi, although we do not have precise numbers. There is a risk of contagion. My hon. Friend the Member for Stafford is right to highlight the effect of the situation in Burundi on neighbouring countries, particularly the DRC.

The UK has played a leading role in building a single, consistent response from the international community. In January, we set up a group of international partners with interests in Burundi, which have since worked together to develop a common strategy. Collectively, we lobbied President Nkurunziza to engage with the international community and, crucially, accept the principles of the Arusha agreement. In June, I appointed a special envoy to the great lakes, Danae Dholakia. She is actively involved in delivering our messages in Burundi. I appreciate my hon. Friend’s communications with the Foreign Office, in which he has provided an insight into what is happening on the ground.

Jeremy Lefroy: May I express my thanks to the envoy, who has been assiduous in her work and incredibly helpful to me and, I believe, the people of Burundi?

James Duddridge: I am sure that those comments will be appreciated. They are certainly appreciated by me. My hon. Friend spoke about the African Union and the EU, and the engagement between the two is incredibly important. We have supported the East African Community in trying to deliver a regional solution. I hope to meet President Museveni and to co-operate with his efforts to effect a regional solution to the crisis in Burundi. We will do everything we can to support him in those endeavours.

We encourage the whole region and the African Union to play a strong role in urging Burundi to take part in an inclusive dialogue outside Burundi. That would do much to pave the way for a substantive solution to the crisis. Peacekeeping will be part of that. I will also be discussing the possibility of a stand-by rapid reaction force with the region.

It was under the UK’s presidency of the UN Security Council that resolution 2248 was agreed. That resolution demonstrates the unity of the international community in its approach to the crisis. We continue to work with the African Union to mobilise financial and political resources to support the mediation process. We will continue to work with our colleagues around the world on contingency options in case things go wrong. We plan to make things go right, but we are also planning contingencies in case they do not.

The Department for International Development is providing nearly £15 million to support the international relief effort for refugees fleeing to countries like Tanzania. That will be channelled through the United Nations refugee agency and the World Food Programme. The Department for International Development is providing close to a further £4 million for the refugee response in Rwanda through the United Nations and non-governmental organisations. That has been used to fund refugee transport, medical care, shelters and food rations.

Perhaps this is a good point to respond to my hon. Friend’s plea for us to do more. I am sure that the Foreign Office would not want me to over-promise, but I think that now is the time to review this situation across the Foreign Office and across the Department for International Development. I am happy to pledge to have a meeting with the Minister in DFID to see whether our response is appropriate, proportionate and co-ordinated. We have made efforts to ensure that it is all of those things, but I am sure we could do more. I do not think that anyone who sat in my office before the Rwandan genocide would have regretted spending more time on that issue rather than less.
The UK strongly supports a sanctions regime for Burundi. Four individuals have been listed so far, and the European Union and the African Union are giving consideration to further sanctions against individuals. I personally have made a number of calls to the Burundian Foreign Minister, Alain Aimé Nyamitwe, following the inflammatory comments made by the President and the president of the Senate, some of which my hon. Friend read out. They were truly distressing and hauntingly similar to words that were uttered in Rwanda before the genocide.

Our work in the region, in the European Union and with the United Nations has undoubtedly had an impact. The Burundian Government have already shown increased restraint in their deployment of the police and security forces, and they have finally accepted the notion of inclusive dialogue through article 96 consultations with the European Union, for which the UK pushed very hard. Under those consultations, the European Union will press Burundi on a range of issues related to the current crisis, including press freedom, human rights defenders and the proper functioning of the judiciary.

Looking ahead, I will visit Uganda, Rwanda and Burundi this month. I will be looking at a broad range of issues, but the main reason for my going is the situation in Burundi and its regional implications. I will meet members of each Government and members of the Burundian opposition, humanitarian organisations and UN agencies. I will listen to regional views on the situation and discuss how the UK and the international community could further support steps towards political dialogue. I will emphasise that the eyes of the world are on Burundi. I will call for urgent action to prevent the country from descending into civil war. And I will give a strong message that the security and safety of the people of Burundi are ultimately the responsibility of the Burundian Government.

To conclude, the UK is doing everything possible to ensure peace and prosperity for the Burundian people, but to achieve that, Burundi must step up and engage with the international community. To that end, we will continue to work with international partners, the United Nations, the European Union, the African Union and the East African Community. I again thank my hon. Friend for giving us the opportunity to debate these important issues in the House, and for his lobbying, which is in large part what is leading me to go to those countries later this month to advocate Her Majesty's Government's, and his, cause.

Question put and agreed to.

5.28 pm

House adjourned.
House of Commons

Monday 14 December 2015

The House met at half-past Two o’clock

PRAYERS

[MR SPEAKER in the Chair]

Oral Answers to Questions

COMMUNITIES AND LOCAL GOVERNMENT

The Secretary of State was asked—

Northern Powerhouse

1. Graham Evans (Weaver Vale) (Con): What support his Department is providing to the northern powerhouse initiative.

James Wharton: The northern powerhouse is a project that runs across a number of Government Departments. The contribution made by this Department includes: the local growth funds, 11 of which are worth nearly £3 billion; the £400 million northern powerhouse investment fund; the devolution deals being agreed right across the north of England; and, of course, the doubling of the enterprise zones in the northern powerhouse announced in the spending review by my right hon. Friend the Chancellor of the Exchequer.

Graham Evans: Earlier this year, the Government invested over £113 million in high-performance computing in my constituency at the Hartree Centre, a joint venture between the Science and Technology Facilities Council and IBM bringing high skill, high wage jobs to Weaver Vale. Does my hon. Friend agree that investment in technology and science is key to the growth of the northern powerhouse?

James Wharton: I commend my hon. Friend’s important and significant work in this area. He is a passionate advocate for his constituency and for investment in it. This is just one more example of Government investment in the north to build the northern powerhouse and rebalance our economy. As we saw in the autumn statement, science and innovation spending is being protected. We are investing in the economic growth of the future. This is a great example of that and my hon. Friend deserves commendation for the work he has done to deliver it.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will this Government stop patronising the north? We are a powerhouse. Give us the investment in infrastructure. We are the people who still make things in this country. We make the wealth of this country. Many people in this part of the world—London and the south—live parasitically on our efforts. Stop patronising, start investing!

James Wharton: I welcome the hon. Gentleman’s enthusiasm for the northern powerhouse project. The Government recognise the potential of the north to drive our economy. The north can make a difference if it is invested in, and, crucially, if the people of the north are given real control over their own future. That is what we are doing. That is what the devolution agenda is about and what some of the investments I spoke of are about. We are going to deliver it. It will make a real difference to his constituents and to mine.

Alison Thewliss: I welcome the news that the Scottish Government procure 46% from small and medium-sized enterprises compared to the UK Government’s 26%. Will he look at the Glasgow and Clyde Valley city deal, which has a supplier development programme to encourage SMEs?

James Wharton: City deals can be key drivers for growth. I welcome those that have already been agreed and we continue to have talks, including with some of the great cities and city regions in Scotland, on where we can go further and what more we can do. I hope we can deliver more in due course, because we can already see the difference the deals are making.

Jon Trickett (Hemsworth) (Lab): On behalf of the whole House, we thank all hard-pressed and often low-paid council staff and others who even now are helping those areas of the north so badly affected by the recent flooding.

In contrast to the rhetoric about the northern powerhouse, the Office for National Statistics recently reported that the north is falling further behind as a result of under-investment and that it is getting worse. The average Londoner now produces £42,000 a year added value, while in the north-east the average is only £18,000. In the place of more cuts, will the Minister now commit extra resources to supporting our communities?

James Wharton: The hon. Lady raises an important point. The £400 million northern powerhouse investment fund will be targeted specifically at small and medium-sized enterprises. Growth hubs across the north are driving that investment and giving that support. We want our big industries to succeed and drive forward our economy, but our small and medium-sized enterprises are important too. We want to invest in them and give local people the controls they need to ensure they can reach their potential.

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Mr Speaker: I call Mr Stephen Phillips. Not here. Oh dear. Where is the fellow?

Fire and Rescue Services

3. Andy McDonald (Middlesbrough) (Lab): What recent assessment he has made of the effect of changes to the level of funding for fire and rescue services on the effectiveness of those services. [902665]

6. Mr Jim Cunningham (Coventry South) (Lab): If he will take steps to minimise future reductions in the budgets of fire and rescue services. [902668]

The Secretary of State for Communities and Local Government (Greg Clark): Fire authorities have continued to provide an excellent service while making sensible savings. The number of incidents is 42% lower than 10 years ago, while the number of fire deaths and injuries is at an all-time low.

Andy McDonald: The existing grant distribution formula disproportionately penalises grant-dependent authorities such as Cleveland, regardless of socioeconomic deficits, unparalleled levels of industrial risk and/or their efficient performance. What assessment will the Minister make to identify less efficient authorities that can make savings and, more importantly, what capacity grant-dependent authorities have to make further savings?

Greg Clark: I take this opportunity to pay tribute to the magnificent work of firefighters, who, with the other emergency services, council staff, engineers, the armed forces, and indeed the whole community, have worked tirelessly to protect and help people during the flooding in the north of England.

Over the past five years, fire authorities have had spending reductions of less than local authorities. I have given the hon. Gentleman figures showing how well they have performed and managed those cuts, and the National Audit Office has said that the picture is one of financial health. In Cleveland, for example, the fire authority’s spending power is £48 per head of the population, compared to the national average of £37. So that is reflected in the formula.

Mr Cunningham: The Minister mentioned the cuts to fire services over the years and said he took great pride in their work, particularly in places such as Cumberland, so I think he should award them a decent wage increase. What guarantee can he give that local fire and rescue services will not be negatively impacted if taken over by local police and crime commissioners?

Greg Clark: As the hon. Gentleman knows, we are consulting across the country on whether to remove barriers to better local collaboration between all the blue light services. Such collaboration would be initiated locally, where it is wanted, for the purposes of providing a better service, if those changes would help.

Andrew Bridgen (North West Leicestershire) (Con): Will the Secretary of State confirm that greater collaboration between the fire service and the police service necessary to reduce costs will not end the distinction between firefighters and police officers?

Greg Clark: I can certainly confirm that. They are two distinct services with proud and distinct histories, but, as I think my hon. Friend would acknowledge, the opportunities for them to work together should be taken, whenever it could make a difference to people on the ground.

Mr James Gray (North Wiltshire) (Con): I was greatly encouraged by what the Secretary of State said about amalgamating services, particularly with local authorities. Wiltshire fire service has been in discussion with the first-class, Conservative-controlled Wiltshire Unitary Council. Will he encourage the fire service, which has also been negotiating with Dorset council, to seek to find areas of co-operation with Wiltshire council?

Greg Clark: That is a matter for the local services. The consultation proposes requiring that those discussions take place, but it is up to them what they conclude.

Liz McInnes (Heywood and Middleton) (Lab): I also pay tribute to the magnificent response of fire and rescue services to the floods in Cumbria and other northern areas. Fire and rescue services are rescuing people, pumping out water from flooded high streets and homes and rescuing livestock, thus limiting damage to rural communities, yet all those fire and rescue services have suffered cuts over the last five years. We have lost nearly 7,000 firefighters—one in eight—and equipment and appliances have been cut by more than 12% in metropolitan fire and rescue services. The fire service is at a key juncture. It is not safe, effective or efficient simply to keep cutting resources. Does the Secretary of State agree that more cuts will further damage the service’s ability to meet the risk in local major incidents, such as the recent floods, and will he commit to providing adequate resources so that the service can continue to contribute to national resilience on the scale and at the speed the public expect?

Greg Clark: I would draw the hon. Lady’s attention to the National Audit Office report, which was published quite recently. It says that the picture to date is one of financial health and that “fire authorities have not changed emergency response standards as a result of budget cuts”.

The evidence is that all but one stand-alone fire authority increased its reserves by 67% in real terms from 2010 to 2015. That tells me that the fire services are coping well with the reductions they have been invited to make.

Michael Fabricant (Lichfield) (Con): I have lost confidence in the Staffordshire fire authority, which has decided to build a brand new fire station in Lichfield, but to reduce the number of appliances to half of what it is presently. Will my right hon. Friend work with Matthew Ellis, the police and crime commissioner in Staffordshire, who has good, positive plans to combine the police and fire services for the betterment of the whole county?

Greg Clark: That is the purpose of the consultation that we have embarked on: to remove the barriers that have prevented that kind of collaboration. I am very interested in what my hon. Friend has to say about the proposals in Staffordshire.
Affordable Housing

4. Louise Haigh (Sheffield, Heeley) (Lab): What assessment he has made of the adequacy of Government investment in affordable housing.

Brandon Lewis: As my hon. Friend will know, we are very keen to see more and more localism and devolution of power, but I am happy to tell him that this Government will not allow us to fall into the trap that Labour often encourages people to fall into. The reality is that rent controls simply drive supply down and end up increasing rents, so we are very much against them and they will not be allowed under this Government.

Wes Streeting: Given that average property prices in London have exceeded half a million pounds, first-time buyers will need to earn at least £70,000 a year to buy their first home. Does the Minister consider that affordable and, if not, what effective action will he take to put home ownership within the reach of the many and not just the few at the top?

Brandon Lewis: I am glad that the hon. Gentleman is now joining our call to build more homes that are affordable for people. Starts are up some 57% in his constituency since 2010, which is a good start, but we want to go even further. That is why we want to deliver more shared ownership, giving people a wider opportunity to get on the housing ladder, along with the 20% discount on starter homes through Help to Buy on just a 5% deposit.

Brandon Lewis: I am afraid that the right hon. Gentleman is mistaken. The hard truth is that for so many people, the dream of buying their own home is totally unaffordable and out of reach. Now the hon. Gentleman plans to fiddle the figures again by changing the definition of “affordable” to include so-called “starter homes” that can be sold at up to £450,000. Will he at least agree with Labour and the Building Societies Association, whose members will lend for these homes, that the discount on these starter homes should be permanent, not a cash windfall at the end of five years, but there for the next generation of first-time buyers as well?

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Home Ownership: Government Support

5. Mary Robinson (Cheadle) (Con): What steps his Department is taking to (a) support shared ownership and (b) help people to buy a home. [902667]

The Minister for Housing and Planning (Brandon Lewis): The autumn statement confirmed £8 billion for over 400,000 affordable homes, including 135,000 new shared ownership homes and £2.3 billion towards delivering 200,000 starter homes. Our Help to Buy ISA scheme, launched on 1 December, means that we have a Help to Buy equity loan scheme as well, which is being extended through to 2020-21. That means that just a 40% equity is being provided by the Government for people in London, and that will be launched in 2016.

Mary Robinson: I was very pleased recently to attend the opening of Prospect House in Cheadle Hulme—a brand new development of 11 apartments available for shared ownership, and I welcome further measures introduced by the Government to expand this scheme. What steps is the Minister taking to encourage local authorities to build more shared ownership housing and ensure that these developments utilise brownfield sites?

Brandon Lewis: I am happy to respond. We will relax or remove local authority restrictions to shared ownership to make it easier for people to find the right home for their families. Brownfield land has an important role in meeting housing need, and we are committed to ensuring that 90% of suitable brownfield sites have planning permission for housing by 2020.

Social Housing

7. Mr Clive Betts (Sheffield South East) (Lab): What assessment he has made of trends in the number of homes built for social rent since 2010. [902669]

The Minister for Housing and Planning (Brandon Lewis): Since 2010, we have delivered 270,000 affordable homes, including nearly 200,000 homes for rent. The majority of rented homes, delivered through the affordable homes programme, are for affordable rent, delivering more homes for every pound of Government investment. The spending review committed some £1.7 billion to deliver 100,000 affordable rented homes.

Mr Betts: Let me draw the Minister’s attention to the question I asked, which was about social rented housing, not affordable rented housing. Will he confirm that during the last Parliament, the only social rented houses built had been funded before the 2010 general election, and that there is no funding at all for social rented housing in the comprehensive spending review for this Parliament? Does the Minister accept that the combination of the policies of Right to Buy for housing association tenants and the sell-off of high-value council properties means fewer social rented homes being available for people and longer waits on the waiting list for those people who want one?

Brandon Lewis: Actually, there was a 70% increase in social housing waiting lists under the last Labour Administration, and thanks to the flexibilities we have created, it has fallen. We also saw more social council housing built in the last Parliament than in the entire 13 years of Labour Government before that, and there is still over £2 billion of headroom in the housing revenue account for local authorities to go further and build more. I encourage them to do so.

Dr Roberta Blackman-Woods (City of Durham) (Lab): The building of genuinely affordable homes for social rent in this country has plummeted, and no matter how much the Minister tries to dress up the Government’s record, his Department’s figures are clear and speak for themselves. In 2010, more than 38,000 homes were built for social rent, but by 2014-15, that figure was a truly dismal 9,500. The Housing and Planning Bill makes it virtually impossible to build homes for social rent. There was also the disgraceful sneaking out last week of proposals to end secure tenancies for local authority tenants. What exactly do this Government have against people who rely on social housing to make ends meet, and when is the Minister going to address the huge shortfall in social housing units?

Brandon Lewis: As I said a few moments ago, in the last five years of Conservative government more council homes were built than in the entire 13 years of Labour government, during which the number of affordable homes dropped by 420,000. There is still more than £2 billion of borrowing headroom enabling local authorities to build more. We have made it clear that we will help all those who aspire to own their own homes by extending the right to buy and delivering starter homes throughout the country.

Autumn Statement: Devolved Services

9. Alan Brown (Kilmarnock and Loudoun) (SNP): What assessment he has made of the effect of policies in the spending review and autumn statement 2015 on his Department’s expenditure on policies and services which in Scotland are devolved to the Scottish Government. [902671]

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): As the hon. Gentleman will know, the services of this Department are devolved to Scotland, so there are Barnett consequentials of spending decisions that affect the Department. As a result of the spending review, the Scottish Government’s capital budget will increase by 14%.

Alan Brown: The Chancellor confirmed in the autumn statement the extension of the right to buy to housing associations, thereby effectively privatising them. As we all know, the existing right to buy has decimated social housing stock throughout the United Kingdom. The Scottish Government recognised that, and abolished the right to buy. Given that the new discounts and the so-called one-for-one replacements are not being financed by additional Government funding, will the Minister explain what effect the Chancellor’s proposals will have on housing in Scotland?

James Wharton: The hon. Gentleman is right to draw attention to the policy intention to replace homes on a basis of at least one for one, which is greatly welcomed by Conservative Members. As I have said, the spending review will have a Barnett consequentials impact on the
Scottish Government’s capital budget, amounting to £1.9 billion, which is in addition to the borrowing powers they already have. That will enable them to deliver on what they want to do for Scotland—just as we want to deliver on our objectives and manifesto priorities in England and Wales.

Flooding

10. Mr Laurence Robertson (Tewkesbury) (Con): What steps he is taking to ensure that new developments do not affect the risk of flooding to existing properties.

[902672]

The Secretary of State for Communities and Local Government (Greg Clark): There are strict tests in national planning policy to protect people and property from flooding, which all councils are expected to follow. They include ensuring that new development does not increase flood risk elsewhere.

Mr Robertson: In my experience, the Environment Agency often does not object to a planning application even when the area on which building is proposed floods, and especially when other areas could be caused to flood by the development in question. Will the Secretary of State look into the agency’s policies and practice in this regard?

Greg Clark: I will certainly do that. I recognise my hon. Friend’s constituency experience, and, indeed, his expertise as vice-chairman of the all-party parliamentary group on flood prevention. However, the national planning policy framework states that any new application in an area of flooding risk “must demonstrate that the development will be safe for its lifetime…without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.” That test must be passed for the development to be permitted.

Nic Dakin (Scunthorpe) (Lab): Is it not time to recognise the fantastic work that firefighters do in dealing with floods, and to make it a statutory duty for fire and rescue services to respond to flooding?

Greg Clark: I am grateful for the opportunity that the hon. Gentleman offers me to pay tribute again to the fantastic work that is being done in the north of England, and which has, over the years, been done throughout the country at times when such emergencies occur. I will bear in mind what he has said, and it will be considered during our future discussions.

David Morris (Morecambe and Lunesdale) (Con): Loyn bridge, in Gressingham—which is in my constituency—has been partly washed away, and the roads on either side of it have caved in because of the flooding. Will my right hon. Friend assure me that everything will be done to ensure that the repairs are completed as quickly as possible, as the bridge is the main thoroughfare across the Lune valley?

Greg Clark: I will indeed. I note the leadership that my hon. Friend has shown in, and with, his community in responding to those conditions. We are determined to ensure that things are put right with the greatest dispatch, and we are working closely with the authorities throughout the area. The funds that have been made available so far will allow an assessment of what is required for restoration to be made, which will be followed by the repairs themselves.

Diana Johnson (Kingston upon Hull North) (Lab): Does the Secretary of State think it is right that the Government are helping new people buy their own home under the Help to Buy scheme, but those very same people will not be eligible for flood insurance under Flood Re, which his Government are introducing in April?

Greg Clark: The negotiation with the insurance companies has been very clear: we want to make sure that everyone in the country can benefit from the insurance that gives them peace of mind when they buy a new property.

Planning Decisions

11. Michelle Donelan (Chippenham) (Con): What plans his Department has to increase the role of local communities in planning decisions.

[902673]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): Over 1,700 communities are preparing neighbourhood plans to shape development in their area. These will form part of the development plan and be used to determine planning applications. The Housing and Planning Bill reforms will speed up and simplify the process and allow communities better to engage in local planning.

Michelle Donelan: The Minister will be aware that the planning inspector has deferred a decision on Chippenham’s housing development plan and has asked Wiltshire council to come back after a few queries. During this time, what measures could be put in place to ensure we do not have a free-for-all of aggressive planning applications against the best interests of the strategy of the town?

Mr Jones: Having a five-year land supply in place puts local planning authorities in a strong position to resist unwanted development. Furthermore, national planning policy reiterates the importance of sustainable development, not development anywhere or at any cost, and I am sure my hon. Friend’s local authority is well aware of that when making decisions.

Andrew Gwynne (Denton and Reddish) (Lab): Last Thursday at business questions I raised the case of Porlock avenue in Audenshaw in my constituency, where a small semi-detached property that is now privately rented has been converted into a house of multiple occupation as part of the asylum dispersal programme. Does the Minister understand the dismay of the neighbours of this property that the owners are able to circumvent planning and licensing regulations because there will be only five people housed in the property?

Mr Jones: I cannot comment on an individual case without knowing all the facts, but I refer the hon. Gentleman to the measures in the Housing and Planning Bill, particularly those in relation to dealing with rogue landlords.
Victoria Prentis (Banbury) (Con): The interpretation of neighbourhood plans appears to be causing difficulties, in particular in the beautiful village of Hook Norton in my constituency. Will the Minister meet me to discuss how villagers can ensure the neighbourhood plan is adhered to?

Mr Jones: And a great village Hook Norton is, and it is the home to a fantastic brewery. I hear what my hon. Friend says and I will certainly undertake to meet her, or I am sure my hon. Friend the Minister for Housing and Planning will.

Rachael Maskell (York Central) (Lab/Co-op): Local communities in York desperately need family housing built for social rent on the 35-hectare York central site, yet we hear that high-value flats are going to be placed on that site. Will the Minister listen to local communities and ensure their voice is prioritised?

Mr Jones: This Government have demonstrated that we want local people to have a strong voice through neighbourhood planning. The issue the hon. Lady mentions is on the record, and her local planning authority should be listening to the concerns and comments of local residents.

Martin Vickers (Cleethorpes) (Con): In council areas where there is no adopted local plan, local communities are continually let down by the planning process. Will my hon. Friend consider allowing objectors the right of appeal?

Mr Jones: My hon. Friend makes a good point. By 2017 we will make sure all areas have a local plan in place. The Housing and Planning Bill sets out in some detail how we are going to achieve that.

Inverness City Region Deal

12. Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): What recent progress has been made on the proposed Inverness city region deal?  

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): The Government, along with the Scottish Government, are working with Highland Council to identify the opportunities for an Inverness and Highland city region deal. The discussions are ongoing. They are positive and constructive. I hope they will lead to the outcome that I am sure the hon. Gentleman hopes for. He is absolutely right to raise this important issue. City deals can be a great driver for growth; they can help us realise economic potential, and that is what we want to see.

Drew Hendry: Highland Council has submitted a detailed and innovative plan for city deal investment, with the support of the Scottish Government. Will the Minister commit to advancing discussions, and will he indicate a timescale for finalising the process to allow the deal to get under way?

James Wharton: Discussions are already under way. Officials met local representatives on 2 December and will continue to work through the plans to ensure that they are robust, that they deliver what is needed, that they meet the requirements that we place on such deals and that they have the support they need to continue. We wish to see them progress positively. That is the strongest assurance I can give the hon. Gentleman at this time, because of course those things need to be done properly and thoroughly before plans are taken forward.

Local Government Funding Model

14. Margaret Greenwood (Wirral West) (Lab): What steps is he taking to ensure that the funding model for local government is fair.

The Secretary of State for Communities and Local Government (Greg Clark): I will shortly be presenting to the House the local government financial settlement for 2016-17. I will set out how we will deliver a sustainable settlement for that year and later years and pave the way for future reforms to fund vital services, promote growth and efficiency and devolve power and resources, just as local government has requested.

Margaret Greenwood: Research by the Joseph Rowntree Foundation shows that since 2010-11 the areas of greatest need in England have seen the largest cuts in local government funding, breaking the historic link between the amount that a local authority spends per head and local deprivation levels. Over the past five years, councils such as Wirral have had severe cuts to their funding, whereas other areas have seen an increase. Forecasts suggest that Wirral will lose at least £126 million by 2020. What will the Government do to ensure that funding for local authorities genuinely reflects the needs of the people who live in the area?

Greg Clark: The hon. Lady should wait to see what the settlement has in store, but she should know from the past few years that Wirral’s spending power, at £2,240 per dwelling, is 7% above the national average. Her council has reserves of £80 million, a third higher than they were in 2010. It is important that she bears that in mind.

20. [902683]Kevin Hollinrake (Thirsk and Malton) (Con): People in rural areas such as my constituents pay an average of £80 more in council tax than those elsewhere, yet they receive about £130 less in central Government funding, which has an impact on local services. Does the Secretary of State agree that it is time to look for a fairer funding formula for all taxpayers?

Greg Clark: I recognise that the cost of delivering services is higher in areas with a sparse population, for obvious reasons. The rural services delivery grant was introduced to reflect that extra cost, and it has since been increased. I will obviously have to bear that in mind when we assess what is needed in the financial settlement.

Marie Rimmer (St Helens South and Whiston) (Lab): It is a year since a National Audit Office report found that the Department for Communities and Local Government had limited understanding of local authorities’ financial sustainability. Does the Secretary of State understand the unsustainability of high percentage, across the board cuts in low tax base authorities, and the fact
that the complete removal of revenue support grant and the retention of all business rates without national redistribution will drive those authorities into the ground?

**Greg Clark:** I would have thought that the hon. Lady, as a former council leader, would be in a position to welcome the spending review settlement, which not only provided protection in cash terms for the resources available to local government over the four years ahead but did what local government requested and made money available for the care of the elderly through the social care precept. I would have thought that her experience caused her to welcome that.

**Robert Neill** (Bromley and Chislehurst) (Con): Will the Secretary of State ensure that the settlement reflects the pressures on top-tier authorities from adult social care costs, and particularly that it restates the opportunities for greater integration of health and adult social care spend, as supported by, for example, the London Borough of Bromley?

**Greg Clark:** My hon. Friend is absolutely right. In advance of the spending review I had a communication from the Local Government Association estimating that the gap, if unaddressed, would be £2.9 billion. In the spending review settlement the Chancellor allocated £3.5 billion, to reflect the need to help our elderly population. That was a significant result for local government. As we come to make the settlement for individual authorities, we will ensure that that is in the hands of local people.

**Mr Steve Reed** (Croydon North) (Lab): At least 340 unaccompanied child asylum seekers disappeared in this country between January and September, which is twice as many as did so in the calendar year before. That leaves them at terrifying risk of abuse, sexual exploitation and radicalisation. Councils say that funding cuts mean they do not have the resources properly to protect these incredibly vulnerable children, so why are the Government going ahead with a further cut to the unaccompanied child asylum seeker grant?

**Greg Clark:** These are important statutory responsibilities of local authorities and it is vital that they discharge them. Through the spending review settlement, the Chancellor has made available funds to local government that make sure that the cash settlement by the end of the spending review period is the same as it is at the beginning. That is a positive result for local government.

**Syrian Refugees**

**Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): What recent estimate has he made of the number of local authorities that have resettled Syrian refugees.

**The Parliamentary Under-Secretary of State for Refugees (Richard Harrington):** The number of local authorities that have resettled Syrian refugees changes frequently, as more Syrians arrive for resettlement in the UK. Although it is not practical to give a running commentary on the number of local authorities participating in the scheme, I can confirm that at the beginning of December about 50 local authorities had confirmed places before Christmas.

**Roger Mullin:** Does the Minister share my concerns about the rise of Islamophobia in the country, fuelled by the right-wing press? Will he issue guidance to local authorities and community organisations on how best to deal with it and to support refugees?

**Richard Harrington:** Of course I share the hon. Gentleman’s concern about Islamophobia. All I can say is that I have found nothing but a warm welcome from all parts of the UK for the refugees who have arrived in this country, and I am certain that will continue.

**John Pugh** (Southport) (LD): A lot of local authorities, including my Sefton authority in the north-west, are seemingly confused about their role. Is there anything the Minister can do to add clarity and hurry things along?

**Richard Harrington:** Our dealings with local authorities vary very much, depending on the particular cases. We do not have any power to insist that refugees go to certain places, but we are working with county councils, district councils and metropolitan borough areas. The system is therefore very flexible, and all I can say is that at the moment it has been working very well, because the number of places that have been offered is broadly equivalent to the number of refugees arriving.

**Planning Developments: Neighbourhood Plans**

16. **Chris Heaton-Harris** (Daventry) (Con): What weight his Department gives to neighbourhood plans when assessing planning developments at the appeal stage.

**The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton):** Planning appeals are determined in accordance with the development plan, unless material considerations indicate otherwise. Once brought into force, a neighbourhood plan is part of the development plan.

**Chris Heaton-Harris:** As the Minister will know, a few weeks ago the villagers of Earls Barton were trooping to the polls to vote on the referendum on their neighbourhood plan, at the very same time as the Secretary of State was allowing a housing planning appeal in their area. After all the work my constituents have put in, what assurance can the Minister give them that this work on neighbourhood plans will be worth while?

**James Wharton:** I recognise my hon. Friend’s diligent commitment to representing the views of his constituents and taking an interest in local matters, including this one. He will appreciate that I cannot comment on individual planning cases, but neighbourhood plans are, where appropriate, given significant weight, and individual decision letters will set out why there is a difference and why a neighbourhood plan has been departed from. The Secretary of State will always give appropriate weight to neighbourhood plans, which are an important part of our planning process and of localism. We welcome them and we want to see more agreed.
Local Government Grant Formula

19. Helen Hayes (Dulwich and West Norwood) (Lab): What assessment he has made of the effectiveness of the local government grant formula in directing funding to areas of need.[902681]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): We will shortly present our proposals for a sustainable and fair 2016-17 local government finance settlement to the House. We propose to continue our approach of transforming local authorities from being dependent on grant to benefiting from promoting local growth.

Helen Hayes: Spending on adult social care has fallen by £65 per person in the most deprived communities, whereas it has increased by £28 per person in the least deprived. In one of the councils I represent, the estimated shortfall in adult social care funding following the comprehensive spending review is £20 million, of which £2 million can be raised by increasing council tax by 2%. Is it not true that allowing an extra 2% rise in council tax merely devolves the blame without fixing the problem?

Mr Jones: In the provisional local government settlement that will come very shortly, we will announce changes to the local government finance system to rebalance support, including to those authorities with adult social care responsibilities, by taking into account the main resources available to councils, including council tax and business rates.

Edinburgh City Deal

21. Peter Grant (Glenrothes) (SNP): What recent progress has been made on the proposed Edinburgh city deal.[902684]

The Parliamentary Under-Secretary of State for Communities and Local Government (James Wharton): We are speaking with Edinburgh and south-east Scotland to look at proposals for a city deal there. It is welcome that so many parts of Scotland are keen to be part of the process of delivering city deals. We must ensure that when they are agreed, they are agreed in such a way that will drive economic growth, and that is exactly what we are doing.

Peter Grant: Despite the obvious wealth that exists in some parts of Edinburgh and south-east Scotland, there are also significant areas of very severe deprivation. Some 21% of children in the proposed city region live in poverty just now. The economy of the area has not been helped over the past few months by Government decisions on renewables. Rather than just talking about this deal, will the Minister tell us what the timescale is, first, for a decision and, secondly, for actual action on it?

James Wharton: The hon. Gentleman makes an important point about the diverse nature of the area about which he talks. We see great potential for growth across Edinburgh and south-east Scotland. We want to ensure that we can realise that potential and deliver that growth. We will continue to have talks, which have been productive and are constructive, with interested parties on the city deal. We will continue to work constructively to deliver that city deal if it can be delivered in the right way. These things must be decided properly and after due consideration. That is the process that is currently under way.

Rogue Landlords

22. Cat Smith (Lancaster and Fleetwood) (Lab): What plans he has to tackle landlords who knowingly rent out unsafe and substandard accommodation.[902685]

The Minister for Housing and Planning (Brandon Lewis): The Housing and Planning Bill contains measures to tackle and go further with rogue landlords than anything we have had before. We want to rule out rogue landlords who rent out substandard accommodation and to do all we can to ensure that tenants have a good and safe environment. Our proposals include a database of rogue landlords and letting agents, banning orders for serious or repeat offenders, a tougher fit and proper person test, extending rent repayment orders and introducing civil penalties.

Cat Smith: Over the past five years, despite the poor quality of many privately rented homes, rents have soared and they are now a fifth higher than they were in 2010. Why are the Government not taking any steps in their new Housing and Planning Bill to help private renters with these soaring rents?

Brandon Lewis: If the hon. Lady looks at the private rented sector over the past five years, she will see that its increases are, on average, lower than the increases in the social housing sector, hence our reason for the changes in the Budget. We are going a lot further than ever before in cracking down on rogue landlords, whom everyone across the House would like to see put out of business.

Mike Wood (Dudley South) (Con): An important part of protecting tenants is ensuring that landlords understand their obligations and that tenants understand the remedies that are available. What action is the Department taking to ensure that tenants and landlords understand their rights and responsibilities?

Brandon Lewis: My hon. Friend makes a good point. Apart from the extra measures that we are taking in the Housing and Planning Bill, in which we will do all that we can to publicise to tenants what they need to be aware of so that they know what to expect, we have also published a guide for tenants, so they can clearly understand their rights and what to expect from a good quality landlord. We should be clear that the majority of landlords offer an excellent service and that tenants are happy with them.

Topical Questions

T1. Oliver Colvile (Plymouth, Sutton and Devonport) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Communities and Local Government (Greg Clark): At the start of topical questions before Christmas, may I wish everyone a very happy Christmas across the country?
Since our last oral questions, the spending review has announced the biggest affordable house building programme by the Government since the 1970s, delivering at least 400,000 affordable homes, and has confirmed that resources available to local government will be maintained in cash terms until 2020. We have agreed devolution deals with Liverpool and the west midlands. We have completed the Committee stage of the Housing and Planning Bill and Third Reading of the Cities and Local Government Devolution Bill. We will continue to develop new devolution deals with communities in order to devolve more power and resources right across the country.

**Oliver Colvile**: As my right hon. Friend might know, I am running a campaign to try to save the hedgehog. Will he ask his Department to provide guidance to local authorities on how to make gardens in new-builds more hedgehog-friendly and ensure that we can have a hedgehog superhighway?

**Greg Clark**: I know that this is a prickly issue for my hon. Friend, so let me come straight to the point. I will not be issuing guidance on the protection of hedgehogs, but I draw Members' attention to the excellent publications of the British Hedgehog Preservation Society. I recommend its guide to looking after hedgehogs to any hon. Member who wishes to curl up this Christmas and read it.

**Mr Speaker**: The words “hedgehog superhighway” did not trip off the Secretary of State's tongue, but I feel sure that he is preserving them for another occasion.

**T3. [902655] Diana Johnson** (Kingston upon Hull North) (Lab): Will the Secretary of State explain why the very same councils that have the highest numbers of vulnerable children are also those that have seen the highest budget cuts under his Government?

**The Parliamentary Under-Secretary of State for Communities and Local Government** (Mr Marcus Jones): If the hon. Lady looks at the figures, it will be quite apparent that the local authorities with the highest spending power are those that she refers to. Councils will see a rise in their resources in cash terms over this Parliament, from £40.3 billion to £40.5 billion in 2019-20. The hon. Lady will shortly see the outcome of the local government finance settlement.

**T2. [902654] Julian Knight** (Solihull) (Con): Will my right hon. Friend join me in welcoming plans submitted for the tearing down of the PowerGen building in Solihull—an eyesore that has blighted the lives of my constituents for a generation? It is being replaced by hundreds of new homes of many different types, including 260 badly needed assisted living apartments.

**The Minister for Housing and Planning** (Brandon Lewis): My hon. Friend has given a really good example of a local authority making good use of brownfield land to provide the housing that its local community needs. I congratulate him on thinking properly and locally in that way.

**T7. [902659] Margaret Greenwood** (Wirral West) (Lab): In a hasty attempt to reverse the Office for National Statistics decision to recategorize housing associations as “public”, Ministers were recently reported to be considering the sale of £44 billion of Government grant on housing association balance sheets to private investors. Housing associations have made it clear that they would strongly oppose such a move and David Orr, the chief executive of the National Housing Federation, has called it an “unhelpful distraction”. Will the Secretary of State assure the House and the housing association sector that the sale of Government grant on housing association balance sheets to private investors is not under consideration?

**Greg Clark**: Yes.

**T4. [902656] Mr Christopher Chope** (Christchurch) (Con): Last year, Christchurch Borough Council’s local development plan was adopted with new green-belt boundaries. Will my right hon. Friend ensure public confidence in that plan by making it his policy to call in for his determination any application by a local authority to depart from the plan by giving itself planning permission to build on the very green belt that was so recently confirmed?

**Brandon Lewis**: My hon. Friend outlines an important point. It is absolutely right that once a local authority has its local plan in place, it should adhere to it. If his local authority dared take an opportunity to go outside the local plan, I am sure that my hon. Friend would be the first to ask me or the Secretary of State to consider the application.

**T8. [902660] Mrs Emma Lewell-Buck** (South Shields) (Lab): Crippling cuts have led to some local authorities having to close their local welfare assistance schemes altogether. Food banks in these areas are reporting increased need. Given that the Government are continually presiding over 5 million people living in food poverty, will the Secretary of State commit to protecting future funding and reinstating the local welfare ring fence?

**Greg Clark**: It is important that local authorities should take their local welfare responsibilities seriously. When we have the local government financial settlement, I am sure that the hon. Lady will be pleased to see that that continues to be recognised.

**T5. [902657] Matt Warman** (Boston and Skegness) (Con): The people of Lincolnshire know what is best for the people of Lincolnshire. Will my right hon. Friend outline the benefits on offer in the current devolution deal and tell me how the Lincolnshire bid is going?

**The Parliamentary Under-Secretary of State for Communities and Local Government** (James Wharton): My hon. Friend is, of course, well placed to represent the views of the people of Lincolnshire and he does it very effectively. The whole approach of the Government towards devolution is bottom up; it is about bespoke deals that recognise that areas are different and that local people know best the tools they need to drive economic improvement and improve lives for the communities that they represent. Discussions in Greater Lincolnshire are going well and include the issues of skills, transport, housing and water management. I hope they will conclude successfully and that a deal will be reached that will last for a very long time.
T9. [902661] Nic Dakin (Scunthorpe) (Lab): What discussions has the Secretary of State had with the Business Secretary to explore how councils in steel communities can use imaginative and creative approaches to business rates to support the steel industry through this difficult time?

Greg Clark: I have had discussions with the Business Secretary and his colleagues. It is very important that we empower those local communities to be able to act in support of the businesses and the employees of those industries. Through the extension of the enterprise zone in Teesside, for example, the hon. Gentleman will see that practical support has been given to make sure that the prosperity of those regions continues to grow, despite these challenges.

Amanda Milling (Cannock Chase) (Con): I commend Staffordshire fire and rescue service for its work in fire prevention, which has contributed to a fall in call-outs, but does my right hon. Friend agree that further integration and collaboration between police, fire and other blue light services would help to identify vulnerable people more effectively, which would lead to better outcomes for the public and great efficiency savings?

Mr Marcus Jones: This Government are doing a number of things to help the type of traders that the hon. Gentleman refers to. We have allowed sensible planning changes to allow local areas to respond more flexibly to changing market conditions on the high street. We are tackling over-zealous parking practices and I am working closely with retail organisations on the Future High Streets Forum to develop strategies that will enable our high streets and communities to meet the future needs of the consumer.

Clive Efford (Eltham) (Lab): On the very last day of consideration of the Housing and Planning Bill, the Conservatives passed an amendment to bring to an end secure tenancies in social housing. That was done without consultation or any impact assessment. Can the Secretary of State tell me where he warned council tenants that this was in the Conservative manifesto?

Mr Andrew Turner (Isle of Wight) (Con): Some areas, such as the Isle of Wight, will have a much more difficult task than others in increasing their income through increasing the business rates base. Will my right hon. Member meet Isle of Wight Council to discuss this matter?

Steve McCabe (Birmingham, Selly Oak) (Lab): Do the Government have any plans for fresh initiatives, other than business improvement districts, to help traders in small suburban shopping centres, such as Stirchley in my constituency?
who are absolutely dismayed that this Government have pulled a flanker on them, and pulled the rug from under them, in what they consider to be their rights as tenants?

Brandon Lewis: I refer the hon. Lady to the answer I gave a few minutes ago and remind her that council tenants who already have a tenancy are not affected by this—it is about new tenancies. This is the right thing to do, as I am sure she would agree, given that the previous Member for Holborn and St Pancras had a council house when he was on a Cabinet salary. I am sure that many taxpayers would wonder whether that was good expenditure.

Dr Liam Fox (North Somerset) (Con): South Gloucestershire, Bristol and Bath and North East Somerset councils work very well as a functional unit. Does my right hon. Friend understand that any attempt to reintroduce Avon, directly or through the back door via Treasury pressure, would be regarded as an enormous betrayal, and will he guarantee that it will not happen?

Greg Clark: I can assure my right hon. Friend that I have no intention of reintroducing Avon by the front door, back door or side door.

Alan Brown (Kilmarnock and Loudoun) (SNP): Further to my earlier question, if the new one-for-one replacement for right to buy was funded directly by the UK Government instead of other means, what would the Barnett consequentials be for Scotland?

James Wharton: As I said earlier, the Scottish Government are seeing a significant increase in their capital budget as a result of the announcement in the spending review. The Barnett consequentials of individual policies are worked through and delivered. The British Government—the Government here in this place—meet our obligations in that regard, and will continue to do so, to ensure that the Scottish Government get a fair deal and can continue to deliver what they need to deliver to meet their obligations and the concerns of hon. Members.
National Minimum Wage: Sports Direct

3.32 pm

Mr Chuka Umunna (Streatham) (Lab) (Urgent Question): To ask the relevant Minister if he will make a statement on Sports Direct plc and its compliance with the national minimum wage legislation.

Mr Speaker: I call the relevant Minister, Mr Nicholas Edward Coleridge Boles.

The Minister for Skills (Nick Boles): Thank you, Mr Speaker.

I share the hon. Gentleman’s concern that working people are paid the full amount that the law requires for every hour that they work, and I welcome his urgent question. We take the enforcement of minimum wage laws very seriously. That is why we have increased the enforcement budget from £8.1 million in 2010 to £13.2 million in 2015-16. While I am not able to comment on enforcement action in relation to individual employers, I can assure the House that Her Majesty’s Revenue and Customs follows up every complaint it receives in relation to breaches of the national minimum wage. I encourage any employer or worker who is concerned that these laws are not being complied with in their workplace to contact HMRC or ACAS, through its confidential hotline. HMRC undertakes targeted enforcement activity in the most high-risk sectors of the economy.

As the Prime Minister announced in September, the Government are taking a number of further steps to crack down on employers who are not paying workers the minimum wage. We have already increased the penalty for breaches of minimum wage legislation to 100% of arrears, up to £20,000 per worker, and from April 2016 the Government will double the maximum penalty from 100% to 200% of arrears so that employers comply with the law and working people receive the money they are due. Furthermore, a new team of compliance officers will be established within HMRC to investigate the most serious cases of employers not paying the relevant minimum wage. The team will have the power to use all available sanctions, including penalties and criminal investigation. We will also continue to name and shame employers who do not pay their workers what they are entitled to.

As a Government, our message to employers is straightforward. We will work to reduce burdens on business by cutting regulation and corporation tax. In return, we expect employers to pay working people at least a decent legal minimum—the national minimum wage and, from next April, the national living wage for workers aged 25 and over. I can assure the House that we will not hesitate to crack down hard on employers, large and small, who break this social contract by failing to pay the wage that the law requires.

Mr Umunna: I thank the Minister for his reply. I am proud that the last Labour Government, in the face of the then Conservative Opposition, introduced the national minimum wage in the first place, when people in our country were earning as little as £1 an hour. I am also proud—the Minister mentioned this—that the overwhelming majority of British businesses, notwithstanding any legal requirements, seek to treat their workers with dignity and respect.

We know enough about the practices at Sports Direct plc, which has a branch in my constituency, to conclude that this company is a bad advert for British business and one with a culture of fear in the workplace, which we would not wish to see repeated elsewhere. As the Institute of Directors has said, it is “a scar on British business.”

I appreciate what the Minister said about not necessarily being able to respond in specific instances, but may I ask him this question? HMRC enforces the national minimum wage. A complaint has been made by Unite the union, of which I am a member, against Sports Direct, accusing it of being in breach of the legislation. HMRC says it cannot act without evidence being provided by workers in that workplace, but, of course, all of them are refusing to come forward in the warehouses concerned, for fear of the repercussions that will follow. Why cannot HMRC go ahead and carry out an investigation in this case, which surely will render other evidence without workers being required to put their necks on the line?

Secondly, may I ask the Minister a generic question? An issue has come up whereby employees are required to go through body searches to check for potential theft. The time they spend going through body searches is not time for which they are paid. The law is unclear in this area. Can the Minister give industry an indication of whether, in the Government’s view, time spent going through body searches would count as working time for the purposes of the legislation?

Thirdly, employees face having 15 minutes of working time deducted if they clock-in just one minute late. The law is not entirely clear about that situation, either. Do the Government believe that if an employer is engaged in those kinds of practices, they are not in keeping with the spirit of the legislation?

Fourthly, the enforcement of national minimum wage legislation is carried out not by the Minister’s Department, but by HMRC. How can we expect HMRC to do the work that we require of it if the Government are pushing through an 18% real-terms cut in HMRC’s funding over the course of the spending review period?

Finally, I have no doubt that the reaction of the employer concerned will be to say, “We comply with the law,” but surely what it needs to understand is that the British public expect a lot more from it. We often do not do things that the law allows us to do, because we do not think that that is the right way to treat our fellow citizens. Surely that should apply to the company in this case.

Nick Boles: The hon. Gentleman asked a series of very important and good questions. The first point I would like to make is that, if any employee of any company has any fear of repercussions, I can reassure them that the ACAS hotline is genuinely confidential. I am sure the hon. Gentleman would be willing to endorse the fact that ACAS is an absolutely, resolutely independent organisation, so people should have no fear of calling that hotline out of hours and reporting a practice.

I did say in my brief response that HMRC enforcement is entitled to conduct targeted enforcement activity in sectors of concern, so it is entirely open to HMRC to investigate proactively in sectors where it feels that breaches may be in evidence. In that sense, it does not necessarily need to wait for a specific complaint to be able to investigate breaches.
I have read the article that revealed some of the allegations being made about Sports Direct. The hon. Gentleman asked about the search and whether the time it takes is working time or not. This is an intensely vexed legal question and he will know, as a former employment law practitioner, how much of his former colleagues’ time it is taking up. I cannot give an absolute pronouncement, but what I can say is that anything that counts as work as part of somebody’s employment contract must be compensated at least at the level of minimum wage. The question is whether such a search counts as work under their employment contract, and that question can be explored legally.

The hon. Gentleman mentioned the second claim that was made—about employees being docked 15 minutes for being one minute late. Although it is legally permissible for time to be docked for late arrival, it is important for every hon. Member to understand that the minimum wage legislation will apply to the 14 minutes as well as to the rest of the time that people work, so employees cannot not be compensated for those 14 minutes if that would bring their overall wage rate down below the national minimum wage. I hope that that goes some way to reassure him.

The hon. Gentleman made a general point about the cut in funding for HMRC of 18% over the spending review period. I will have to take his word for it because I do not have the global figures to hand. I pointed out to him the very significant and dedicated increase in funding for the minimum wage enforcement team. It has gone up by more than 50% since 2010 and will go up £3 million this year alone. I can therefore reassure him that, whatever else is going on in HMRC, this is a priority in which we are investing and on which we will beef up activity.

The hon. Gentleman is absolutely right to make the general point that obeying the law is the minimum we expect of employers. We expect employers to behave responsibly and to be good citizens. We hope they would not be satisfied with just obeying the law, but would want to go a great deal further, and in a sense, our expectations about the behaviour of large and profitable employers are even greater than those for others.

Several hon. Members rose—

Mr Speaker: Order. I am glad that the Minister graciously welcomed the urgent question. Unfortunately, the Treasury wrote to me this morning to say that the matter was not urgent and should not be aired. Upon examination, I concluded that it was and should. We look very much forward to the exchanges.

Mr Peter Lilley was standing, but the right hon. Gentleman has thought better of it. Never mind—fair enough. I call Mr Marcus Fysh.

Marcus Fysh (Yeoval) (Con): My constituents have approached me with concerns about Sports Direct on several occasions since the election. It appears that Sports Direct can sometimes make somewhat aggressive use of and have a somewhat aggressive attitude towards flexible working. Flexible working can suit some people, but does not always suit others. When it comes to such employment laws, has my hon. Friend given any thought to a general anti-avoidance rule, such as the one we are considering in the tax sphere?
May I question the Minister on the upcoming change to the minimum wage, with the introduction of the living wage? I read that in a recent Department for Business, Innovation and Skills survey of 1,000 employers, nine out of 10 employers strongly welcomed the introduction of the living wage and said that it would boost productivity and the morale of their employees. However, it was concerning that four out of 10 employers said that they had not communicated with their staff regarding the upcoming potential rises in pay, and that eight out of 10 still had not updated their payroll or created new procedures to implement the living wage.

Will the Minister comment on that, so we can be sure that legitimate businesses are ready and do not get into a similar situation?

Mr Speaker: I was going to recommend that the hon. Gentleman conducted an Adjournment debate on the subject until I realised that he had just done so.

Nick Boles: I thank my hon. Friend for pointing out, from direct experience, how good the ACAS hotline is. On the national living wage, which is coming in next April, a substantial Government communication campaign will start in the new year. We feel that it is in the months leading up to its introduction that communication will be most effective in making sure that employees and employers know that it is coming in, know what is required and begin to work out how to implement it in their systems.

Kevin Brennan (Cardiff West) (Lab): The Sports Direct scandal has occurred even though the national minimum wage has become a national treasure. Everyone supports it now, but, like all great social reforms, it had to be fought for in the teeth of bitter, all-night opposition in this House. Even when great social reforms become part of the political consensus, they still have to be fought for. The battle to sustain and enforce the minimum wage must be continuous and, frankly, requires more than just warm words from Ministers.

The TUC estimates that at least 250,000 workers are not being paid the minimum wage. What is the Minister’s estimate? Have the Government even made one? In the last Parliament, it was revealed that just nine firms had been charged for non-compliance with the minimum wage. Will he update the House on how many legal proceedings are under way against firms for non-compliance? Can he even tell us how many workers have received the money that they are owed after a notice of underpayment has been issued by HMRC, because up to now the Government have failed to provide those data? Will he order an urgent investigation into Sports Direct concerning the alleged abuses, which have led the Institute of Directors to label it “a scar on British business”?

The Minister says that he is acting, but where are the results? How will he get results with the closure of so many HMRC offices? It is easy to talk the talk on low pay, but it means nothing to millions of low-paid workers, whose labour employers feel they can turn on and off like a tap, unless Ministers walk the walk on the minimum wage. When will we see real action to enforce it?

Nick Boles: I am happy to acknowledge that the national minimum wage was one of the great achievements of the Government led by Tony Blair. I note simply that there are more supporters of that Government’s achievements on this side of the House than on the hon. Gentleman’s side. I look forward to receiving the same acknowledgement from Opposition Members when, next April, we introduce the national living wage, which is significantly higher than any increase in the national minimum wage he and his colleagues proposed during the last election campaign.

The hon. Gentleman asked some good and proper questions about enforcement, but he glided over the fact that the budget for enforcement has gone up by more than 50% since his party was in government and that we have increased the arrears penalties, increased the powers and stepped up the programme of naming and shaming companies, large and small.

In 2014-15, 705 employers received penalties, totalling more than £934,000. We are setting up a new dedicated team to focus on tackling the most serious breaches, and to consider whether directors of employers that persistently breach legislation should be disqualified. In 2014-15 we identified £3.29 million arrears for 26,318 workers, we conducted 735 successful investigations, and we charged 705 penalties, worth £934,000. We successfully defended 17 of the 23 appeals against enforcement notices. If, from the luxury of opposition, the hon. Member for Cardiff West wants to suggest further activity that we could carry out, I am always happy to hear about it. Fortunately, we are doing a lot more than the Government he was part of to defend one of the only achievements that Labour Members are still willing to talk about.

Mr Alan Mak (Havant) (Con): There are reports that some large retail businesses have already increased their hourly salary for employees to a level above the national living wage, following the Government’s announcement. Will the Minister update the House on his understanding of that?

Nick Boles: I have heard such reports, and while I do not have the list of major retailers that have announced that measure on the tip of my tongue, that extremely welcome news underlines the point made earlier: we expect more than just obedience to the law; we expect social responsibility and for employers to see benefits from the improved morale and retention that come from paying people better wages.

Mr Skinner: The Minister should not expect social responsibility from the man who controls Sports Direct in my constituency, at the warehouse at Shirebrook on a pit site. That man has not made £6 billion because he is a considerate employer; he is a monster of a man who does not even reply to MPs’ letters—I have sent him many. He has £6 billion and is on the Sunday Times rich list, because he is the type of man that will not take any notice of HMRC unless the Government really mean business. This man, Mike Ashley, would fit very nicely on millionaires’ row, along with his pals. This will be a test of the Minister’s mettle—get stuck in.

Nick Boles: I have never had the pleasure of being encouraged to get stuck in by the hon. Gentleman before, but I promise to follow up on that. Let me be clear: I do not care how famous or well connected
employers are, and I frankly do not care how much money they have made. They must obey the law, and if they do not, we will enforce it. We will fine them and disqualify directors if necessary.

James Cleverly (Brain tree) (Con): As well as strong enforcement by the Government, it should be possible for those who are employed by bad businesses to vote with their feet and move to better employers. What is being done to help to create more and better jobs for those employed by Sports Direct, and to communicate the availability of those jobs?

Nick Boles: I thank my hon. Friend for bringing us back to the important and constant theme of this Government, which is an economy that is creating new jobs at an unprecedented rate. Most of those jobs are now full time, and most not only pay more than the minimum wage, but pay more than the national living wage that will be introduced in April. It is ultimately through a dynamic economy that we will create opportunity for anyone who does not feel that they are getting a square deal from their current employer.

Toby Perkins (Chesterfield) (Lab): When Sports Direct announced that it would build its factory at Shirebrook, people in north Derbyshire were delighted. It is a tragedy that an organisation that employs nearly 3,000 people should have such a terrible reputation. What steps can the Minister take to communicate with that company and try to ensure that its future success does not come at the expense of my constituents and those of my hon. Friend the Member for Bolsover (Mr Skinner)?

Nick Boles: I am delighted that the hon. Gentleman has pointed out how important that organisation is as an employer in his constituency. It is important we acknowledge that Sports Direct employs a great many people, and I am sure a great many people are very happy to work there. I reinforce the point, however, that no company director and no company owner will want the House of Commons to be discussing, in the terms the hon. Member has pointed out how important that organisation is as an employer in his constituency. It is important we defend their minimum wage. When the set of enforcement measures are robustly.

Mr Christopher Chope (Christchurch) (Con): What message of Christmas cheer does my hon. Friend have for all those people who are self-employed and earning far less than the minimum wage, but are faced with having to submit quarterly returns to HMRC instead of annual ones?

Nick Boles: I am full of admiration for anyone who is self-employed. It brings many rewards, but money is not always one of them. I am absolutely clear that the Government must do everything they possibly can to reduce the burden of regulation on those who are self-employed.

Mr David Winnick (Walsall North) (Lab): Does the Minister recognise that what is so disturbing about the newspaper report is the fear among many people working there? In some instances, women are apparently not willing to stay away from work, even if their child is sick for a day, simply because they may lose their job. Is it not totally unacceptable to have such fear and exploitation in a company? Does it not remind one of the early years of the last century when workers were treated in such a contemptible way? Finally, why was the advice given to Mr Speaker that this was not an urgent question? If the Minister is so keen on coming to the House and welcoming The Guardian investigation, why did he try to stop the question being asked in the first place?

Nick Boles: Mr Speaker, it is always for you to judge whether a question is urgent. I simply acknowledge that this question is important, which is why I am so delighted to answer it. On the hon. Gentleman’s broader points, while the Government believe in deregulation and reducing the burden on business, we have made it clear that certain laws are absolute and must be adhered to: minimum wage legislation is one, along with health and safety legislation and a whole slew of other employee protections. We intend to enforce those protections robustly.

Emily Thornberry (Islington South and Finsbury) (Lab): According to the Office for National Statistics, a quarter of million people are not paid the minimum wage. According to the Minister, HMRC has found 26,000 of them. What is the Minister going to do to bridge the gap? If the Minister does not have any ideas—it does not look as though he has a plan—may I suggest something? To not pay the minimum wage is a criminal offence. Why have there not been any prosecutions taken out against directors who are not paying the minimum wage? The department in the Attorney General’s office responsible for taking out prosecutions has been cut for the past three years and there has not been a single prosecution during that time.

Nick Boles: The hon. Lady always comes to this House knowing the complete answer to every question, but it might help her sometimes if she would actually listen to the list of measures we have introduced that go significantly further than any enforcement activity the Government she supported ever brought forward to defend their minimum wage. When the set of enforcement measures is working as well as it currently is, I see no reason to take any instruction, however helpfully phrased, from the hon. Lady.

Mr Speaker: This is an extremely important matter but we have other important business to follow, so I am looking for pithy questions and answers.

David Mowat (Warrington South) (Con): On the facts, the case in The Guardian is disturbing. Does the Minister agree that one good piece of news is that, whatever else happens, in April next year Sports Direct will have to pay these people 11% more than they are getting now?

Nick Boles: That is absolutely right. That has happened because the majority Conservative Government have run the economy sufficiently well that we can expect employers to do that and still prosper.

Tom Brake (Carshalton and Wallington) (LD): The Minister has pointed out that HMRC conducts risk-based enforcement in sectors where there is a high risk of
workers not getting paid the legal minimum wage. Is the sector in which Sports Direct operates a high-risk sector? If so, how many proactive initiatives has HMRC launched in it?

Nick Boles: The targeted sectors are those where low pay is prevalent and where many employers are therefore close to the minimum wage boundary and those where there have been significant breaches in the past and where there is therefore good reason to expect other such breaches in the future. I cannot tell the right hon. Gentleman how many such investigations there have been, but I am happy to write to him and place a copy in the Library.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Minister wrote to me on 14 October about the care sector—one of the sectors he just referred to—saying that HMRC was investigating several companies in the sector, but he could not confirm which companies or comment on the progress of the investigations. Given what he said about being strident with the owners, managers and directors of these companies, will he be strident with MiHomecare and Mitie—previously run by the new Tory Baroness McGregor-Smith—about whose conduct significant concerns have been raised?

Nick Boles: It is not the job of a Minister of the Crown to lay down the law on individual cases and companies that have not been found definitely to have breached the law. I have been as clear as possible about any employer, large or small, that does breach the law, and I hope the hon. Gentleman can apply that to any particular case.

John Mann (Bassetlaw) (Lab): In our area, everyone knows that English native speakers cannot get a job at the Sports Direct warehouse, despite 3,000 people working there, and there was a baby born in the toilets there. Why were there 80 ambulance visits to Sports Direct in two years? Is it because employees are too scared and not allowed time off to see the doctor, and there is therefore a misdirection of NHS resources? Might there also be tied housing, meaning that people are too scared to speak because they are provided with a house to live in, the rent and the transport they have to pay for to get to work? We need a full investigation not just into Sports Direct but into the plethora of agencies it used to employ.

Nick Boles: If the hon. Gentleman or any other hon. Member has allegations and evidence of bad practice in relation to minimum wage, or any other, legislation they would like to bring to my attention, I would welcome it. The hon. Member for Streatham (Mr Umunna) mentioned that a trade union had raised concerns about this particular employer. If employees do not trust the Government phone line, despite the ACAS hotline being genuinely confidential and independent, and if they would like to submit their evidence through the union, they can, but I am sure hon. Members will understand that they need to be willing to engage with enforcement officers to provide evidence. The Government have to act on the basis of evidence; however well researched the Guardian article was, it is not enough on its own.

Diana Johnson (Kingston upon Hull North) (Lab): Is it not time the Government considered introducing a specific criminal offence of exploitation, which they refused to do in the Modern Slavery Bill in the last Parliament?

Nick Boles: We have enough criminal offences; what we need is effective enforcement, and that is exactly what the 50% increase in the enforcement budget and the new powers we are giving to the HMRC enforcement team will achieve.

Clive Efford (Eltham) (Lab): My understanding is that the trade unions have made representations on behalf of staff who, for good reasons, want to remain anonymous. Should HMRC continue to ignore representations on behalf of legitimate trade unions, or should it act now and search the offices of Sports Direct?

Nick Boles: I have made it clear that if any individual complaint is to be assessed for its validity, HMRC needs to be able to follow it up. I have also made it clear that in sectors of concern, HMRC undertakes targeted enforcement activity that does not wait for a complaint. It will be listening to this debate.

Stella Creasy (Walthamstow) (Lab/Co-op): The Minister said that it is ultimately a growing, dynamic economy that should give people confidence about being able to find well paid jobs, but good employment practices and legislation also give them confidence. One issue that is greatly worrying a number of residents in my constituency is the use of tips and service charges to top up wages and the murky world of requirements used by employers such as Turtle Bay, a local restaurant. Will the Minister meet me and some of the campaigners from the GMB union to look into these practices further? I know he has recently conducted an investigation, but it would be incredibly beneficial to those on low wages in my local community to look at how these practices are used to top up wages or otherwise, especially ahead of the new higher minimum wage that he has talked about.

Nick Boles: In my experience the hon. Lady is often on to things before the rest of us, so I would be delighted to meet her.

Mr Speaker: What a perceptive fellow the Minister is. We are most grateful to him, and I thank him for engaging with the urgent question so comprehensively.
Let me turn to what the nearly 200 countries have agreed. First, we have set out a clear long-term goal for the world to achieve net zero emissions by the end of the century. The long-term goal sends a strong signal to investors, businesses and policy makers that the shift to a global low-carbon economy will happen and it provides the confidence needed to drive the scale of investment required. We have confirmed our collective ambition to limit global temperature rises to below 2° C. We have agreed a further aspiration of 1.5°. However, the current level of commitments by individual countries will not meet this ambition, so crucially, countries will come back to the table to assess overall progress towards the 2° goal in 2018 and every five years thereafter.

As investment grows and the costs of low-carbon technologies come down, the Paris process will provide not just the opportunity but the political pressure to step up individual countries’ emissions reductions targets. Starting in 2020, countries are expected to update their own plans to cut emissions, and will be legally obliged to do so again every five years, thus providing regular political moments to scale up ambition.

This agreement is not only comprehensive in its scope, as it also recognises the role of both developed economies and emerging economies in helping the poorest and most vulnerable countries to protect themselves from the effects of climate change as they transition to a low-carbon economy.

Over the last five years, the UK’s £3.87 billion international climate fund has been helping millions of the world’s poor better to withstand extreme weather and rising temperatures. At the UN Secretary-General’s summit in September, the Prime Minister announced a significant uplift to increase climate finance by at least 50% with £5.8 billion-worth of climate finance over the next five years to support poor and vulnerable countries to adapt to climate change and to curb emissions. This is part of a global commitment to mobilise $100 billion a year from both the public and private sector to protect the most vulnerable and support economic growth from 2020. Other developed countries, including Germany, France, the US, Japan, and Canada have all recently announced increases in their climate finance.

Important as the Paris agreement is, we will achieve our ultimate ambition only if it acts as a catalyst for transformational action from all parts of society. That is why it has been so important to see real action over the last month from business and civil society. A new initiative, for example, called “Mission Innovation”, will see some of the biggest global economies—including the UK, US, and India—doubling their investments in clean energy research and development. Crucially, it is private investors who will join us in this endeavour to bring down the costs of low-carbon technologies.

Here in the UK, we have committed to doubling spending in clean energy research and development, so that by 2020 we will be spending in excess of £400 million. That pledge has been matched by 19 other countries worldwide. This is in recognition of the fact that we will tackle climate change effectively only if we find technologies that are both clean and affordable. Let me reassure that the announcement I made last month—that I would set out proposals to close coal by 2025 and restrict its use from 2023—added to the momentum at Paris.
The Paris agreement truly marks an historic turning-point. It builds on the Kyoto protocol, and for the first time ever provides the comprehensive framework in which not just developed countries, but nearly every country of the world has committed to take the global action needed to solve a global problem. Of course, it was hard fought and of course it required compromise to bring everyone with us. Of course, too, it has not solved every problem in one go.

Now we have to set about implementing the commitments made, but we should not underestimate the significance of what has been achieved. All parties have recognised that economic and global security requires us to tackle climate change. All have come together to commit to a single goal—net zero carbon emissions by the end of the century. All have agreed to set out plans to curb emissions and to be held accountable for their actions. We have made a huge step forward in meeting our responsibilities to this and future generations. As the excellent Executive Secretary to the United Nations Framework Convention on Climate Change, Christiana Figueres, said:

“I used to say we can, we must, we will. Now I can say we did.”

4.14 pm

Lisa Nandy (Wigan) (Lab): I thank the Secretary of State for her statement, and for giving me advance sight of it. I also thank her for paying tribute to successive Secretaries of State on both sides of the House. She is right to recognise that the cross-party consensus that has existed since 2008 helped to build the road to Paris, and gave the United Kingdom its voice in the negotiations. It is a precious legacy for all of us, and we must not allow it to fracture now.

For the first time, leaders from nearly every country in the world have come together to cut carbon pollution and set us on the path to a cleaner, greener future; to agree on a common goal of building a carbon-neutral global economy within a generation; to reduce pollution; and to switch to cleaner energy—and, as the Secretary of State rightly recognised, all countries have agreed to raise their ambition every five years until the job is done. I particularly welcomed the Secretary of State’s announcement that the developed world would do its fair share by providing at least $100 billion of finance to assist poorer and more vulnerable countries.

This is a moment to celebrate, not because the agreement is sufficient—we must be honest about the fact that the pledges made by each country do not add up to a commitment that will keep temperature rises well below 2°C—but because it gives us enough to take us much, much closer to climate safety, and sends a clear signal to global financial markets that the era of unchecked fossil fuel use is coming to an end.

This accord is testimony to the fact that we are stronger and safer when we work together, both at home and abroad. Our voice has been heard more loudly because we have worked closely with our friends in the European Union and we have spoken together, united and with one voice. Our voice has also been heard because of the hard work and the skills of our lead negotiator, Pete Betts, and his team in the Department for Energy and Climate Change, who worked tirelessly with Sir David King and his team of diplomats in the Foreign Office to secure the agreement. Let me place on record our thanks for what they have achieved. Let me also commend the dedication of the British scientists, campaigners, faith groups, businesses, scientists and civil society organisations who mobilised public support for this global deal. Last month, along with some of my hon. Friends, I joined hundreds of thousands of people to march peacefully through the streets of London, Edinburgh and other major cities around the world, to ensure that our collective voice was heard in the negotiating rooms of Paris.

The question that must now be asked is “What does this deal mean for Britain?” In recent months, the Government have made a series of decisions that have reversed our progress on the road to climate safety. Ministers have attacked the cheapest options for achieving carbon targets, and household energy bills may rise as a result. Last week, during the Paris negotiations, they decided to raise household and energy bills again through the capacity market auction. Hundreds of millions of pounds will go to energy companies to keep open power stations that would have been open anyway. It is difficult to see how that is consistent with what the Secretary of State has said today, and with her claim to be acting to control costs. Will she explain that to the House today?

Ministers have also undermined our progress on carbon capture and storage, which is crucial to ensuring a just transition and support for climate change action from the communities of Britain who work in the important industries that rely on fossil fuels. In Yorkshire and Scotland, communities, scientists and engineers are reeling from the Chancellor’s decision to axe a £1 billion fund for CCS. Can the Secretary of State tell us today that that decision will be reversed?

The Government have wasted no time in blocking new wind farms even where they enjoy strong local support, and have made severe and short-sighted cuts in energy efficiency and solar power schemes. Thousands have lost their jobs, and thousands more could still do so. Millions around the world will go into the coming winter facing the prospect of cold homes and high energy bills, and in this country that is avoidable. The Government’s decisions will cause immense damage to human lives and to the planet.

Following the Prime Minister’s important words in Paris, will the Secretary of State demonstrate to the House that the Government as a whole will listen, and that they will prevent the Green Investment Bank from being sold off in a manner that will remove its green mandate, leaving it free to invest in fossil fuels; cancel the new tax on more efficient vehicles; and stop another tax raid on the renewable energy industry? All those steps will take us backwards on climate change and jeopardise jobs in the industries of the future. It raises this question: what is this Government’s plan for meeting Britain’s climate change commitments? The Government’s own advisers, the Committee on Climate Change, recently warned that existing energy policy is “failing”, and only this morning the CBI called for more clarity for British business. On news of the Paris deal and the goal it contains to limit global temperature rises, its director told the BBC:

“Businesses will want to see domestic policies that demonstrate commitment to this goal”.

So can the Energy Secretary confirm whether her Government’s recent string of green U-turns will now be reviewed in the light of the new assurances we have that every country will play its part in addressing climate change?
Secondly, can the Energy Secretary confirm that the UK will continue to support raising European targets on reducing carbon pollution by 2030, to ensure we are making our fair contribution to the international effort and grasping the maximum potential for our economy from green industries? Finally, will the Energy Secretary ask the independent Committee on Climate Change to review the adequacy of Britain’s existing carbon reduction targets in light of the new internationally agreed goal of limiting global temperature rises to well below 2°C, and ideally to no more than 1.5°C?

Two weeks ago the Prime Minister said that when we look back, we will ask “what was it that was so difficult when the world was in peril?”

The Secretary of State rightly said in her statement to the House that there are no excuses, and I look forward, as do all my hon. Friends, to hearing how she intends to breathe life into this historic landmark agreement.

Amber Rudd: I thank the hon. Lady for her questions and welcome her support for the overall global deal. In answering her questions, I would make the following points. First, the UK’s emissions are 1.2% of the world’s, so our emphasis must be on making sure we get an international deal. That is why we were so committed to it. That is why we spent the past week flat-out trying to achieve it, and working to ensure we got China into the deal, which is responsible for 26% of the world’s emissions—more than the EU and the US combined. We remain committed to the Climate Change Act and to making sure we go forward on a low-carbon future, but there is no value in it if we do not actually have influence in the rest of the world. That is what we achieved this week: making sure that that influence was absorbed and taken on, so we reached that agreement—very late on Saturday night.

To answer the hon. Lady’s questions about our position in this country, I repeat that we are committed to the Climate Change Act 2008 and to our carbon budgets, but the difference between her side of the House and ours is that we will not risk security of supply and we will not put additional costs on consumers. She asks about the capacity markets but I am afraid that her interpretation is wholly wrong. The purpose of the capacity market is to take absolutely no risks with security of supply. That is what we have done, and we are proud of doing that.

In terms of the actions on renewables, this is about ensuring that our consumers pay the right price for the renewables to which we remain committed. As the costs of renewables come down, it is absolutely right that the subsidies come down. It is completely wrong to characterise us as having any negativity about renewables. We remain committed to them, but we will continue to make provision for them at the best value for money.

As far as CCS is concerned, it was a tight spending round in the review with the Treasury. The cost was £1 billion, and we made a decision not to proceed with the fund. I believe that CCS is going to play an important part in decarbonising in the future, particularly industrial CCS, and we will work internationally to make progress on that. Overall, this Government are absolutely committed to a low-carbon future that is value for money and constantly provides security to consumers and families.

Mr Peter Lilley (Hitchin and Harpenden) (Con): As far as I am aware, there are only two peer-reviewed studies that have computed the total reductions in emissions promised by the member states at Paris, fed them through the standard climate model and calculated the impact on future temperatures. Both have concluded that the temperature in 2100 will, as a result of this treaty, be a mere 0.2°C below what it would otherwise be. Has my right hon. Friend any alternative figures, and would not the trillions of pounds being spent on such a puny achievement be better spent on alleviating poverty and eradicating disease?

Amber Rudd: I thank my right hon. Friend for his question, but at its core is a suggestion that what we are doing will not alleviate poverty. On that he could not be more wrong. Particularly through climate finance and the investment that will come from the private sector, which Governments will be able to leverage, we will help to alleviate poverty and provide energy in areas of Africa and India that have never had it before. That is an essential part of what we will achieve.

Several hon. Members rose—

Mr Speaker: Order. I should gently point out to the House that hon. or right hon. Members who were not present at the start of the Secretary of State’s statement should not expect to be called. Now that I have made that point, it would be rather unseemly for them to continue to stand, as well as fruitless.

Callum McCaig (Aberdeen South) (SNP): I add my thanks and that of my party to the Secretary of State, her team and all those both at home and abroad who made the deal possible. The term “historic” has rightly been used in the rhetoric, but we will be judged not on words but on deeds.

We very much welcome the money to be provided to those most at risk from climate change and to those who have contributed least to it. That is the theme of climate justice, which I have spoken about here before. The deal is not perfect, and it has been acknowledged that it is not enough. We need to up our game both at home and abroad if we are to meet the target of a 2°C rise or well below, and extensively so if we are to meet the aspiration of a 1.5°C rise.

It strikes me that we almost have two Secretaries of State—the one who made her eloquent statement extolling the virtues of the low-carbon economy, and the one who answered questions and reiterated some of the appalling betrayals that the green economy has suffered at the hands of this Government. She said in her statement that there are no excuses, but for the past six months I have heard excuse after excuse. On onshore wind—excuses. On the solar feed-in tariffs—excuses. On carbon capture and storage—excuses. On the Green Investment Bank—yet more excuses. Will she rethink those policies and reinvest in them, or are we to hear yet more excuses?

The world stands on the brink of a global green revolution, and the economic possibilities are enormous, yet we seem determined to throw away our lead in various technologies. To use the words that my hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) regularly uses, the Government are being penny-wise
but pound-foolish. There has been betrayal on carbon capture and storage—I had to question my hearing when it was said that it had a bright future in the UK following the recent decision. It might, but it will be technology developed by others, and others will make the money out of it. That is so short-sighted that it is beyond belief.

Scotland wants to play its part, and we can play our part, but we require this Government to match their rhetoric with deeds. Will the Secretary of State back the green economy and allow us to play our part, or will we hear yet more excuses?

Amber Rudd: I simply do not agree with the hon. Gentleman’s characterisation. I share his enthusiasm for the low-carbon economy, but we are going about it in a different way from the one taken under the coalition. We are making sure that we deliver better value for money, and we are investing in the future in a way that has not been done over the past 20 to 25 years—for instance, with nuclear and with offshore wind, which I am sure he would support. While supporting the low-carbon economy, we must also maintain security of supply, and I am sure he will continue to support the Government’s commitment to oil and gas in Aberdeen.

Nusarat Ghani (Wealden) (Con): My right hon. Friend will recall meeting my concerned residents in Wealden, who talked about other countries’ commitments to climate targets. What is her Department doing to encourage other countries to meet their climate targets?

Amber Rudd: My right hon. Friend rightly says that not all countries have the same resources as we do to meet their targets. I am happy to say that we have a number of helpful tools that we offer in working with other countries, such as the global calculator. It helps them to work out what steps they need to take to meet their targets, and we expect to step up that engagement to help them to do so.

Edward Miliband (Doncaster North) (Lab): I commend the Secretary of State for her role in this agreement and, in particular, the formation of the so-called “high ambition coalition” between developed countries and vulnerable countries, which was such an important part of getting the deal that she did. Labour Members want her to be part of a high ambition coalition at home as well as abroad. She mentioned the very important goal of net zero emissions contained in the agreement—I believe this is to be in the second half of the century. Can she confirm not only that that will apply globally, but that it must apply to each and every country that is a signatory to the agreement?

Amber Rudd: I thank the right hon. Gentleman for his words, and I certainly share his enthusiasm nationally for high ambition—perhaps less of the coalition, for now. It is a great achievement to have the zero emissions target within the long-term goal, but for now the UK will continue to focus on our Climate Change Act targets for 2050.

Mr David Nuttall (Bury North) (Con): Given that the UK’s climate change laws are stricter than the obligations agreed in Paris, does my right hon. Friend agree that there is a real risk of British business being put at a competitive disadvantage if we do not cut the costs of energy, particularly for energy-intensive companies?

Amber Rudd: My hon. Friend is right to highlight the issue of competitiveness. The fact is that getting this global deal is a way of addressing that issue, because other countries will have to step up and make the same sort of plans that we are making. But the best way to reduce the costs of energy is to drive them down through the sort of actions this Government are taking.

Caroline Lucas (Brighton, Pavilion) (Green): In all the acres of media coverage of the Paris agreement, George Monbiot sums it up best: “By comparison to what it could have been, it’s a miracle. By comparison to what it should have been, it’s a disaster.”

I welcome the inclusion of the 1.5°C goal, but it is meaningless without policies to deliver it—in particular, keeping the vast majority of fossil fuels in the ground. Will the Secretary of State tell us how the Government’s recently agreed duty to “maximise” the economic recovery of oil and gas is anything other than completely incompatible with what she has just signed up to in Paris?

Amber Rudd: I am going to interpret that as a cautious welcome from the hon. Lady. There is an element of this deal that she must agree is rather extraordinary: having 200 countries participate. The answer to her question is that we cannot take any risks at all with energy security. Maximum economic recovery is absolutely a commitment from this Government. We have to get a balance right. We have to make sure that we protect energy security while growing our low carbon economy—we can do both.

David Mowat (Warrington South) (Con): I, too, congratulate the Secretary of State and her team on what they have achieved in Paris. She will be aware that since 1990 the UK has decreased emissions by about 28%, which is faster than the EU average, whereas other EU countries have had difficulty in achieving anything like that. Indeed, Austria, Holland, Spain and Portugal have all increased emissions since 1990. What processes exist within the EU to make sure that that is not allowed to continue?

Amber Rudd: My hon. Friend, who is so experienced in this field, has highlighted the issue of the EU sharing of responsibilities, which we will move to next year. I do not doubt that this will be a challenging negotiation, but the UK’s experience is that we can demonstrate our leadership by showing that we have driven down emissions while growing our economy. We hope that we will be able to demonstrate that to other countries and encourage them to follow suit.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): First, I thank the Secretary of State for advance sight of her statement and congratulate her on her involvement in the Paris talks. Will she now take the chance to review and reset the last six months of policy of her Government? Solar and onshore wind—the cheapest forms of renewable generation—energy-efficiency and carbon capture and storage have all been cut. Will she look again at the diesel generation loopholes and make
Amber Rudd: I am happy to say that the Paris agreement allows us to continue on the path that this Government have set in delivering a low carbon future, sticking to our Climate Change Act commitments and always ensuring that we take no risk with security of supply and that we provide value for money for consumers.

Jeremy Lefroy (Stafford) (Con): I congratulate my right hon. Friend on what has been achieved and the French Government on their magnificent hosting of this summit. Given that much of the climate finance pledged by the wealthy nations is likely to be classified as official development assistance and that many of our friends in Europe show no real sign of increasing the amount of ODA that they are giving as a percentage of their gross national income, is she concerned that some of this climate finance might be taken away from the amounts available for the refugee crisis in Syria and other concerns around the world?

Amber Rudd: My hon. Friend is right to praise the French Government who managed this summit in an extraordinarily able way and with great diplomatic skill. The matter of the $100 billion to be mobilised by 2020 is challenging for everybody involved, and we will constantly return to it to ensure that it is delivered, but let us not forget that the money is “mobilised”, so it is not entirely the Government’s to deliver; it is also an attempt to generate private sector influence as well.

Helen Goodman (Bishop Auckland) (Lab): Let me add my congratulations to all those involved in the important talks in Paris. One of the most remarkable things about the agreement is the aspiration to hold reductions to 1.5 °C. As the Secretary of State rightly said, the Paris process adds political pressure to emissions reduction. Will she apply some of that political pressure on the Chancellor of the Exchequer who said the other day that he had inherited zilch and that the decision on the Chancellor of the Exchequer who said the other day that he had inherited zilch and that the decision on carbon capture and storage was not a cut?

Amber Rudd: I think I will just welcome the hon. Lady’s comments about our 1.5° ambition, which was achieved while working very closely with the high ambition coalition.

Marcus Fysh (Yeovil) (Con): It is no longer a question of whether the world tackles man’s impact on the climate, but when. It is a huge achievement to have included developing economies in that ambition, and to have made that ambition realistic. What part can we play in accelerating research and development for game-changing technology, and what part will the clean energy from Hinkley Point in Somerset play in that process?

Amber Rudd: My hon. Friend is absolutely right to say that the distinguishing factor of this agreement, rather than of previous ones, is that it includes developing countries. We are committed to ensuring that we work across other Governments to develop new energy sources through our programme of mission innovation. I also agree that nuclear power, including that from Hinkley Point, which is the first new nuclear deal to be commissioned for 25 years, will be an important part of the low carbon future.

Graham Stringer (Blackley and Broughton) (Lab): The Secretary of State is correct in wanting a level playing field between Britain and other countries, but the failure of Paris to reach the aspirations of the Durban conference to have legally binding limits on carbon dioxide emissions from all countries must put this country at a disadvantage because we do have legally binding commitments. We have already lost great chunks of the steel industry and the aluminium industry. How will the right hon. Lady produce that level playing field to the advantage of our industries?

Amber Rudd: The hon. Gentleman raises an important point about competitiveness. Although there are some elements of this that are not legally binding, there are plenty that are. The fact is that every country has to come back every five years and to demonstrate what they are doing. There will, I hope, be a political moment at that point. Non-governmental organisations, civil society and businesses will be watching and campaigning to ensure that we always make progress. Countries cannot go back on their commitments; they can only go forward. The hon. Gentleman should not underestimate the impact that this deal will have internationally.

Nigel Huddleston (Mid Worcestershire) (Con): I add my congratulations to the Secretary of State and all those who have worked for many years on achieving an impressive outcome. Will the Secretary of State confirm whether the success criteria set before the conference were achieved at it?

Amber Rudd: My hon. Friend asks a good question. Most of our criteria were met, but nobody will have left the conference saying that all their criteria were met. That is how we got a deal—everybody had to compromise a little. That was the achievement of the agreement.

Mr Mark Williams (Ceredigion) (LD): I thank the Secretary of State for a landmark statement. I congratulate her on her personal stamina at 4 am and in particular on the tribute that she paid to her predecessors of all political parties. I think she will agree that the fact that Europe has spoken with one voice was a significant part of the process. None the less, there is still the inconsistency. Does she not agree that, although it was essential that we signed up to ambitious targets in Paris, there is an inconsistency in our scrapping schemes, signed in the last Parliament, that had a meaningful role in dealing with climate change at home?

Amber Rudd: The success of the Paris agreement was the intended nationally determined contributions that each country had to make and come forward with to participate. Almost every country had done that by the day of the agreement. But those are voluntary and very few countries criticised each other. Each country delivers in its own way. That is what the UK will continue to do.

Mr Christopher Chope (Christchurch) (Con): On current trends of uncontrolled immigration, this country will have a population of 30 million more by the end of the century. What impact does my right hon. Friend think that will have on our CO₂ emissions?
Amber Rudd: I reassure my hon. Friend that the big influence on our CO2 emissions is generally from the power sector and industry. We will monitor them constantly to enable there to be continued reductions.

Matthew Pennycook (Greenwich and Woolwich) (Lab): I also commend the Secretary of State and her officials for the part that they played in securing the Paris agreement. With that agreement in place, Britain will need to be more ambitious, if anything, when it comes to emissions reductions yet the Government are struggling to meet their renewables target, particularly when it comes to heat and transport. As in so many areas, the Chancellor ultimately calls the shots, but will the right hon. Lady let the House know what progress she has made in persuading the Secretary of State for Transport to do more to decarbonise that sector?

Amber Rudd: The hon. Gentleman is absolutely right: the challenge for the renewables target is heat and transport. I reassure him that I am working closely with the Secretaries of State for Transport and for Communities and Local Government to put together a plan to ensure that we can make that target.

Mark Spencer (Sherwood) (Con): The Secretary of State will be aware that the largest percentage of electricity generated today still comes from coal-fired power. Will she give further reassurance that, as we move to a lower carbon future, consumer prices will remain at the forefront of her thoughts, as well as continuity of supply and carbon leakage?

Amber Rudd: I reassure my hon. Friend that we would in no way sacrifice our security of supply as we move towards a low carbon economy. I can also tell him that putting an end date on coal is an important part of making sure that we meet our low carbon future. We should be proud of the fact that we are the first developed country to put an end date on that.

Mark Durkan (Foyle) (SDLP): Does the Secretary of State have full confidence that the funding commitments and action plans that Governments have signed up to will be adhered to? I commend her on her statement and the work that went into the agreement, which uses human rights language much more strongly than any environmental agreement had used before. But how confident is she about adherence and follow-through?

Amber Rudd: The hon. Gentleman is right that the financial contributions—the $100 billion by 2020—were a key element in bringing on developing countries, which had never participated before in this sort of commitment. That is one side of the agreement. It is absolutely essential that we deliver on it, but Governments and businesses—not only Governments—are going to do that. The success of the agreement over the next five, 10 or 15 years will be tested if that does not happen.

Dr Sarah Wollaston (Totnes) (Con): I congratulate the Secretary of State and her whole team on the part they played in reaching this historic deal. She will know that it is not only about acting globally, but about acting locally. Will she join me in paying tribute to community groups, such as Transition Town Totnes and Sustainable South Brent, and to groups all around the country? They are keen to meet her to talk further about the role they can play to further the goals.

Amber Rudd: I will always be delighted to meet my hon. Friend’s constituents. She is right that it is much more effective if these actions are taken locally and nationally, but above all not top-down internationally.

Paul Flynn (Newport West) (Lab): Will the right hon. Lady bridge her rhetoric to reality by announcing investment in the Swansea, Cardiff and Newport tidal barrages scheme, which will exploit for the first time over the neglected immense power of the tides, which are entirely predictable and, when linked to power schemes in the valleys, are entirely demand-responsive? Tidal power is green, non-carbon and eternal.

Amber Rudd: The hon. Gentleman is right. We are looking closely at the opportunity for tidal power. My Department is now engaging in due diligence and if tidal power can meet the targets of being secure, clean and affordable, we will certainly take it very seriously.

Mike Wood (Dudley South) (Con): What assessment has my right hon. Friend made of the UK energy market’s capacity to replace unabated coal by the cut-off date of 2025?

Amber Rudd: We will carry out a consultation at the beginning of next year in order to address that, but I have been very clear in the policy choices that I set out that we expect to bring on more gas to cover some of the coal that will be coming off.

Diana Johnson (Kingston upon Hull North) (Lab): Investors in renewable energy tell me that they want certainty from the Government’s energy policy. Can the Secretary of State set out the key targets and milestones for the implementation of the Paris agreement to provide the certainty that is necessary for investment to be made in renewables?

Amber Rudd: Many of our targets have not changed as a result of the Paris agreement, although of course I will be discussing them closely within my Department. We have already set out our plans for offshore wind and we will shortly set out our plans for solar.

Patrick Grady (Glasgow North) (SNP): The Scottish First Minister announced £12 million of climate justice funding in addition to the Scottish Government’s international development fund so, building on some of the other questions, what new money for climate adaptation will be announced as a result of the agreement, and will it be additional to existing official development assistance commitments?

Amber Rudd: My right hon. Friend has been very clear. As I said in my earlier comments, he has already announced a 50% increase in our climate finance, which has been very much welcomed by developing countries.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Secretary of State agree that this is good news from Paris, but that the hard work now begins, turning aspiration into action? Does she agree that we must maintain the vision that this country has had for some time of sharing intellectual property and innovation with many other countries? For example, the Engineering and Physical
Amber Rudd: The hon. Gentleman is right. That shared vision across different countries is essential. Confidence in the technology section of the agreement was very important for some of the developing countries. I should add that we have doubled our innovation spending on energy to join the Americans and other developed countries in Mission Innovation, which is all about sharing investment and technological discoveries.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): As a Co-operative party MP, I have long been a supporter of co-operative community renewal energy schemes, of which there are a number in this country. When I met representatives of one such company last week, they told me that the uncertainty that the Government have created around the feed-in tariff was causing them problems with planning into the future. How will the Secretary of State provide policy certainty for such groups who want to do their bit in meeting this agreement?

Amber Rudd: I remind the hon. Gentleman that over the past 15 to 20 years the costs of solar panels have come down by 80%, so it is right that the subsidy comes down accordingly. I will shortly make an announcement about what it will come down to, and I am sure he will be interested in the result.
[Mr Patrick McLoughlin]

We expect to conclude that package of work by the summer. Critically, that means ensuring that delivery of the timetable for the additional capacity set out by Sir Howard does not alter. The commission reported that an additional runway would be required by 2030, and we intend to meet that requirement. In saying this, I am fully aware that some will wish that we would go further, and others will wish we were making no such progress at all. We are prepared for that, because I want to get this decision right. That means getting the environmental response right and, in the meantime, getting on with the hard work to build the new capacity to the timetable set out by Sir Howard in the commission’s report. I commend this statement to the House.

4.54 pm

Lilian Greenwood (Nottingham South) (Lab): I thank the Secretary of State for advance sight of his statement, but it should not have fallen to him to announce that the Prime Minister has broken the clear promise he gave to the House in July, when he said:

“The guarantee that I can give...is that a decision will be made by the end of the year.”—[Official Report, 1 July 2015; Vol. 597, c. 1473.]

So, my first question is simple: why is not the Prime Minister explaining his own U-turn?

My time to respond is very limited due to the brevity of the Secretary of State’s statement, but I want to register our protest against the Government’s decision to announce their new position in the press. The Secretary of State said that,

“when an announcement is to be made, I will make it in the House.”—[Official Report, 10 December 2015; Vol. 603, c. 1135.]

Instead, we got a last-minute note from our essay-crisis Prime Minister explaining why he could not meet his own deadline. That shambolic announcement on Thursday has rightly been condemned by businesses and by hon. Members on both sides of the House.

We need a new runway in the south-east, but the environmental concerns have been known since July, so what has the Secretary of State been doing in the past six months? The Government’s announcement was such a shambles that he could not tell us basic information about the new environmental and mitigation work. What are the areas he believes still need to be addressed and were not adequately covered by the Airports Commission? Who will be leading that work? What are the terms of reference and when will it report?

If the Secretary of State cannot answer those basic questions, is it not confirmation that the Government have abandoned everything but the pretence of following due process and that the Prime Minister broke his promise because he has put avoiding a by-election in Richmond Park ahead of the national interest?

Turning to another issue raised by the statement, the Government have always said that the Sub-Committee’s recommendations would be subject to a full Cabinet discussion. Has that discussion taken place or have the Secretary of State’s colleagues been left as much in the dark as the rest of the House?

Finally, what steps will the Secretary of State now take to address the blight and uncertainty that this latest politically motivated delay will cause?

Mr McLoughlin: I find it rather hard to accept from the hon. Lady that we are somehow taking too long over this matter. I will go over a little bit of the history. In 2001, Labour Ministers were reported to be seriously considering building a third runway at Heathrow, to relieve the increasing congestion in London. In December 2003, the then Transport Secretary, Alistair Darling, published a White Paper on plans for a third runway and a sixth terminal at Heathrow, to be completed within 12 years. In 2007, the then Government published a public consultation document weighted firmly in favour of Heathrow to accommodate a new runway and 220,000 extra flights a year. In 2009, the then Government approved a third runway, taking the number of flights handled by the airport from 450,000 to more than 700,000 a year. It is not worthy of the Labour party to complain about the time we are taking to come to a decision on a very thorough report.

Indeed, the Leader of the Opposition seems to think so as well. He gave an interview on Sky Television last Thursday, during which the correspondent asked him:

“I think people are a little confused at the moment about exactly what Labour’s policy on Heathrow specifically is. Can you clarify it for us, what is Labour’s position?”

The Leader of the Opposition answered:

“The position is that we’ve put these questions on how we go ahead with airport expansion on the basis of capacity across the south-east, on the basis of the need for a hub and of course the effects on neighbouring communities and the environment and noise. Those answers have to be given before any decision can be taken about where the expansion should take place.”

It gets better. The correspondent said:

“So, at the moment you do not have a position on Heathrow specifically?”

The Leader of the Opposition replied:

“At the moment that is our position.”

I do not think I will take too many lectures about getting the timescale right.

I stand by what I said in my statement, which is that Sir Howard said there needs to be a conclusion and a runway available for operation by 2030. Even on the timetable I have announced today, that is well within the range of possibilities of the programme about which we are talking, particularly in the light of the Planning Act 2008, which was of course passed by the previous Labour Government.

Sir Alan Haselhurst (Saffron Walden) (Con): Does my right hon. Friend recall that the recommendation of a previous commission, led by Lord Justice Roskill, was not accepted by the Government of the day? Is it not right to take time to consider two aspects of Davies? One is the very weak section on the environmental aspects of developing Heathrow, and the other is the need to address the fundamental contradiction that if it is right to have a hub airport in London, three runways simply do not suffice.

Mr McLoughlin: My right hon. Friend has covered and followed this issue for a lot longer than anybody else in the House. He makes valid points that we need to address. There is no doubt about what is happening to overall capacity as far as aviation and aircraft movements are concerned. I am incredibly grateful not only to Sir Howard Davies but to the rest of the members of the commission for the work that they have done to produce a very valuable report, on which we will be able to reach conclusions in due course.
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I, too, thank the Secretary of State for early sight of his statement. In Scotland, 90% of international visitors travel by air, of whom more than a third come through Heathrow as a hub, and traditional exports of salmon, shellfish and whisky are vital to the economy. Air access determines our ability to attract investment, grow jobs and grow the economy, so a decision on capacity is vital.

The UK Government have known all the environmental issues all along. They could have chosen Heathrow, Gatwick or somewhere new, all with environmental conditions. They could have chosen nothing at all: they could have ruled that out and allowed others to get on: indecision stops everyone from taking action, and keeps people and communities in stasis.

That is being said not just in Scotland and not just by me. Let me quote the Under-Secretary of State for Transport, the hon. Member for Scarborough and Whitby (Mr Goodwill), at an Association of British Travel Agents conference in June 2015. He said that “we cannot afford to stall on making a decision any longer. A thriving travel industry indicates a thriving economy; government policy must support the growth of the travel industry.” On 7 September, the Minister in the Lords said, “There is no dithering”, and added that the decision would be made “as the Prime Minister—the head of the Government—has made clear, by the end of this year, that is 2015.”—[Official Report, House of Lords, 7 September 2015; Vol. 764, c. 1218.]

Indeed, in October 2012, the Secretary of State said that the Davies commission would make recommendations “in 2013. Although some people say that it will take rather a long time, it will not take that long once it gets under way.”—[Official Report, 18 October 2012; Vol. 551, c. 476.]

In his speech to the Conservative party in October 2012, he said: “There’s another area where we have got to help businesses too. And that’s to compete internationally... But in the south east the runways are filling up. And the jets are circling in our skies. That’s hitting our prosperity. It’s bad for the environment. It’s putting off investors. It’s costing jobs. And it’s holding Britain back.”

In his speech to the last Conservative conference, he said: “On Airports in the south east. I don’t hide the challenge.”

I could go on. As the Secretary of State said, “It gets better.” The Prime Minister has twice told this House in Prime Minister’s questions that we would have a decision. Let me ask this—

Madam Deputy Speaker (Natascha Engel): Order.

Mr McLoughlin: I thought the hon. Gentleman, in quoting various announcements, was—

The Deputy Leader of the House of Commons (Dr Thérèse Coffey): It was a holding position.

Mr McLoughlin: As my hon. Friend says, he was in a holding position, because one thing he did not tell us was which scheme, or indeed which airport, he supports. He failed to do that. As I have said, it is right that this is a very big issue, and it has dogged Governments for many years. We will take a decision, but we want to do some further work on some of the environmental impacts, bearing in mind some of the recent developments. Bearing in mind the report published on 26 November by the Environmental Audit Committee, which has just looked into this issue, saying that we should take a fresh look at certain issues, I would have thought that the House accepted that that is what we will do before we come to a decision in the summer.

Sir Simon Burns (Chelmsford) (Con): Does my right hon. Friend accept that there is a need to reach a decision on airport expansion, but that it should not come at the expense of environmental considerations? We have to get it right. As he said in his last answer, even Sir Howard Davies has accepted that since he published his report, the issue of air quality has moved on and that those changes must be examined to ensure that our decision is based on a like-for-like comparison and that we are not just hoofing it on the wing.

Mr McLoughlin: I thank my right hon. Friend, who took a great interest in this issue when he was in the Department. He is right that we have moved significantly further by accepting the case for more airport capacity in the south-east and the three recommendations in the report. That enables us to look at the specific issues that have come about as a result of events since the publication of the report, as well as at how the decision will affect communities and what kind of mitigation we can put in place for those who will be affected to make the decision more acceptable in the longer term.

Mrs Louise Ellman (Liverpool, Riverside) (Lab/Co-op): More than two years ago, the Transport Committee supported the expansion of hub capacity in the national economic interest and backed Heathrow, with environmental safeguards. The Davies commission, which reported six months ago, came to very similar conclusions. It appears that the Government have done no work or very little work since that time. We are six months on and, according to the CBI, the UK economy is losing out to the tune of about £1 billion a year because of the lack of long-haul hub capacity. Will the decision ever be taken?

Mr McLoughlin: In fairness, the hon. Lady, who chairs the Transport Committee with distinction, was part of a Government that failed for many years to take a decision on where the extra capacity should be. Sir Howard says that it is very important that the new capacity is available by 2030. What I have talked about today will be within that timetable. We are just taking a little longer. If we had not done the work on air quality that we are embarking on, we might have slowed the process down, rather than sped it up.

Sir Nicholas Soames (Mid Sussex) (Con): I remind my right hon. Friend, in all possible friendliness, that what the Labour party may or may not have done is completely irrelevant. It is of no interest to any of us and is unlikely to be so. Does he agree that this decision not to make a decision is truly lamentable? This is absolutely no way to run what he is pleased to call “a world-class transport system to support a world-class economy.” As the Davies commission reported absolutely clearly what its preferred decision was, without any prevarication, what exactly was the point of it?
Mr McLoughlin: I will make a number of points. I am very sorry that my right hon. Friend thinks that the fact that there was no action from a previous Government is completely irrelevant to the situation we find ourselves in. I do not accept that. The simple fact is that the Davies commission has identified, in a thorough report, that extra capacity is needed. It has said that three options can be considered, and we are right to consider those three options. I hope very much that, by the summer, we will be able to tell the House which one carries the most favour with the Government.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): The Secretary of State knows that I hold him in high regard, even when I heckle him, but it took the Conservatives 18 months to get past the Liberal Democrats’ red line on increases in aviation capacity, they used the Davies commission to buy three more years to get them beyond the general election and they have bought another six months by avoiding making a statement until today. Why does the Secretary of State not just admit that this is a political fix to get us past the mayoral election in London? Given his integrity and honesty, why does he not own up to the fact that this has nothing to do with the national interest?

Mr McLoughlin: I do not mind the occasional heckle from the hon. Gentleman—indeed, I am quite used to that by now. He says that this is just a fix to move past the mayoral elections, but we have always known when those elections were, and if it had been a fix we would have simply said when the Davies report was published that we were not going to respond for 12 months. My hon. Friend the Member for Richmond Park (Zac Goldsmith) has been perfectly clear about where he stands on this matter, unlike the right hon. Member for Tooting (Sadiq Khan) who, when he was Minister of State and attending Cabinet in 2009, said that he was firmly in favour of Heathrow expansion.

Crispin Blunt (Reigate) (Con): My right hon. Friend has held office since the Airports Commission received its instructions in September 2012, so he will know that the foreword to its report states:

“The Commission urges the Government to make an early decision on its recommendations. Further delay will be increasingly costly and will be seen, nationally and internationally, as a sign that the UK is unwilling or unable to take the steps needed to maintain its position as a well-connected open trading economy in the twenty first century.”

My right hon. Friend is a decent and loyal team player, and he is loyally presenting the team position today. Does he understand that when the Conservative team imitates the Labour candidate for Mayor of London by putting personal and party interests ahead of the national interest, we all lose?

Mr McLoughlin: As a distinguished Chair of a Select Committee, my hon. Friend expects his Committee to be listened to with the respect that should be given to a Select Committee. The Environmental Audit Committee recommended that the Government take more time to address air quality, and stated:

“On air quality, the Government will need to re-examine the Commission’s findings in the light of its finalised air quality strategy.”

That report was published on 26 November. Today is 14 December, and even with the best will in the world, it would have been impossible to have read and responded to all the points in that report in those few weeks. I am giving another Select Committee the kind of respect that my hon. Friend would expect for his own Committee.

Mr Iain Wright (Hartlepool) (Lab): The Government have made one hell of a mess of this, which does not bode well for a swift resolution for this or any other future infrastructure decision. In many respects, the Davies commission was a template for the National Infrastructure Commission, and the Government have completely ridden roughshod over it. What reassurances can the Secretary of State provide that in matters of airport capacity and other infrastructure, the NIC will be able to take essential long-term decisions for the competitiveness of our nation, and not be thwarted by short-term, partisan considerations?

Mr McLoughlin: Even the National Infrastructure Commission will be subject to decisions taken in this House and by the Government of the day—that was even the case in the way the NIC would have been set up by the Labour Opposition, had they been successful at the general election. The hon. Gentleman is right to say that these are big issues, and setting up the NIC is a fundamental way forward that will help to address some of them. It will still be for the House and the Government to ensure that other legal requirements—such as those on air quality—are abided by, and we must consider other issues when making such decisions.

Dr Tania Mathias (Twickenham) (Con): I commend the Secretary of State for his statement and I applaud the Government for making the environmental impact an important issue. As part of that work, will the Government also investigate current noise and air pollution problems with two runways at Heathrow?

Mr McLoughlin: I understand the conditions faced by my hon. Friend’s constituents. I mentioned in my statement that noise is one of the considerations we have to get right. The advance of technology means that planes are becoming quieter, but she is absolutely right. She represents a constituency very closely affected by this decision. It has to be taken after looking at all mitigation measures expected to be put in place by any of the three promoters of the scheme.

Kate Hoey (Vauxhall) (Lab): The Secretary of State is a very honourable gentleman, particularly as he is my constituent. I am sure that deep down he is not particularly happy today. In his statement, he talked about the best possible outcome for local residents. Does he accept that my Vauxhall constituents may not be considered as local residents to Heathrow, but that it is crucial that their views are taken into consideration? They live under early morning noise pollution that is absolutely shocking. An extra runway at Heathrow will make it much worse.

Mr McLoughlin: One suggestion for alleviation in the commissioner’s report is an end to night flights and the flights to which the hon. Lady refers. These things always have to be taken into account. Although I live in her constituency, I do not exercise my vote there.

Andy Slaughter (Hammersmith) (Lab): Either the Government have decided to go ahead with Heathrow expansion but are delaying the announcement to avoid embarrassing their candidate for London Mayor, or they
need more time to massage Heathrow’s terrible record on noise and pollution. If it were to be Gatwick, we would have been told today. Is this not a cowardly and pathetic way to decide an issue that will blight the health and lives of millions of Londoners?

Mr McLoughlin: The hon. Gentleman has taken a view on the Government’s decision before the Government have made the decision. That is fairly typical of what he does. I have been very open with the House on the reason for the extra work that needs to be done. There are people on the Government Benches who have been incredibly consistent on this matter and there are people on the Opposition Benches who have been less consistent. I went through the whole programme of where we got to on the timetable, and if there has been a deliberate wasting of time, it was by the previous Labour Government.

Dr Liam Fox (North Somerset) (Con): Does my right hon. Friend understand the dismay and frustration in the south-west as a result of this latest delay? Our infrastructure comes to the west of London. He himself has been responsible for massive rail investment, including electrification and the spur line to Heathrow. As this latest delay will have an impact on potential inward investment in our region, what confidence can we have that a decision will finally be arrived at next summer? This is not a London issue; this is a national issue.

Mr McLoughlin: I agree with my right hon. Friend that this is a national issue. I am grateful to him for pointing out the amount of infrastructure investment the Government can proudly point to. We are increasing investment in infrastructure by 50% in this Parliament, something I am immensely proud of. He says that the delay will not allow us to meet what the commission report says, but I disagree with him. Even on what I am saying at the moment, which is that there will be a decision by summer next year, we will be in a position to meet the timetable for extra capacity by 2030, which is when Sir Howard says it is desperately needed by.

Graham Stringer (Blackley and Broughton) (Lab): This dithering is disgraceful. It puts the political career of the hon. Member for Richmond Park (Zac Goldsmith) above the national interest, and he could not even be bothered to be in his place for the Secretary of State’s statement. [Interruption.] He was not in his place at the beginning; he came in late. I do not believe—perhaps the Secretary of State can tell us—that there are any new environmental considerations that were not known to Davies and have not been known to the Government over the past 10 years or so.

Mr McLoughlin: I very much regret the position the hon. Gentleman takes. He served on the Transport Committee for a considerable time. The position of my hon. Friend the Member for Richmond Park (Zac Goldsmith) on the expansion of Heathrow has always been perfectly clear. I do not think anybody can be in any doubt about it.

The hon. Gentleman said that my hon. Friend was not in the Chamber, but of course he is, which is more than can be said of the right hon. Member for Tooting (Sadiq Khan), who said in 2009 in the Evening Standard that he was firmly in favour of Heathrow expansion. At that time, he was a Transport Minister attending Cabinet.

At least my hon. Friend has always been very specific about where he stands. I think the hon. Gentleman’s question was unworthy of him.

Sir Roger Gale (North Thanet) (Con): My right hon. Friend is right to seek to nail down the environmental issues first, because, as the House knows, if he does not, we will be in judicial review for the next generation and nothing at all will happen. That said, last week on BBC radio, the chief executive of Heathrow Airport Holdings Ltd clearly indicated that he thought Heathrow was full for freight purposes. Even today, we are losing business to Schiphol, Frankfurt, Charles de Gaulle and Dubai. We have to take action now. It will be 15 years before there are wheels on new tarmac anywhere in the south-east. Will my right hon. Friend do his utmost to get Manston airport open again so that we can turn it into a freight hub, relieve the pressure on Heathrow and take Britain forward?

Mr McLoughlin: My hon. Friend has led this campaign and never misses an opportunity to mention Manston airport, not only in the Chamber but every other time I meet him. He mentioned John Holland-Kaye’s comments on the “Today” programme last Friday which I think were about current capacity for flights from Heathrow for the movement of freight, but my hon. Friend is talking about setting up a completely new operation at Manston, and I wish him well in his campaign.

Ruth Cadbury (Brentford and Isleworth) (Lab): I believe that the delay is not merely political expediency. I believe that the Secretary of State has come to realise something I have known for 15 years: expansion at Heathrow is just too difficult. As well as air quality and noise, will he address the business case, over which the Airports Commission’s economic advisers seem to differ? Will he properly assess the ground-based security and crash risks of the different options—they were not so assessed in the commission’s report? Will he force Heathrow airport to declare where the flight paths will be, particularly the approach paths, and the differences between what the commission recommends for Heathrow and what Heathrow is prepared to accept?

Mr McLoughlin: I think I might need an Adjournment debate to answer those questions. The Airports Commission has considered all those points in detail, and I have said that extra work is being done, which is the right thing to do.

Sir Gerald Howarth (Aldershot) (Con): As one who publicly supported increased air transport movements in Farnborough in my constituency, may I ask my right hon. Friend to confirm that the Government have not ruled out additional runways at both London Gatwick and London Heathrow, given the importance of this matter to the entire economy? Does he think that the Heathrow hub proposal by Jock Lowe, which would be far less destructive, stands a much better chance than it previously did?

Mr McLoughlin: As I have said throughout my answers, all three options—a third runway at Heathrow, a Heathrow hub and a second runway at Gatwick—are under consideration. That remains the position, but my hon. Friend, who is a keen aviator himself, will know of the difficulties that have to be addressed. That is the right thing to do.
Barry Gardiner (Brent North) (Lab): I admire the Secretary of State’s chutzpah in explaining that the Prime Minister has decided to be indecisive, but if he is keen to give further consideration to the serious environmental considerations of air pollution, why have the Government been lobbying heavily in the European Commission against the air quality package?

Mr McLoughlin: The hon. Gentleman tells us that we have been indecisive, but he was a member of a Government who could make no decision whatever on this matter. As for where we stand on various things in the European Commission and the European Parliament, this is about a whole range of issues, not necessarily one individual, small item.

Michael Fabricant (Lichfield) (Con): My right hon. Friend justifies the additional delay by saying, quite rightly, that he wants to get the decision right. It just occurs to me that if we had done the same with HS2, it could have been cheaper and less environmentally damaging. May I say that that is an observation and not a question? No reply is needed.

Mr McLoughlin: I should give one, just to put the record straight. The HS2 route has undergone considerable improvement, much of which my hon. Friend has campaigned for, and he has got his own way on what he wanted in his constituency.

Stewart Malcolm McDonald (Glasgow South) (SNP): It is like something straight from “Yes Minister”. “What do we want?” “Airport expansion!” “When do we want it?” “At the appropriate juncture, in the fullness of time”—after umpteen inquiries, reports and working groups, and a cost of millions of pounds to the taxpayer, all for a by-election in Richmond Park. “He used to be indecisive, but now he’s not so sure.” Will the Government get on with it, as the country expects us to?

Mr McLoughlin: I am still waiting to hear—it should be such a simple, easy answer—what the SNP’s position is on this matter. Which scheme do SNP Members support? They are silent on it. They want everybody else to give their answers, so that once the decision is made they will attack it and say they would go down a different route. That seems to be the only point of the SNP in this Chamber: to wait for a decision to be made, then attack it. No wonder SNP Members are in such a difficult position today.

Alec Shelbrooke (Elmet and Rothwell) (Con): The effect of a hub airport in the United Kingdom stretches to all parts of the United Kingdom, including up in the Leeds area. Those travelling transatlantic who want to get airside at Leeds cannot do so because the first flight out of Leeds is around midday, so capacity is vital to the economy. However, I believe that all the options before us are wrong and I would like my right hon. Friend take to this opportunity to look further at what I think is a better option, a fourth: two more runways at Stansted.

Madam Deputy Speaker (Natascha Engel): Order. Before I call the Secretary of State, I remind Members that we are asking questions, not making statements, and those questions should be a lot shorter.

Mr McLoughlin: I hear what my hon. Friend says, but the call from most Members in the Chamber is to make a decision. If we reopen the whole question and go back to his suggestion, it might take rather longer.

Steve McCabe (Birmingham, Selly Oak) (Lab): Given the high risk that the work that the Secretary of State has announced today will not bring the Heathrow plan any closer but will just reinforce the idea that it is far too hot a political potato, why does he not revert to the Gatwick option, safe in the knowledge that, under his stewardship, HS2 will be ready well before 2030, thus allowing Birmingham to complement Gatwick?

Mr McLoughlin: I mentioned in my statement the importance of seeing other airports in the United Kingdom grow and offer more services. I think I mentioned Birmingham, Manchester, Newcastle, Edinburgh and Glasgow—I will be told off for the ones I failed to mention—but the point is well made by the hon. Gentleman: services from other airports are also very important indeed.

Nick Herbert (Arundel and South Downs) (Con): The Secretary of State said that the Government accepted the case for expansion. Presumably that is why they set up the commission in the first place, so it did not need three years to tell them that. He also said that the Government accepted the Airports Commission’s shortlist of options. Increasingly, he presents the case as though there are three equal options from the Airports Commission, but has the commission not made an unequivocal recommendation? Should not the Government at least be open about that? Is he aware that last week the chief executive of International Airlines Group, Willie Walsh, while expressing concerns about the cost of Heathrow, said that there was “no business case for expanding Gatwick,” and:

“Very few airlines support the proposal and no one would move there while Heathrow remains open”?

Mr McLoughlin: I could also cite quotes from Willie Walsh which would put a question mark over the Heathrow proposals. If we are getting into the game of quoting Willie Walsh, we will find many that could be cited on this subject. The correct thing for the Government to do is to look at all three options in light of the environmental work and the mitigation circumstances that we would like to see, and then return to the House once we have decided with which option we will go forward.

Fiona Mactaggart (Slough) (Lab): The Secretary of State has let himself down in the way he has responded to questions, making it an issue of party ping-pong and who is responsible for what delay. Let us be absolutely clear. I welcome his remarks about air quality, which is very important for Heathrow. However, he has heard me speak about the fact that there are more European headquarters of multinational companies in Slough than in Scotland, Wales and Northern Ireland put together. What research has he done on how few such companies will remain in the UK—anywhere in the UK—as a result of the ongoing delays in making this decision?
Mr McLoughlin: I am sorry that the right hon. Lady was so disappointed with the way I have responded. I responded partly in view of the way in which the Labour Front-Bench team attacked the Government for their indecision. I realise that the right hon. Lady has presented a petition to No. 10 Downing street in support of the expansion of Heathrow airport. This is an issue that divides colleagues in political parties, and I think it right for the Government to make sure that the proper environmental work is done before any move forward is taken.

Mark Menzies (Fylde) (Con): As a member of the Transport Select Committee, I have to observe that the Government have got themselves into a rather big hole on this issue. At least, however, they have my right hon. Friend the Secretary of State for Transport, a former miner, to dig them out of it. Can my right hon. Friend assure me that this decision will be taken in the early summer and that it will look favourably at the Davies commission, which made a clear recommendation to build a third runway at Heathrow?

John McDonnell (Hayes and Harlington) (Lab): Stop digging!

Mr McLoughlin: The shadow Chancellor says stop digging. He should learn lessons from his own shouting from a sedentary position.

John McDonnell: That was a compliment!

Mr McLoughlin: Oh, that was a good one; I will put that in my book.

As for the point made by my hon. Friend for Fylde (Mark Menzies), the important part of the Davies commission recommendations was having the extra capacity in place by 2030. I believe, given what I have said today, that we are on schedule to be able to deliver that extra capacity by 2030.

Gavin Robinson (Belfast East) (DUP): As somebody who supports the expansion of Heathrow, let me indicate my frustration that progress has been caught up in an internal Conservative holding pattern. The Secretary of State has on three occasions this evening reiterated the commitment to the 2030 timescale. Will he assure us that in six months’ time a decision will not be taken to kick the can further down the road?

Mr McLoughlin: I have said that I hope to come back to the House in the summer. I am not going to say exactly when that will be from today’s date, but I fully accept the point that services to Northern Ireland are incredibly important. Northern Ireland is already well connected to London. There were around 17,000 flights between Belfast and London in 2014, of which about 6,000 were to Heathrow. I do not underestimate the importance of connectivity to London for Northern Ireland or indeed for Scotland.

Iain Stewart (Milton Keynes South) (Con): If the decision on the new runway were made on the basis of environmental data that are seen not to be robust, it would lead to delays and legal challenges that would last far longer than if we waited for more reliable data. London Gatwick has already briefed me on its concerns about the quality of the Davies commission data. Will my right hon. Friend ensure that he will look at all the data over the next few months and get them as robust as possible, so that when a decision is made, it can be enacted straight away?

Mr McLoughlin: My hon. Friend is absolutely right. If any lesson has been learnt from the preparations for HS2, it is the need to ensure that all the processes are gone through diligently and properly. There were a number of attempts to secure judicial reviews in relation to HS2, and nearly all of them failed.

Clive Efford (Eltham) (Lab): The Secretary of State has come to the House today to try to hoodwink us all into thinking that he is the most incompetent and indecisive Secretary of State that there has ever been, but no one is fooled by his attempt to take a hit on behalf of the hon. Member for Richmond Park (Zac Goldsmith). This is a fix for next year’s mayoral election, and nothing else. It certainly has nothing to do with anything that is in the national interest.

Mr McLoughlin: I am going to do it again. The shadow Chancellor has just said “That was a compliment.”

Let me say to the hon. Member for Eltham (Clive Efford)—who has been present for all the exchanges—that it is not my hon. Friend the Member for Richmond Park who has changed his position on the question of Heathrow, but the right hon. Member for Tooting (Sadiq Khan), who, when he was a transport Minister, said that he was firmly in favour of its expansion. As for the date of the mayoral election, if we had initially wanted to put off the decision until after the election, we would have simply said that there would be no decision for 12 months, and would then have considered it for 12 months. The fact is that we are making progress. It is important that we make more progress by 2030, and that is what we shall do.

Philip Davies (Shipley) (Con): No matter how skilfully the Secretary of State tries to pretend otherwise, we all know that this rather grubby little announcement—if I may say so—is all about trying to get the Conservative party and my hon. Friend the Member for Richmond Park (Zac Goldsmith) over next May, and to cross that particular line. This is no way for the Government to make decisions and announcements. They talk about the northern powerhouse as if they really believed in it—which, indeed, I am sure that they do—and the Secretary of State must know that expanding Heathrow is essential for the northern powerhouse, so will he please act in the national interest rather than just making a grubby little announcement to benefit London and our excellent mayoral candidate?

Mr McLoughlin: I am glad that my hon. Friend is showing support for the northern powerhouse. It is very important to me and very important to the Government, and we are backing it with huge amounts of investment in electrification and new train services. The two new franchises that were announced last week will have a very beneficial effect on transport connectivity between our major cities in the north. That is vital, as is getting the whole question of future aviation capacity right.
Chris Leslie (Nottingham East) (Lab/Co-op): What a pathetic way to make decisions about infrastructure in our country! Is the Secretary of State not a little bit shamed faced over what is an excruciatingly painful example of political procrastination, although it is obviously in the national interest for him to get on with it at Heathrow? On a scale of one to 10, just how embarrassed is he?

Mr McLoughlin: Political procrastination? In 2001, “Labour ministers are reported to be seriously considering building a third runway”.

In 2003, “The transport secretary, Alistair Darling, publishes white paper”.

In 2007, “The government publishes a public consultation document” in favour of expanding Heathrow. In 2009, “The government approves a third runway, taking the number of flights handled by the airport from 480,000 to more than 700,000”.

I will take no lectures on ducking big issues, because the ducking of big issues was done when the hon. Gentleman was a member of the last Labour Government.

Mr David Nuttall (Bury North) (Con): I am pleased that the Secretary of State recognises the importance of regional airports while more airport capacity is delivered in the south-east. What is he doing to encourage more airlines to fly on more routes from Manchester airport?

Mr McLoughlin: My hon. Friend is absolutely right. While he talks about Manchester, I also talk about Birmingham, Newcastle, Edinburgh and Glasgow. I think it is absolutely essential to try to get more connectivity from airports so that people do not necessarily have to travel to Heathrow or to Gatwick to get the flights they want. That is very important.

Tom Brake (Carshalton and Wallington) (LD): I like the Secretary of State, so I feel for him, as he is like a sheep snagged on barbed wire: the harder he tries to extricate himself, the more firmly entangled he becomes.

To help the Secretary of State, may I suggest he takes this opportunity—no ifs, no buts—to abandon environmentally unsustainable plans for a third runway at Heathrow and pledges instead, first, to improve surface access to Luton and Stansted airports to make better use of spare capacity there, and, secondly, to deliver HS2 on time so that we can see far more people travelling by rail, instead of taking short-haul flights?

Mr McLoughlin: I thank the right hon. Gentleman for his question, and remind him that the Davies commission was set up by the coalition Government to make and examine the case fully for what we should do for the future. I was proud of serving in that coalition Government, and I was proud of a lot of the things they achieved. The Davies commission and setting it up was just one of them, and now the right hon. Gentleman is wanting us to back away from the difficult questions it poses to us.

Henry Smith (Crawley) (Con): Can my right hon. Friend confirm that the independent and impartial Airports Commission clearly stated that Heathrow was the best option? If Governments in the future decide against that and wish to expand Gatwick, may I have a guarantee that the significant investment that will be required in housing, highways, the rail network and healthcare and all other public services will be forthcoming?

Mr McLoughlin: There are already significant commitments with regard to Gatwick; improving the infrastructure for Gatwick is already taking place and further such schemes will be coming on board over the next few years. It is vital that we get the surface access to our airports correct. That is something we are dealing with over a period of time. My hon. Friend asks whether there would be other consequences if the decision should go towards Gatwick. That will be the case for any option we choose, and of course we want to look at those options and see which ones we would want to take forward.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): The Government are developing some capacity for hot air balloons in the process of trying to get to this decision. Rather than just talking about the issue and waiting, may I remind the right hon. Gentleman that Birmingham has current hub capacity and a new runway now?

Mr McLoughlin: I wholly concur with the way in which Birmingham has gone about its expansion both of the runway and the airport overall, and I think HS2 will have a very important impact for Birmingham airport as well, so I agree with the hon. Gentleman.

Kwasi Kwarteng (Spelthorne) (Con): Will the Secretary of State give us an assurance that there will be a decision in the summer, because the only question my constituents ask is whether this thing will actually be decided upon or not?

Mr McLoughlin: As I have said to the House, I think it is very important that we stick to the timetable of Sir Howard Davies’s report, and that is having extra capacity available by 2030. I will want to follow that timetable.

Alan Brown (Kilmarnock and Loudoun) (SNP): In order to demonstrate that this is not a political fudge, can the Secretary of State clearly state what additional work is going to be undertaken to refine and reassess air quality and noise considerations, who is going to do that work, who is going to assess it, and how the final decision is going to be made? Lastly, as a Scotsman, can I just ask the Secretary of State please to explain exactly at what time of year is summer? I would also point out that not once today has the Secretary of State said in what year—which summer—he is going to report, so can he pin down the year, or is that another fudge?

Mr McLoughlin: To try to reassure the hon. Gentleman, who is yet another Scottish nationalist to get up but not to say which option he supports, let me point out that not only has today’s report been published, it is very important that we stick to the timetable of Sir Howard Davies’s report, and that is having extra capacity available by 2030.

Martin Vickers (Cleethorpes) (Con): I normally try to support my right hon. Friend, but I must admit that I am struggling somewhat on this occasion. Can he give
an absolute assurance that if results of the further work on air quality and noise were to go against Heathrow, the default position would be to accept Gatwick and not waste more years by setting up yet another commission?

Mr McLoughlin: If my hon. Friend looks at my statement, he will see that I made it quite clear that the Government accept that the three options put forward by the commission are the right ones for providing extra capacity, so the answer to his question is that I do accept that.

I did not fully answer all the questions that the hon. Member for Kilmarnock and Loudoun (Alan Brown) asked. I meant to say that the work will be done by the Department for Transport.

Mike Kane (Wythenshawe and Sale East) (Lab): We all accept that we find ourselves in a difficult political spot, but the Secretary of State is right that we are talking about a national infrastructure project that will affect runway and aviation capacity throughout the country. Will he commit to meeting me and representatives of regional airports—he did not mention East Midlands, Speke and Durham Tees Valley, so perhaps he can squeeze them in as well—to ensure that we plug the 15 to 20-year gap before we get extra capacity in the south-east?

Mr McLoughlin: I did not mention every airport in the country, but I tried to mention the bigger airports outside London—I will get in trouble for saying that—such as Manchester, Newcastle, Edinburgh, Birmingham and Glasgow. I did not mention East Midlands, which is just down the road from my area, but would I like to see more services from East Midlands airport? The answer is clearly yes.

John Howell (Henley) (Con): I welcome the decision to delay the final decision until the environmental concerns have been resolved. Colleagues and I are in negotiations with the Civil Aviation Authority and NATS to control noise from aircraft coming in to Heathrow over the Thames valley. Does my right hon. Friend agree that the resolution of that issue is crucial to our future support for Heathrow?

Mr McLoughlin: My hon. Friend makes a good point. Aviation capacity does not only affect the areas directly involved but has a wider impact across the rest of the country.

Patrick Grady (Glasgow North) (SNP): In light of the Paris conference, which we have just heard a statement about, what recent discussions has the right hon. Gentleman had with the Secretary of State for Energy and Climate Change and the Committee on Climate Change about how increased airport capacity will affect the UK’s ability to meet its emissions reduction targets?

Mr McLoughlin: One of the people who served on the Airports Commission was a member of the Committee on Climate Change, Dame Julia King, who has since been ennobled, so we and the Davies commission took that matter into account. There have obviously been further developments since then, such as the Volkswagen scandal. As the Environmental Audit Committee said, it is right that we should judge our response based on the new information that has become available. Sir Howard Davies also said that in his evidence to that Committee, and I want that to be done. As I have said, I still believe that we can deliver on the 2030 timetable set out in the commission’s report.

Karen Lumley (Redditch) (Con): Does my right hon. Friend agree that the decision is important for our regional airports, such as Birmingham International airport, which recently visited to see its increased capacity and success? Will he acknowledge that we may see a second runway in Birmingham in the future, along with High Speed 2?

Mr McLoughlin: My hon. Friend never misses an opportunity to promote Birmingham airport. The only thing I slightly disagree with her about is that I do not regard airports such as Birmingham, Manchester, Newcastle, East Midlands, Glasgow and Edinburgh as regional airports.

James Berry (Kingston and Surbiton) (Con): I thank my right hon. Friend for confirming that the Government will not outsource key policy decisions to unelected commissions and will not be rushed into making a decision about a runway that will not be operational until 2030. Will he confirm that if the third runway is still to be considered, it will only be with the three caveats that Davies placed on it, about a fourth runway, night flights and meeting EU air quality limits?

Mr McLoughlin: My hon. Friend is absolutely right, in that whatever decision is finally taken—three options are still being discussed—we must get the best mitigation deals possible for the people affected. The three points he mentioned would certainly be important considerations in any decision, including if the decision should be taken for Heathrow. As I say, we are looking at three options.

David Mowat (Warrington South) (Con): The Government seem to have one of two positions, and I would be interested to understand which one it is. Either we have accepted the Davies commission, subject to sorting out these environmental issues, and therefore we will go down that route if we are able, or we have now decided that there are three equal options and we are looking at all three from scratch. Which of the two routes are we going to go down?

Mr McLoughlin: We have accepted the Davies report on the need for capacity by 2030 and the three options, and it is those three options that we are looking at. I know the Davies commission supported one in particular, but the Government have to look at all three of the options available.

Robert Jenrick (Newark) (Con): In the Secretary of State’s defence, we have not built a full runway in the south-east of England since 1946 and so I am not sure whether another six months will make so much difference—so long as he does make the decision in the summer of 2016. When he decides, will he make his decision in the interests of the whole country, including the 9.5 million residents of the midlands, whom he and I represent, and not just in the interests of the denizens of west London?
Mr McLoughlin: If one looks as the record of this Government, one sees that we have always acted in the national interest. We have done that on extra railway capacity and we are going to do it on the other big infrastructure investment proposals. They are always controversial and it is right, in this day and age, that we take every measure we can to mitigate the environmental impacts of any decisions we take.

Marcus Fysh (Yeovil) (Con): Job prospects in the south-west and in the rest of the country outside the south-east would clearly be best enhanced by an expansion at Heathrow, but it needs to be legally secure. Does my right hon. Friend agree that sometimes it is best to have a thorough look at these things and that a stitch in time might in this case save nine?

Mr McLoughlin: I am grateful to my hon. Friend for that. One thing I have learned from taking through some of the big infrastructure projects that I have been responsible for is that it is right to make sure we can prove on all the possible challenges we will face that we have done the right amount of work in preparation for whatever decisions we put before the House.

Jeremy Quin (Horsham) (Con): What drives air quality is car emissions. Heathrow has far superior and far more rapid public transport links, including four rail links. Gatwick has the one rail link, which, as the Secretary of State is well aware, is not the best one in the country. Will he assure us that in any analysis of air quality, a full understanding will be taken of the impact of the extra car journeys that would inevitably result from the vast increase in passengers and from the employees required, none of whom would be local, were Gatwick to be chosen as the option?

Mr McLoughlin: Those are all points that have to be put forward and addressed in the work that we are going to do in the coming months on air quality. As I say, a lot of this work has been covered by Davies, but a lot more is still to be done. My hon. Friend is right to show his concern and also to point out that there is no easy or straightforward answer on aviation capacity. We must also accept that aviation is a very important industry for this country, employing many thousands of people, including right across the supply chain and the delivery chain. On that basis, I hope that he will accept my assurances.

Points of Order

5.54 pm

Sir Nicholas Soames (Mid Sussex) (Con): On a point of order, Madam Deputy Speaker. I think you were in the Chair when the hon. Member for Blackley and Broughton (Graham Stringer) accused my hon. Friend the Member for Richmond Park (Zac Goldsmith), who has sat quietly and respectfully throughout this exchange, of not being in his place. Although my hon. Friend is completely wrong on absolutely everything to do with runways, it is extremely unfair to his constituents and to his future supporters in the mayoral election that they should think he was not here for the whole of the time that this statement took place.

Madam Deputy Speaker: I thank the right hon. Gentleman for that point of order. I thought it was very clear from the response given from the Government Benches that the hon. Member for Richmond Park was indeed here and had been here throughout. That was the case even at the time the point was made, but the right hon. Gentleman has made it once again and it is now firmly on the record.

Tom Brake (Carshalton and Wallington) (LD): Further to that point of order, Madam Deputy Speaker. I would, however, like to point out that at the point the Secretary of State started his statement the hon. Member for Richmond Park was not in his place.

Madam Deputy Speaker: I was not in the Chair when that happened, but that is now also on the record.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): On a point of order, Madam Deputy Speaker. It was with complete horror that I read in the papers yesterday allegations that a British official was present in January 2002 when Shaker Aamer was tortured and that further officials arrived at Bagram airbase on the same plane as the then Prime Minister. Such serious accusations of a UK Government being complicit in torture not only bring disrepute on this institution, but cause grave concern about the UK Government’s record on upholding the universal declaration of human rights and on honouring the historic values of the right to a fair trial. I am looking for the Government to make an urgent statement on this matter and am calling on the Prime Minister to honour his words from 2010, when he said:

“For public confidence, and for independence from Parliament, party and Government, it is right to have a judge-led inquiry”.

He also said:

“That is what we need to get to the bottom of the case. The fact that it is led by a judge will help ensure that we get it done properly.”.—[Official Report, 6 July 2010; Vol. 513, c. 180.]

Madam Deputy Speaker: I thank the hon. Lady for her point of order and for the notice she gave the Chair about it. This is obviously not a matter for the Chair, but, as she can see, a Foreign Office Minister is on the Treasury Bench, he will have heard what she has said and I am sure he will respond in due course.
European Union (Approvals) Bill [Lords]

Considered in Committee
[Natascha Engel in the Chair]

Clause 1

Approval of draft decisions under Article 352 of TFEU

5.59 pm

Question proposed, That the clause stand part of the Bill.

The Second Deputy Chairman of Ways and Means (Natascha Engel): With this it will be convenient to discuss clause 2.

The Minister for Employment (Priti Patel): Clause 1 provides for approval by Parliament of two draft EU legislative measures, as required under section 8 of the European Union Act 2011. Such approval is needed because both measures are made under article 352 of the treaty on the functioning of the European Union. Section 8 of the Act does provide for exemptions, in order to avoid the requirement for an Act of Parliament, but the measures here do not fall within any of the exempt purposes.

Clause 2 concerns the territorial extent of the Bill, its commencement date and short title. Subsection (1) 2 provides that the Bill extends to the whole of the United Kingdom. Subsection (2) provides that the Bill will come into force on the day that it receives Royal Assent. Subsection (3) provides for the Bill's short title. I ask hon. Members to agree to clauses 1 and 2 standing part of the Bill.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

The Deputy Speaker resumed the Chair.

Bill reported, without amendment.

Third Reading

6 pm

Priti Patel: I beg to move, That the Bill be now read the Third time.

The brief explanation that accompanied the clause stand parts in the Committee stage covered all the points that need to be made about the content of this very short Bill and the reason it is required. Obviously, we covered some of the points on Second Reading. It is fair to say that our debates on this Bill have covered the two clauses sufficiently. Perhaps it is worth reflecting on the fact that the Bill before us forms part of the ability of Parliament to examine and give clearance through the much broader protection and oversight that the European Union Act 2011 affords us. Bills such as this give another layer of protection in dealing with European Union legislation.

Mr David Nuttall (Bury North) (Con): As my right hon. Friend rightly says, the only concern is why such trivial matters are being dealt with by way of an Act of Parliament. Does she agree that, while these might be trivial matters and while the public might be concerned that they are being dealt with by way of an Act of Parliament, the public will be equally concerned that major matters such as perhaps the accession of Turkey to the European Union will go through exactly the same procedure?

Priti Patel: I thank my hon. Friend for his remarks. It is fair to say that, when it comes to debating such matters, I would not use the term “trivial”. The European Union covers not just that particular area, but other aspects, such as the accession of Turkey to the European Union. There will be debates on that matter and engagement with the European Scrutiny Committee. I am delighted to see the Chair of the European Scrutiny Committee in his place this afternoon.

I was very clear on Second Reading that there were concerns over what this legislation meant—whether it was burdensome and whether there were costs to the taxpayer. I use Third Reading to emphasise again that there are no burdens of administration or extra costs to the taxpayer. The Bill covers two clauses, one of which relates to the tripartite social summit, the other to the participation as an observer of the former Yugoslav Republic of Macedonia in the work of the European Union Agency for Fundamental Rights. They are two very straightforward clauses in a very straightforward Bill. On that basis, I commend the Bill to the House.

6.3 pm

Emily Thornberry (Islington South and Finsbury) (Lab): I must admit that I find myself called to the Dispatch Box today in a state of some bewilderment. We are here to debate two matters. The first is whether a new position should be established within an organisation with the somewhat abstruse name of the former Yugoslav Republic of Macedonia Stabilisation and Association Council. Establishing that new position in some way facilitates the admission of Macedonia as an observer to the European Union Agency for Fundamental Rights. The second provision relates to the continuation of the tripartite social summit for growth and employment. I think that is why I am here.

There appears to be a need to update the formal basis of this summit, mostly in recognition of the fact that its function now relates to the “agenda for jobs and growth” and not the “agenda for employment and growth” as was previously the case. Will the Minister confirm that that is the case? If it is, the substance of this Bill is almost the definition of bureaucratic minutiae. Although I understand that both provisions relate to draft decisions of the European Council, which need to be approved by each individual member state as well as by the European Parliament, I find the use of primary legislation in these circumstances quite extraordinary. It comes at a time when the Government are hacking away at the social safety net via secondary legislation, on which it is frankly an uphill struggle to get Ministers to agree even to a short debate up in the Committee corridor. It suggests that the Government do not have their priorities in order.

Anyway, here we are, and I will use my time briefly to recap some of the context of these proposals, which I do not expect to be the subject of raging controversy in today’s debate. As we have heard, the first part of the Bill relates to the admission of Macedonia as an observer
at the European Union Agency for Fundamental Rights. That move follows a report from the European Commission, which was published earlier this year and which set out a number of recommendations to revive Macedonia’s long-stalled candidacy for accession to the EU.

Kelvin Hopkins (Luton North) (Lab): My hon. Friend will be aware that the former Yugoslav Republic of Macedonia is called Macedonia. Perhaps she could use the full title to ensure that we do not upset our Greek colleagues.

Emily Thornberry: My hon. Friend is quite right. I do apologise. I hope that Hansard will get it right even if I do not.

This process was initiated in 2005, but has been put on hold as a result of widespread concerns more recently over the country’s deteriorating record on human rights. The admission as an observer of the former Yugoslav Republic of Macedonia to the EU’s Agency for Fundamental Rights was one of a number of recommendations made in the European Commission’s recent report. As the Minister helpfully explained during the debate on Second Reading, it is hoped that “Observer status at the agency could allow the country to have access to advice and assistance on fundamental rights issues to help to tackle its reform challenges, and provide assistance and help to the country on human rights issues.”—[Official Report, 3 November 2015; Vol. 601, c. 897].

At the rate this Government are going—I am talking about removing the requirement to respect international law from the Ministerial Code and pressing ahead with their plan to repeal the Human Rights Act—perhaps the Minister and a few of her colleagues should join the Macedonian delegation and learn a few lessons.

The second provision relates to changes to the basis of the EU’s tripartite social summit for growth and employment. The Bill’s explanatory notes describe this summit as: “a regular forum for meetings of representatives of the European social partner organisations, the European Commission, and the Council to enable high level discussion between the three parties of employment and social aspects of the European agenda for growth and jobs.”

Beyond those exceptionally vague generalities, further details of the summit’s role are surprisingly hard to come by. Nevertheless, any discussion of jobs and growth is hardly objectionable, and certainly not objected to by me. In fact, should representatives of the UK take part in any upcoming meetings, it might provide an ideal opportunity for Ministers to take on board some of the valuable lessons that our European friends may have to offer. At a time when our jobs market is not exactly the envy of the entire continent, the Government should welcome such an opportunity. We have, for example, a higher proportion of graduates doing jobs for which they are over qualified—at 59%—than any other country in the European Union, apart from Greece and Estonia. We have a higher rate of underemployment—with a tenth of our entire workforce working less than they want to—than any other EU country except for Ireland, Spain and again Greece. That particular problem appears to be getting worse. The most recent employment figures from the Office for National Statistics showed that, even though the number of people in work in the UK has risen, the total number of hours worked by the UK has actually fallen. Perhaps the Minister’s European counterparts could teach her a thing or two.

We do not intend to oppose this Bill. In fact, I welcome it, at least as far as it goes, as it offers a reminder of some of the things for which we have to be grateful in our membership of the EU, not least the protection of fundamental rights and freedoms, including some of the most basic rights in the workplace, which many people take for granted. At a time when the Government are undermining those rights on a number of fronts, particularly in the Trade Union Bill, we should welcome the opportunity that this debate provides to remember the positive role that the EU can play in our lives, particularly when it comes to protecting dignity and security in the workplace. It is disappointing that the Government do not seem to share those values.

Stephen Gethins (North East Fife) (SNP): I am sure that Members from across the Committee will be delighted to hear that the SNP will be supporting the Bill; they will be even more delighted to hear that I will try to keep my comments as brief as possible. [HON. MEMBERS: “Hear, hear!”] I think that is the most popular thing I have said since I became a Member.

EU expansion has been a great success, and it is good to see our friends and colleagues from across the European Union working more closely together. I am particularly pleased to see Macedonia join the EU Agency for Fundamental Rights as an observer; that will be particularly helpful as it deals with the refugee crisis. I hope the country will benefit. It is also a reminder of the countries that have the biggest burden in dealing with the refugee crisis, and the UK could certainly do more.

On the second point, we wholeheartedly support any work to improve dialogue between the EU institutions, employers and workers’ representatives through the tripartite social summit for growth and employment.

We need to remain part of the European Union. There are great benefits to that, as I am sure Members across the Committee agree. We support the Bill.

Kelvin Hopkins: It looks as if the Bill will go through without too much controversy, but it is worth commenting on the state of employment across the whole European Union, including the UK. I am glad that my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry) has drawn attention to our own problems. Before some hon. Members were born, here in Britain we had the biggest TUC demonstration in history when unemployment went over 1 million; it is now closer to 2 million. We will leave that to one side.

The Bill seeks approval for amendments to be made to the tripartite social summit for growth and employment following institutional changes brought in by the Lisbon treaty. The organisation is meant to discuss increasing the employment rate and investing 3% of gross domestic product in research and development—all sorts of worthy things. However, the EU is living in a dream world if it really thinks it is doing well economically. Austerity has been imposed in many EU countries and there are incredible rates of unemployment—typically 25% in the worst-off states; in Britain, that would mean 4.5 million
people unemployed rather than 1.8 million or whatever it is. The situation is in a very bad way and some of the larger countries are quietly suffering—particularly France. People in France are nervous about their futures while they remain stuck inside the euro, if not the European Union.

Anyone who thinks that everything is fine and dandy is being Panglossian—“all is for the best in this best of all possible worlds”. If people in the European Union really believe that, they are living in a dream world.

The reality is that the EU is economically failing. I have mentioned Greece, Italy and France, but Finland also has serious problems; it is thinking of printing billions of euros to try to stop the country from sinking. There are all sorts of serious economic problems inside the eurozone and indeed the European Union. The only way those countries are ever going to get the jobs and growth that are so often talked about is for them to be able to reflate their economies on a national basis. That means they have to be able to control the value of their currencies in relation to others as well as their interest rates. They also need their own fiscal policies. When they can reflate behind their own barriers, Europe as a continent will start to grow again and millions of people who have been out of work for a long time can get back into work.

This is an innocuous Bill, but we should focus occasionally on some of the points about jobs and growth that it covers to show how bad the situation is. When I was a young person, everyone had a job. There was full employment—in fact, there was a labour shortage. Between 1945 and the 1970s there was a growth in living standards such as we had never seen before. Since then, things have gone badly wrong and there have been crises. As I have said from these Benches before, they are living in a dream world.

Bill accordingly read the Third time and passed, without amendment.

6.15 pm

The Minister for Immigration (James Brokenshire): I beg to move,

That this House takes note of European Union Documents No. 9355/15 and Addendum and No. 11132/15, international protection for the benefit of Italy and Greece, No. 11843/15 and Addendum, establishing a crisis relocation mechanism, and No. 11844/15 and Addendum, international protection for the benefit of Italy and Greece, No. 11843/15 and Addendum, international protection for the benefit of Italy, Greece and Hungary; and agrees with the Government’s decision not to opt in to proposals establishing provisional measures for the relocation of individuals in need of international protection or to the proposal establishing a crisis relocation mechanism.

The motion covers a series of EU proposals on the relocation of migrants within the EU. They formed a central part of the EU’s summer response to the ongoing migration crisis and have been the subject of long negotiations within the EU and of previous debates in the House.

The current migration crisis has been described as the worst refugee crisis since world war two. It has severely tested the ability and resolve of the EU and member states to provide a comprehensive and sustainable response that is able to support member states under the most pressure and ensure protection for those in real need of it. The situation has been and remains complex and fast moving. Proposals have been brought forward and adopted extremely quickly; at times, Interior Ministers have met almost weekly, and as soon as proposals were adopted, they were often superseded by others.

Since the crisis began, the Government have been clear about our views on relocation: it is the wrong response. It does absolutely nothing to address the underlying causes of the crisis and does nothing more than move the problem around Europe. Relocation also reduces incentives for member states to tackle abuse, process applications and strengthen their borders. It may also encourage more migrants to travel illegally to the EU. We must ensure that the permanent relocation proposal does not reduce the obligation on all member states to have fully functioning border and asylum systems.

The Government have consistently stated that the UK would not opt in to measures, whether temporary or permanent. I apologise to the House for the fact that we have had to override scrutiny on these relocation measures. The European Commission brought forward proposals on relocation as a response to an emergency situation. The Prime Minister and Home Secretary were required to make the Government’s views on such measures clear in hastily arranged EU Council meetings.

The debates on relocation continue within the EU. Only a tiny number of people have been relocated under the agreed temporary measures and many member states
are now stepping back from their previous commitments. Concern is growing about the merits of the permanent mechanism.

Mr David Nuttall (Bury North) (Con): Does my hon. Friend agree with the position of Slovakia? It believes that the decision should have been taken by unanimity.

James Brokenshire: Obviously, we are not party to the arrangements as we are using our opt-out. My hon. Friend highlights some of the issues that have arisen since the measures were put into place. I am aware that Slovakia and Hungary have recently filed legal challenges in the European Court of Justice against the relocation scheme. There are relevant concerns. In our view, the proposals are ill conceived and many more now question the viability of relocation as a tool to manage the migration crisis.

John Redwood (Wokingham) (Con): I strongly support the Government’s decision to opt out. Will the Minister explain something? Under the scheme that was agreed, if migrants were allocated a given country to settle in but then decided they would rather live in another EU country, what would stop them from moving?

James Brokenshire: My right hon. Friend has highlighted what might be described as secondary movement, and we remain conscious of that. Obviously, there is secondary movement within the Schengen area, but we maintain our own border controls and visa requirements. Practical issues with the scheme have been highlighted; to date, only about 160 people have been relocated under the measures thus far.

Rather than relocating those arriving in Europe, the Government have made clear that our policy is to focus our efforts on resettling vulnerable people in need of international protection. We continue to make the case that this is not just an EU problem but an international issue requiring concerted action from a whole range of international parties.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Is not the problem on secondary movement the fact that once migrants have become citizens of an EU member state, the free movement of people means that they are entitled to go anywhere? Even under our own laws, asylum seekers go to the head of the queue in getting nationality.

James Brokenshire: My hon. Friend makes an important point in respect of rights and entitlement to citizenship, but he will know that there are certain tests that we adopt—good character requirements, for example—and other steps that we take to assure ourselves in respect of those who may be granted citizenship, and that that process is conducted over a number of years before someone would be so entitled. Citizenship is certainly not automatic. I underline the point that I made—we maintain our own visa and border requirements in respect of those who come here, and adhere to them clearly for those who are not EU citizens.

Kelvin Hopkins (Luton North) (Lab): There is another problem that arises before secondary movement. What if the refugees do not want to go to the countries to which they have been allocated? If they are put on trains and forcibly sent to countries that they do not want to go to, that has echoes of uncomfortable times in the past.

James Brokenshire: The hon. Gentleman makes a valid point about the operation of the scheme. That has been a practical issue for EU member states that are party to the scheme when migrants have displayed an unwillingness to participate in the relocation arrangements envisaged by the measures to be debated this evening. Such practical issues have to be confronted.

The migration crisis is constantly changing and requires a flexible but robust response. Our approach has been designed to protect the UK interest while making a contribution to helping those in need and addressing the unprecedented challenge faced by our partners. Relocation is not proving to be successful. In our view, time would be better spent on measures that would make a real difference. We must secure the external border, quickly provide protection to those who need it and return those who do not. That is where the focus of this Government will remain, and I trust that the House will be minded to support the motion.

6.21 pm

Keir Starmer (Holborn and St Pancras) (Lab): I am glad we have the opportunity to debate this vitally important issue today. Political unrest and widespread violations of human rights have led to millions of people being displaced. The UNHCR says that there are 4.3 million Syrian refugees alone. This is, as the Minister said, the worst humanitarian crisis in Europe since the second world war, and it is clearly the most important issue now facing the EU.

Over the past nine months, the EU has seen unprecedented levels of migration, with more than 812,000 asylum seekers registered in the EU up till the end of September. The UNHCR says that more than 3,000 people are tragically dead or missing as a result of attempted crossings of the Mediterranean. The vast majority of the pressures of those incoming migrants has fallen on Italy and Greece, with 99.5% of migrants who cross the Mediterranean arriving in these two countries. That is the background to the EU-proposed programme of relocation in the UK. Britain rightly has an opt-out in relation to migration matters and has decided not to opt back into these measures.

Although we support that decision, it is disappointing that it has taken over six months and repeated prompting by the European Scrutiny Committee to secure this debate on the Floor of the House. We recognise, of course, that situations are often fast-moving and that the Government should not be constrained, but we think the Government should reflect on the approach they have taken so far in relation to the procedure.

On the substance of the matter, although we do not want to see Britain opt into mandatory quotas, we believe that we should take an active role in tackling the migration crisis across the EU, as well as on our doorstep. In this respect we take issue with the Government’s response. Just as we have joined military operations to play our part in tackling ISIS, so we have a moral responsibility to work with other EU states to help to deal with the large numbers of refugees who are fleeing the barbaric conditions in Syria and elsewhere.
The Government have pledged to accept 20,000 refugees over this Parliament—4,000 a year. After more than two years of Labour calling on the Government to take action, it is remarkable that we welcomed with a warm embrace by the House, but the Government still refuse to accept people in desperate need who need relocation from other EU states.

Four thousand refugees represents less than 0.5% of the refugees entering the EU this year. That is not good enough. The UK has a proud history of offering sanctuary to those in need of refuge and should not shrink from its responsibilities because it has the fortune not to be on the frontline of the crisis.

**John Redwood:** Can the hon. Gentleman explain how many refugees he thinks we ought to take and what the criteria would be?

**Keir Starmer:** Our position is that mandatory quotas are not the way forward. Any numbers taken in this country should be on only a voluntary basis. In view of what we see as the current failure of relocation policy, the Government should rethink whether they should take some numbers from Europe on a voluntary basis. It would be for the Government to decide what number, on a voluntary basis, would be the right number. It has been suggested that if every city or county in Britain took just 10 refugee families, we would be able to help perhaps 10,000 individuals. As I say, in the first instance we call on the Government to reconsider their approach in the light of the prevailing situation.

It goes without saying that under any scheme, and under a voluntary scheme in particular, there should be robust and effective vetting and safeguarding procedures, wherever those procedures take place. We therefore call on the Government to reconsider the refusal to take people relocated from other member states on a voluntary basis, without opting into a mandatory system. Even if we are not part of the mandatory relocation scheme, we should do everything in our power to ensure that it works effectively. The EU relocation scheme has so far relocated just 130 individuals from Italy and 30 from Greece of its intended 160,000 people, which seems to indicate that it may be incapable of dealing successfully with the pressures facing in Italy and Greece. In addition, only six of the 22 member states have notified the EU that they have the capacity to host relocated individuals.

What steps, if any, are the Government taking to support the relocation programme and to help to cope with this volume? On a point that has been raised on more than one occasion by the European Scrutiny Committee, in the absence of voluntary relocation how do the Government interpret the principle of solidarity and fair sharing of responsibility in the EU?

Let me turn to the questions that we have on the motion, which we support. Can the Minister update the House on the number of Syrian refugees who have arrived in Britain since the Prime Minister announced that we would take 20,000 over the course of this Parliament? In addition, the Home Office has stated that 55 local authorities will welcome Syrian refugees into their communities before Christmas. How many of those authorities have so far welcomed refugees? The Government say they are reluctant to take migrants relocated from within the EU for fear of creating new pull factors, but they have consistently produced little evidence that this would be the result of allowing internal relocation. As the European Scrutiny Committee has observed, the Government have been thin on substance on this issue. Can the Minister now give some substance on the pull factor argument? Surely we must recognise the level of desperation that forces people to leave their homes and attempt the journey to the EU in the knowledge that they or their loved ones might not make it. That will be a significant factor whatever relocation programme is put in place.

**Mr Andrew Turner (Isle of Wight) (Con):** Can the shadow Minister assist us by explaining how many people leave Syria, how many come into Greece and why there is a large difference between the two numbers?

**Keir Starmer:** I am not sure that I am in a position to deal with that intervention; it is probably better put to the Minister.

The Government have rightly said that they will take refugees from outside Europe, and we support that, but what about those who have made it into Europe? Of course the Government do not want to get drawn into a mandatory relocation programme within Europe, but why cannot there be a voluntary arrangement that we could enter into in order to play our full part in solidarity and fair responsibility for refugees across Europe? Just as we have joined with our European and other international allies in trying to defeat ISIS and other causes of refugees and migration, we should play our full part in dealing with the crisis here in Europe, with huge numbers already desperately needing relocation. On the basis of the figures, at least at first blush, it looks as though the relocation programme is not working as was anticipated. As I say, only 160 or so individuals have been relocated. In those circumstances, we ask whether the Government could and should do more.

I finish where I started and return to the way in which this matter now comes before the House. Recognising that the situation is moving fast, will the Minister give an assurance that the House will be properly updated and that time will be allowed for proper scrutiny and debate as the relocation policy rolls out over the coming weeks and months?

6.31 pm

**Sir William Cash (Stone) (Con):** As Chairman of the European Scrutiny Committee, I have been invited to attend four meetings—two in Luxembourg, one in Brussels, and one in Italy this last weekend—bringing together most of the national parliamentary chairmen with responsibilities in the area we are discussing. I pay tribute to the chairman of the Schengen committee in the Italian Parliament, Laura Ravetto, for taking this extremely important initiative.

I would like first to refer to a meeting that took place under the auspices of COSAC—Conference of Parliamentary Committees for Union Affairs of Parliaments of the European Union. That body, which consists of the chairmen of the national parliamentary EU committees, is given a very wide remit in matters of the kind that we are discussing. Although its meetings are webcast and published, it does not get anything like the attention that it really deserves. Having served on the European Scrutiny Committee for 30 years, having been its Chairman...
[Sir William Cash]

for the past five years, and now having been re-elected as Chairman for this Parliament, it is important for me to say that I have never seen such an explosion of anger at a meeting of COSAC in all the time that I have been taking part in those meetings.

The reason for that is the lack of democracy that lies at the heart of this proposal. The hon. Member for Luton North (Kelvin Hopkins) was with me in Luxembourg, and he will bear witness to the sheer anger about its imposition against the wishes of the individual countries concerned—about five in all, from central and eastern Europe. They were absolutely furious about having these mandatory controls imposed on them. This raises a fundamental question of intense sensitivity to the people who live in these countries. The way in which the issues are debated and discussed in the upper echelons—the rarefied atmosphere—of the European Union in its institutional framework bears almost no relationship to what is going on on the ground as regards the voters themselves. When the national chairmen came together at the meeting, they expressed themselves in very clear language indeed.

Apart from all the other things that are going on with the referendum and our complaints about the single currency—and the exchange rate mechanism before that—this raises the whole question of the straitjacket, ever further political integration, and the compression chamber, which I have been referring to since I led the rebellion on the Maastricht treaty back in 1990. I mentioned then, in black and white, in pamphlets and in debates, the compression chamber that was building up. This is an example of that compression chamber, which is now exploding, as was made clear in the COSAC meeting and replicated yet again in our discussions last weekend on the Schengen agreement. I know that we are not members of Schengen, and we will perhaps have an opportunity to discuss that in a moment.

Kelvin Hopkins: I was with the hon. Gentleman at the meeting in Luxembourg, as he rightly said. Does he agree that there seemed to be some intimidation of smaller, less economically powerful nations by larger, more economically powerful nations?

Sir William Cash: There is the case of Germany, to come straight to the point.

At the meeting it was discussed whether the 28 member states represented there, excluding us and Ireland because we are not part of Schengen, would welcome the proposals that were set out in the motion. In a nutshell, the 28 countries concerned—the Czech Republic, Slovakia, Hungary and Romania—were being told that they should go along with these mandatory arrangements irrespective of their resentment about that, their parliamentary votes against it, and their application to the European Court of Justice. As the Minister said, Hungary and Slovakia had brought proceedings in the Court of Justice to challenge the validity of this. These countries were, in effect, being told that they were wrong, and that in saying that the motion should merely “take note” of the relocation proposals, which was almost over-generous of them in the circumstances, they were refusing to accept the notion that they should welcome it. That is what led to the explosion. The debate went on for nearly four hours. This must not be underestimated. It is not just something to be floated over as, with respect, the Minister did; I understand why he probably did so. It is fissile material. It is a perfect example of the total want of democracy in the European Union in imposing, by mandatory arrangements, a settlement on countries that simply do not want it. It is a perfect example of what I have described as the compression chamber blowing up in such circumstances.

That is the background against which we should consider this. It is not just a question of whether we like it or not, but of how the European Union operates in practice. One need only look at how the Greeks were treated by the Germans with regard to the whole austerity programme or how the Portuguese president, a few weeks ago, disregarded, ignored and refused to accept the decision of the voters by not acknowledging the new party of government. The list is considerable, and, as far as I am concerned, that is the basis against which this issue ought to be judged.

I am, of course, delighted, but not surprised, that the Government have decided not to opt into the arrangements. I say with enthusiasm that our policy of trying to deal with the problem of refugees at source, which I have applauded from the very beginning, is the best way to go about it, not to allow these people in. At Friday’s meeting, the issue was raised of why Germany took the line it did. The answer, as I have said on the Floor of the House on a number of occasions over the past couple of months, is that it was very much to do with its desire to have more people in the country, not just for altruistic reasons but for economic reasons. It wants to compensate for the fact that it will soon have a much lower working-age population. It made the decision because that is what Germany wants, irrespective of the impact it will have on the European Union. Angela Merkel’s popularity happens to have plummeted over the past few weeks because, in my opinion and that of many other commentators, she has misjudged the situation.

The real point is that, to bring in 1 million people to Germany—that is basically what is happening—is not the end but the beginning of the story. Those 1 million people will themselves have their own children and probably bring their families over as well, because the charter of fundamental rights will be made available to them. This is, in fact, an opening of what I described the other day as a tsunami.

On top of that—I have referred to this on a number of occasions on the Floor of the House—nobody can doubt for a moment that there are a number, albeit perhaps small, of jihadists among those people who have come over. The reality is that only a few are needed in order to wreak the kind of carnage and havoc that we witnessed in Paris. To those who would criticise people like me for mentioning that, I say that it is a fact that that is what is happening, and on a scale unprecedented since the second world war.

Peter Grant (Glenrothes) (SNP): I am very concerned to hear what the hon. Gentleman has just said. Does he actually have hard evidence that jihadists are arriving in the United Kingdom under the disguise of migrants? Given that some people pose as police officers and social workers in order to commit heinous crimes, does he think we should abolish the police and social workers as well?
Sir William Cash: The reality is that there are declared jihadists who have been in Syria and other parts of the middle east. Jihadi John, as he was described, is a very good example of a declared jihadist who came from the United Kingdom, but I was not making a point about the United Kingdom, although I do perceive the danger. I was referring to the fact that there is no doubt that citizens—admittedly, they were French—who had been to Syria and come back via routes that enabled them to get to Paris contributed to the carnage. People can dispute that if they wish, but the facts are clear. The reality is that real problems have to be addressed, and that is an extremely important part of this debate. People can have differing views, but the reality is that there are real dangers.

I am also bound to say another thing with respect to the manner in which the Government have dealt with the issue. I want to make this point briefly, but it is important. The Minister passed very briefly over this and made a slight apology for what happened, but, with regard to override, I am going to put it in stronger terms. Scheduling a debate after the Government have reached an opt-in decision makes a mockery of their own commitment to enhanced scrutiny of their own decisions and to provide full transparency and accountability to Parliament. The Government have provided no explanation, even this evening, for their failure to schedule an opt-in debate during a September sitting of Parliament, when the House could have expressed failure to schedule an opt-in debate during a September sitting of Parliament, when the House could have expressed a view on the merits of opting into the first two relocation proposals, or an opt-in debate before the expiry of the opt-in deadline of 8 December on the proposed amending regulation.

Mr Rees-Mogg: Would my hon. Friend be more sympathetic to Her Majesty’s Government, as I might be, if it were not true that it was nearly three years ago, in January 2013, that the European Scrutiny Committee requested a debate on the Floor of the House on the free movement of people? Their failure to schedule debates is long standing.

Sir William Cash: It is indeed. I always want to encourage the Government to do better, but on this occasion they have done a lot worse. The delay in scheduling opt-in debates is inconsistent with the letter and spirit of the commitments made to Parliament by the Minister for Europe. I would be grateful if the Minister for Immigration would deal with that, because he owes not only the European Scrutiny Committee, but, much more importantly, the House and this country’s voters an apology for the way in which it has been dealt with. I am sure he will give that apology; perhaps he would like to do so now. Is there a chance that he might? Is he listening to what I am saying?

James Brokenshire: I am grateful to the Chair of the European Scrutiny Committee for allowing me to intervene on him. As I said when I gave evidence to the Committee, the Government have had to deal with a fast-moving situation, and, as I have already indicated today, we are sorry that it has not been possible to have the debates in the way we would have chosen to have them, but that is a reflection of the exceptional circumstances with which we were presented. There have been opportunities for debates and to respond to questions by way of statements, but that is the situation to which we have been seeking to respond.

Sir William Cash: Is that an apology? I would like the Minister to reply. I want to know whether, in these circumstances, which are unusual and unprecedented, it is fast moving when the Government want it to be, but when they do not want it to be fast moving, it moves very slowly indeed.

Kelvin Hopkins: I support the hon. Gentleman’s comments on delayed debates on the Floor of the House and even in Committee. The Minister said that matters were fast moving, but I hardly think that having to wait two years for a debate is fast moving. The issue is fast moving when the Government want it to be, but when they do not want it to be fast moving, it moves very slowly indeed.

Sir William Cash: I thoroughly agree with my fellow member of the European Scrutiny Committee and with the remarks of my hon. Friend the Member for North East Somerset (Mr Rees-Mogg). The point has been made.

In the joint address to the European Parliament on 7 October, the German Chancellor, Angela Merkel, described the Dublin rules as “obsolete”. The French President highlighted the link between the Dublin rules and the proper functioning of the Schengen free movement area and said:

“Calling into question the free movement of people, by returning to internal borders, would be a tragic error”.

He went on to say:

“But pretending that Schengen, with its current way of functioning, allows us to face border pressures would be another mistake.”

The question, therefore, is whether the Dublin system is at risk of breaking down and whether further fragmentation of the Schengen free movement area can be avoided. An extraordinary contradiction emerged from the meeting I attended over the weekend. The people there were very anxious to be sure that we had a proper border control system, but they also insisted on an external border system. I am sure the Minister is aware of that from his discussions in Brussels and elsewhere. The irony of the situation is that at the same time as they are insisting on greater border controls—as I have said on other occasions, there is almost more barbed wire in Europe today than there was during the cold war—they also want a complete external border system surrounding the whole of the European Union, presumably with the exception of the non-Schengen countries, namely ourselves and the Irish. I hope the Minister appreciates that, under the pressures exerted by the migrant crisis, there is a real desire to go further towards having a complete external border and to go deeper towards having political union. At the same time, they want effective border controls, but those two things are inconsistent.

I understand that the Government now propose to use taxpayers’ money to increase the effectiveness of Frontex, but when we consider the scale of the borders—a massive area of the European continent is supposed to be completely sealed off along the EU’s external borders—we can see that the costs will be absolutely monumental. Frontex has already proven to be ineffective.
It does not work and I doubt whether it is possible to make it work, but through an insistence on its external borders, more and more pressure is being exerted towards the deeper integration of the European Union.

I want the Minister to tell us how we can have an effective system of the kind now proposed, with a full external border for an enhanced Schengen system, and the United Kingdom staying in the European Union at the same time. I see this as a very important moment in terms of our having to leave the European Union. The Schengen arrangements, reinforced by Frontex, to which the British taxpayer is expected to contribute, and the increasing pressures towards political union seems to me to be a subject on which we should speak more and more clearly and loudly.

There are real dangers in all of this. I simply think that bringing the Turkish action plan into operation will make the situation even more intractable. More could be said about that. At this moment in time, with their internal border controls, Germany and several other countries are in breach of the Schengen free movement area. Border controls have been introduced by Austria and Germany, justified on the grounds of public and internal security, and imposed unilaterally without prior notice, whereas the Schengen border code specifies a maximum period of two months. Those countries are in breach of the code, and I understand—the Minister may confirm this—that Germany is facing infraction proceedings. Angela Merkel is facing very substantial pressures from within her own country as a result of the mistakes that have been made.

The reality is that the Commission opinion has shown the interdependence of member states participating in the Schengen free movement area and the risk of a domino effect whereby unilateral action by one member state has an immediate effect on the security of its neighbours. That is causing the most enormous pressure and enormous volcanic eruptions in the countries concerned. People simply will not wear it.

Peter Grant (Glenrothes) (SNP): I welcome the chance to debate this vital humanitarian issue, but like the hon. Member for Stone (Sir William Cash), I am deeply disappointed that it has taken so long to bring it to the Chamber. As was pointed out by the Labour Front-Bench spokesman, the hon. and learned Member for Holborn and St Pancras (Keir Starmer), it is six months since the European Scrutiny Committee first asked for this debate. It may be longer since it first asked for another debate, but I was not in Parliament to know that.

The Chair of the Select Committee has gone in detail through the steps the Committee had to take to get this debate, so I will not repeat them. On 11 December, three days ago, he finally got answers to some of the questions he had been asking for months, and in some cases, for years. Today, six days after it was too late for us to have the remotest chance of changing the Government’s mind, because the deadline for opting in has passed, we are finally having this debate.

I find it impossible not to contrast the Government’s willingness to cancel an entire day’s business in the Chamber to hold a debate that they wanted on bombing Syria with, frankly, their complete stonewalling of the due parliamentary process that allows us to debate how we can and should do more to help some of the millions of innocent victims of the bombs already falling on that country.

Heather Wheeler (South Derbyshire) (Con): The hon. Gentleman is a fellow traveller on the European Scrutiny Committee, but will he be slightly more precise with his wording? We are not bombing Syria; we are bombing Daesh in Syria. It would be very helpful if all Members used those words so that there is no misunderstanding about what we voted on.

Peter Grant: This is not the place to rehearse the weakness of the Government’s case for saying that the bombs will not injure or kill innocent people. If the hon. Lady had listened carefully, she would have heard me make the point that the people we are talking about are those who have already fled or are in the process of fleeing from the conflict. I suggest that, having taken the deliberate decision to become part of that armed conflict, the moral responsibility on the United Kingdom is even greater than it was before. We are now part of that war and we bear a moral responsibility to help to deal with some of the desperate human consequences of it and do what we can to help.

As things now stand, the Scottish National party cannot and will not give an entire endorsement to the Government’s decision not to opt in to the proposals. That is not because we believe the proposals are perfect—far from it; it is because they offer a real attempt by all the nations of Europe, or certainly all the nations of the European Union, to recognise that this crisis is far too big for any one, two or three countries to cope with on their own. It is far too important—it is literally a matter of life and death—for us to risk the chaos that will ensue if 27, 37 or any number of different countries all go their own way.

We have had a foretaste of what happens when countries unilaterally and at a moment’s notice close their borders, open their border, close them again and then open them to some people, but not to others. That is how we have ended up with tens of thousands of desperate, broken people behind barbed wire fences, which is when the tensions and violence are in danger of escalating beyond all control.

We cannot allow the Government to let their own party disagreements on Europe and immigration stand in the way of a moral and compassionate response to what has rightly been described as the worst humanitarian crisis that, please God, most of us will ever witness in our lifetimes. We must see this, first and foremost, as a crisis of protecting the victims of war, not as a crisis of immigration caused by the victims. Our highest priority at all times should be the welfare of millions of people—yes, millions of our brothers and sisters, and millions of citizens of this planet with whom we share a common humanity—because we owe them a moral and, I would argue, a legal duty to protect them as far as we possibly can.

As I have said, having taken a deliberate decision to play even a small part in the war, the United Kingdom has accepted a significant moral responsibility to help to secure the futures of the victims of that war. The numbers are truly breathtaking. We know that at least 4 million people have already fled Syria, and that over
7 million more have been displaced within their homeland, most of whom would leave today if they thought they had any chance of getting out. We could be talking about more than the entire population of London losing everything—their homes destroyed, and their families in many cases murdered, or at best torn apart, perhaps losing contact for the rest of their lives. Surely, these people deserve the best future and the best support that we, in our hearts, can possibly find the human decency and kindness to offer them.

Given that the Government’s own advice is that the United Kingdom’s military action in Syria is likely to last for three years, this is not a short-term problem that will be fixed with a short-term solution. It is not enough simply to throw money at emergency aid, important though that is. We have to consider massive infrastructure spending to provide 4 million people—and probably many more millions of people—with the housing, health services and education that they are legally and morally entitled to receive. It is not credible to expect three or four countries around the Mediterranean shoreline to provide all that by themselves, even if there is a significant influx of cash from the UK and elsewhere.

In a written answer that I received on 27 October, the Minister of State, Department for International Development was able to identify only three countries in the whole of the middle east and north Africa as being able to provide safety and access to essential services to refugees: Jordan, Lebanon and Turkey. He declined to say how many refugees the Government thought those countries could realistically be expected to support, despite my direct question to that effect. I suggest that the total will be nowhere near 4 million, never mind the potential 10 million or more.

Expecting Greece to provide the infrastructure to support all the refugees who land on its shores for three years, five years or longer is simply unrealistic. Again, this is not about the money. It is not possible for Greece to produce the infrastructure to look after, house and educate the number of desperate refugees it is already trying to support.

The Government, for their own reasons, continually seek to blur the lines and to encourage us to think of these men, women and children as willing economic migrants. There is even the suggestion that some of them might be terrorists in disguise—a suggestion for which there is not a scrap of evidence. They are not willing voluntary migrants. They did not volunteer to have their homes blown to pieces. They did not volunteer to have their towns destroyed. They did not volunteer to have their families killed. They are refugees who are fleeing for their lives and the lives of their children because, if they stayed at home, their children would die. They have a legal and moral right to receive whatever help we can give them.

The humanitarian crisis in and around the Mediterranean shows that the previous rules on who should look after refugees are not fit for purpose in a situation of this scale. They were not designed in the expectation that one country would have to cope with 50,000 or 60,000 migrants coming in at a time. They were not designed in the expectation that one of the poorest countries in Europe would look after the welfare of hundreds of thousands of refugees who arrive in the space of a few months.

It is reasonable to expect the initial process of confirming identities, performing security checks and registering and fingerprinting refugees to take place as close as possible to where people first arrive on the European Union. Some people refer to that as the hotspot approach, but I find that phrase demeaning and dehumanising. It makes it sound like the hotspot of a problem, rather than a place of opportunity, where we can show the kindness that these people can expect. I prefer to refer to such places as first reception facilities.

That approach, whether it is called the hotspot approach or first reception facilities, is one that we can support, just as the Government support it, but if it is not done properly, it might as well not be done at all. For much of the past six months, the conditions in and around the official registration centre on Lesbos have been an affront to human decency. The fact that that is happening on this continent is something of which every last one of us should be utterly ashamed. It is happening not because the various agencies and volunteers do not care, but because they do not have the capacity or resources to cope with the task.

As soon as refugees have been through the necessary registration process, the aim should be to help them get to their end destination as quickly as possible by safe, legal and dignified means. We should remember that these are human beings we are talking about. That needs to be done with full co-operation between the countries of Europe, both in agreeing which countries the refugees will settle in and in helping them to get there. This is another area where we cannot support the Government’s refusal to be part of any of the options that have been put forward.

So anxious are the Government to persuade their wavering supporters that UK sovereignty over UK borders is sacrosanct that they will not even compromise on it if it prevents us from honouring our legal and moral obligations to some of the most vulnerable and desperate citizens on the planet. I find it astonishing that the same people who, less than two weeks ago, were condemning us for not showing solidarity with our allies when it came to committing acts of war in Syria should now be so resistant to showing solidarity in supporting and protecting the innocent victims of war.

The Government are asking us to agree with their decision not to take part in the EU scheme. We believe that it was a bad decision, taken for the wrong reasons. Tonight’s vote will not force the Government to change their mind, but we believe that the principle at stake is important enough that we should put on the record our belief that the UK Government are failing to live up to their moral obligations. For that reason, we will oppose the motion tonight.

7.5 pm

John Redwood (Wokingham) (Con): I support the Government’s decision to exercise the opt-out. I am pleased that the Government and the official Opposition agree that the United Kingdom should not be part of the Schengen system and that they both wanted to exercise the opt-out.

As an island nation with a neighbour in the Republic of Ireland and with the three countries on our principal island entirely surrounded by water with no land frontier, it clearly makes sense for the United Kingdom to have
her own border arrangements. Indeed, it is fundamental to a sovereign people and a sovereign Parliament that one of the decisions that we should be able to make for ourselves is who we invite in and on what terms we invite them in to become citizens of our country. It is a great privilege to be a citizen of our country. It brings all sorts of benefits, as well as responsibilities. Surely that is a decision that this Parliament should wish to make, with the Government offering guidance and leadership, to show that we are in control on this fundamental point.

As the Minister indicated in response to interventions, even though we have opted out of this proposal for allocating refugees and other recent arrivals in the European Union under a quota system, what the Schengen countries do at their common external frontier still matters to the United Kingdom. While we remain under the current European Union treaties, we have to accept the freedom of movement rules. That means that if any other country or part of the European Union accepts people in, they may well be eligible, in due course, to move to the United Kingdom. We are therefore interested directly in how those countries conduct themselves and what they wish to do by way of inviting people into the general European Union area.

We are also interested in the policy of the Schengen countries, which we have opted out of, because the British Government have none the less agreed to spend money and offer resource to police the common external frontier of the Schengen area. In particular, we have committed resources to tackling some part of the desperate problems that the EU migration policy has caused in the Mediterranean, where all too many people commit themselves to hazardous and expensive journeys and then need to be rescued by the Royal Navy and other naval contingents.

Sir William Cash: Does my right hon. Friend have any idea of the extent of our share of the costs to which he has just referred? Perhaps he might ask the Minister to consider that. As I understand it, it could be as much as £150 million, but, because the cost of providing for Schengen relocations will, by its nature, be ever-increasing, presumably that amount will go up.

John Redwood: That is an important issue and the Chairman of the European Scrutiny Committee is right to raise it.

I have some sympathy for what the SNP has said. It is a disgrace that our rich and relatively successful continent is facing this huge crisis, with many refugees and economic migrants arriving, and the system is unable to cope with them. We have to ask why that is. Given that we do not wish to see people undertaking such hazardous journeys and that we do not feel that the way in which European Union policy is impacting on those people is decent, we need to influence our partners in the European Union to do something better.

Again, I find myself in complete agreement with the Government. They are right that the correct thing to do for refugees is to work with the United Nations and our other partners to make sure that there is a safe place of refuge near to the place they fled from, and be there to talk to them and to consider who would like to come to countries in Europe and elsewhere and decide on what basis we will admit people from those camps. That is surely the humane way to approach the issue, and it obviates the need for people to undertake extremely hazardous, and often very expensive, journeys. Only the richest and fittest among those groups can undertake such journeys, only then to discover that the hazards are too great and that they may lose their lives or need rescuing from the Mediterranean. Surely the money that we are spending on picking people out of the Mediterranean could be better spent on an orderly system closer to the place from which people are fleeing, and on helping them to get legal transport to come to the country of their choice once they have been offered that facility.

Such a system would also mean that we could make clearer and better distinctions between economic migrants and genuine refugees. There are, of course, a lot of genuine refugees from a country such as Syria, but different considerations should apply in the way that we respond to a lot of economic migrants who come along at the same time from a range of countries in the middle east and Africa.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Does the right hon. Gentleman have anything further to add about the unaccompanied children who are arriving in Europe and who appear to be extremely vulnerable and in need of assistance?

John Redwood: Of course our hearts—mine as well as the hon. Lady’s—go out to those children, and such things should not be happening. It is only happening because adults have allowed it to, or made it happen, because children do not normally have their own money or wherewithal to do such things. Somewhere in the process adults have persuaded or set up those children to make those journeys, and placed them in the hands of people traffickers who may be very destructive towards their interests and their lives. The remit of the United Kingdom is quite large, but we cannot get into the homes and minds of all the parents, aunts and uncles who commit those children to such hazardous journeys, or into the minds of other adults who should be offering care if a child’s parents have been tragically taken from them by violence in the country in which they were living.

Surely the European Union, with all its powerful and rich countries, could do a better job in coming up with an orderly and sensible way of handing help and assistance to genuine refugees who are being forced out of war-torn areas or countries by civil wars and violence. We must also send a clear message to economic migrants that there is an orderly system, and that they are not welcome if they turn up as illegal migrants. People should go through a proper process in the country from which they are coming, or in a place adjacent to that country if they have already started their journey. That would be a better way of doing things.

When Angela Merkel—perhaps for the best of reasons, both because Germany would like a bigger workforce and because she felt very sorry for these people—suggested that many more migrants should turn up, I fear that that compounded the problem. Far from being a caring solution, it meant that many thousands more people committed themselves to hazardous journeys, only to
find when they arrived that other countries in the European Union did not have the same view as Angela Merkel, that the policy was not clear, and that certain borders were shut in a rather unpleasant way with razor wire and high fences, because the numbers were simply too great and people could not be handled.

I support the motion and urge the Government to do far more to try to persuade our partners that EU policy is letting down refugees and economic migrants, as well as the member states and inhabitants of the European Union. This issue is of vital interest to us because we want the EU to have a more caring policy, and because decisions taken in any other EU country can have a direct impact on our own migration policy, owing to our current status as a member of that body and as part of the freedom of movement provisions. Many people watching these awful tragedies unfold on television, or when reading newspapers or even listening to some of our debates in this place, will conclude that as an island nation we can—and should—control our own borders. We could do a rather more humane job than the European Union is currently doing, and perhaps for Britain, that is the best answer.

7.14 pm

Kelvin Hopkins (Luton North) (Lab): I will not speak for long, Madam Deputy Speaker, but it is important to say something in this debate. I support my hon. and learned Friend the Member for Holborn and St Pancras (Keir Starmer) and his emphasis on behaving in a humane way towards migrants, as well as his point about the rather small numbers of people currently being allowed into our country. Like him, I believe that we should consider taking more of those desperate people into this country from areas where they risk death on a daily basis.

I support the Government’s position, and it is right that this country should have its own controls, but I think that that should go further and that other EU countries should also be able to control their own borders—that is what has caused the enormous row that the hon. Member for Stone (Sir William Cash) mentioned. I believe that a fundamental component of democracy is that a country should control its own borders and who comes in. That is sometimes difficult to do, but it is fundamental. Borders matter, and trying to eliminate them in pursuit of the creation of some kind of super-state—that is effectively what has been happening in the European Union—is a mistake and will eventually come to a sticky end. It is noticeable that tensions are rising strongly at the moment.

As I said in an earlier intervention, refugees may not want to go to the country to which they have been allocated. If they are allocated to countries that do not really want them, they may not be made welcome, cared for, or well treated when they get there, and that is another serious problem. A way of helping refugees to go to places to which they want to go, and where they will have some kind of welcome and be looked after, would be much more sensible than a forced allocation policy. The UK can do that and we should not opt in to the arrangement, but other countries in the European Union should be in the same position as us.

I do not accept free movement: I think it has been a mistake. If we want to recruit people from other countries who have the skills we need, that is fine. That could be done on a temporary or permanent basis, but it should be a choice and not that of some supranational body that says, “You must accept people because those are the rules of the club and you ought to accept those rules.” I do not accept those rules, and neither do many people in Britain.

There is a conflict here. We must ensure that we behave in a humane way to other people. We all admire and wish to adopt such humanitarian actions, but large, substantial and unregulated movements of people can militate against the humane feelings that we all have. There comes a point when people think, “We can’t cope”, and destabilising massive population movements are not conducive to humane behaviour.

In the 19th century there were vast open spaces in the United States, South America, Australasia and elsewhere, and countries recruited people because they needed them and it was not a problem. We recruited people from Ireland in particular, as well as from elsewhere. We have also been very humane with certain immigrations. When I was younger in the 1960s, the Ugandan Asians were being seriously threatened and we accepted them into our country. Indeed, one or two Members of the House are descended from that population, and those people have made a massive contribution to our society. We have behaved well in the past, but when movements of people become so large and seemingly unstoppable, our humanity starts to break down—not individually in the Chamber, but as a society—and people start saying, “We can’t cope. There is a desperate housing crisis and unemployment and so on”.

Peter Grant: The hon. Gentleman clearly has a point, but would it destabilise the United Kingdom to take a share of the 4 million people who have fled Syria? How can it stabilise anyone for all 4 million to be left in two or three countries in the Mediterranean?

Kelvin Hopkins: I accept what the hon. Gentleman says. I have said, and my hon. and learned Friend the Member for Holborn and St Pancras on the Labour Front Bench has said, that we should accept more people from Syria. There is absolutely no question about that. We should play a bigger part in helping refugees to escape their terrible situation. The number the Government have decided to accept is far too low. That said, we are not going to have an open border policy in which very, very large numbers of people come here, because that would be politically destabilising. It would not be good.

Germany’s population was falling. It is a very successful industrial country with a low birth rate, which means it needs workers. Our population is increasing rapidly. We are going to overtake Germany and become the country with the largest population in the whole of the European Union. We are therefore in a very different situation from Germany. If we had a serious labour shortage, and lots of space and vacant housing, we would want to recruit more people.

Sir William Cash: Has the hon. Gentleman also heard that our own population is growing exponentially and that we will get up to about 70 million really quite soon? Such an increase is way beyond the space and capacity of the United Kingdom and its expenditure.
Relocation of Migrants in need of International Protection

Kelvin Hopkins: I do not want to get into specific numbers, but our population is increasing substantially. The German population was falling. The population of a number of other European countries is falling too, and they will no doubt want to recruit sufficient young and energetic people to make sure their economies carry on working well.

Alison Thewliss (Glasgow Central) (SNP): Médecins sans Frontières estimates that over 466,000 people have arrived on the beaches of Lesbos. The population of Lesbos is about 86,000. Do we not have a responsibility to help them, as they cannot possibly deal with that number of new people arriving in their area?

Kelvin Hopkins: As I said, I agree with my hon. and learned Friend the Member for Holborn and St Pancras that we should take more. We should be doing more to help the refugees who need help, but I do not think that compulsory allocation to countries across the European Union or a free flow of migrants across the continent is sensible. In the end, I think it would militate against a humane and managed way of looking after people.

On this occasion, the Government are right. I understand that the Scottish nationalists do not agree and will vote against the measure, but the Labour Front Bench and the Government are together on this and I support them. In the longer term, we have to look to the restoration of sensible border controls within the European Union between member states, and not just the breaking down and the elimination of borders and having an indefensible common external border.

7.23 pm

Mr Jacob Rees-Mogg (North East Somerset) (Con): I am actually going to support the Government today, too. There seem to be amazing levels of support, which is always quite dangerous, but it is refreshing that the Scottish National party is here in force to ensure that these matters are properly debated and scrutiny is carried out effectively.

The reason I support the Government is partly that the European Union has made an absolute hash of it. I phrase myself slightly more bluntly than the hon. and learned Member for Holborn and St Pancras (Keir Starmer) who, in glorious understatement, said that the scheme of the European Union was not working as anticipated. Well, I thought that was on a par with the late Emperor of Japan, who at the end of the war said:

“The war situation has developed not necessarily to Japan’s advantage.”

When we think that, according to the Daily Express, 184 people out of 160,000 have been relocated, it is a failure even by the terms of the European Union. It introduced a plan that was hotly opposed by elected Governments. It imposed it by quality majoritarian voting. We, fortunately, had an opt-out, which we used. But what underlies this policy is, to my mind, also so wrong.

Here I disagree with the hon. Member for Glenrothes (Peter Grant), who made a very powerful speech about the duty we have to mankind in general. I very much accept that. The duty to refugees is fundamental. It is tremendously important and is something the United Kingdom has done for centuries. The question then is how to do it well, how to do it effectively, and how to preserve life so that we actually save people. It seems to me that what the European Union has done has made the situation worse for the refugees themselves. Of over 900,000 who have come to the shores of the European Union in 2015, 3,671 have either died or gone missing. The terrible events in the Mediterranean in 2014 led the Holy Father to say:

“We cannot allow the Mediterranean to become a vast graveyard.”

The reason this happened is the pious but failed hopes of the European Union’s refugee policy: the idea that as soon as people get into the boundaries of the European Union they will get citizenship, but if they cannot get here there is nothing that will be done for them. That seems to me to encourage people to take these crazy risks that have led to the tragedies. The EU’s policy is itself creating dangers for refugees.

The refugees who come are not the halt and the lame, but the fittest and the most able to take the risks involved in trying to cross the sea to come to the European Union. We have seen that 70% of the refugees who have come to the European Union are in fact men, primarily young men. A system has been set up that creates incentives and leads people to take foolish risks to come here in the first place. The people who are most at risk—the children, the elderly and the frail—are left behind, because if they apply from their risky country, the forces of the EU will not let them in.

Her Majesty’s Government have got this right, but the numbers are hopeless. The 20,000 over five years is absolutely a step in the right direction, but of course we should do more. We should think of how many we take from the European Union under the free movement of people. In the year to March 2015, we took 183,000 economic migrants from the European Union; 183,000 people who were safe in their own country and not at risk of persecution. They were not in fear of their lives. They wanted to come here for the most noble and honourable reason—to improve the condition of themselves and their families. They moved halfway across a continent to do it and that is something I admire hugely. That is a very Conservative thing to do—to wish to better oneself and to take that risk. That is what entrepreneurs do.

However, they are economic migrants, not refugees. And because we take so many people from the European Union under the guise of the free movement of people, when it comes to taking those who are genuinely at risk of their life we take 4,000 a year. We take 4,000 a year when it comes to taking those who are at risk. This seems to me a fundamental failing of the European Union, because—instead of giving aid to refugees—it encourages people to take unwarranted risks, and gives benefits to those who are already safe.

Why do I stick to this number of 183,000 and what is the context? The context is that there is a limit to the numbers any country will take in any one year, not because free movement is a bad thing in itself but because the societies to which people move cannot cope
with the influx above a certain level. There is not the infrastructure, there are not the schools or hospitals, and the society lacks the capacity to absorb large numbers at one point. Their arrival needs to be staggered over a much longer period. If we have so many coming from safe countries, inevitably we have to be mean with the numbers we can control because they do not benefit from the European treaties and free movement with the EU.

The EU's whole approach is wrong, and we, in our renegotiation, are unutterably feeble; all we are doing is muddling about with a few benefits, which is not why people come anyway. As I said earlier, they come for that noble, inspirational reason: they want to improve their lives and those of their families. They do not come because they are benefits cheats, yet we grub around on that, rather than thinking about the real problem—the scale of immigration from the EU. As the hon. Member for Luton North (Kelvin Hopkins) pointed out, free-for-all immigration does not work for our democracy. Our people—our voters, our electors—do not want it, and yet the Government do not even ask to get this back under domestic control. Instead, they do not opt in to one part of things with many parts, but it will not have any great effect.

I will support the Government tonight, but what was the best reason we heard for why the 800,000 Mrs Merkel is welcoming in will not come here? Apparently, our ambassador extraordinary and plenipotentiary to Germany has reported to Ministers that we do not need to worry about them coming here because the Germans are slow at processing citizenship applications. Well, isn't that lucky? They are slow. I always thought German bureaucracy was efficient, but clearly not; when it comes to processing citizenship applications, they might take 10 years. So we were efficient, but clearly not; when it comes to processing citizenship applications. Well, isn't that about them coming here because the Germans are slow?

Mr Rees-Mogg: No, I do not accept that. The reason the British go and live abroad and are welcomed abroad is that most of the British who go abroad are quite well off and mainly retired, and therefore they take a lot of income into poorer European countries that happen to have a little more sunshine. I quite understand. It is the Florida effect. People want to go to the southern European countries, but they take wealth with them, which would be welcomed even if we were not members of the EU, because poor countries always want to attract rich migrants. Rich countries cannot take an unlimited number of poor migrants, which is why we should focus on the most needy—the real refugees, the ones in Syria and the camps—and cut back on the 183,000 economic migrants coming from the EU. When the Government do that, they will deserve much more support than the support they will get today.

Mr Rees-Mogg: Of course I will give way.

Mike Weir: I am finding it difficult to follow the hon. Gentleman's argument. Why, once these 800,000 people have been settled in Germany for 10 years, are they all suddenly going to come to the UK, with their new German citizenship papers?

Mr Rees-Mogg: The amount of immigration to this country from the EU shows that we are a great magnet. Everyone seems to want to come to the UK, including to the glories of Scotland. It is extraordinary the draw we are. In a way, I am proud of this. I love the fact that people all around the world think the best place to live is the United Kingdom of Great Britain and Northern Ireland. It should give us a glow of pride about the success of our nation under this glorious Conservative Government, who are bringing us peace and prosperity.

Alison Thewliss: Does the hon. Gentleman not accept that part of the benefit of being in the EU and having those open borders is that British citizens can go and live in Europe and that as many of them go and live there as come here?

Mr Rees-Mogg: Of course I will give way.

Mike Weir: I am finding it difficult to follow the hon. Gentleman's argument. Why, once these 800,000 people have been settled in Germany for 10 years, are they all suddenly going to come to the UK, with their new German citizenship papers?

Mr Rees-Mogg: The amount of immigration to this country from the EU shows that we are a great magnet. Everyone seems to want to come to the UK, including to the glories of Scotland. It is extraordinary the draw we are. In a way, I am proud of this. I love the fact that people all around the world think the best place to live is the United Kingdom of Great Britain and Northern Ireland. It should give us a glow of pride about the success of our nation under this glorious Conservative Government, who are bringing us peace and prosperity.
The migrants affected by the present proposal are those belonging to nationalities for which international protection is on average granted in at least 75% of cases—at present, those from Syria, Eritrea and Iraq. The situation in each of these countries is dire: it is clear that the vast majority of those leaving these countries are fleeing civil war or the imminent threat of persecution. This is underlined, for instance, by the presence of millions of Syrian refugees in camps in Jordan and Lebanon. The Government’s argument that the relocation of 40,000 migrants who have reached Greece or Italy will somehow encourage more to leave their countries of origin is therefore unconvincing.

That is—to borrow the expression of the hon. Member for North East Somerset (Mr Rees-Mogg)—a somewhat masterful understatement.

What are the elements that could produce safe routes and a humanitarian approach? We need to extend the family reunion rules. We need to allow more people who have family in the United Kingdom to come here safely. The current rules mean that a Syrian father granted asylum in the United Kingdom would be allowed to bring his wife and younger children, yet if he had a 19-year-old daughter, for example, she would not ordinarily be able to come here. Her parents would be forced to choose between leaving her behind and paying smugglers to bring her to the United Kingdom. In either scenario, she would be at grave risk.

The priority for my hon. Friends and me is to bring in 3,000 unaccompanied refugee minors who have reached Europe, and there has been an ongoing dialogue on that between my party and party leader, and the Prime Minister. If there is an opportunity at the end of this debate, we would like to hear from the Minister what progress has been made on that.

We must also extend the resettlement scheme as a matter of urgency. Twenty thousand refugees over five years is a drop in the ocean. We can and should do more to take those vulnerable Syrian refugees, who now face a bitterly cold winter in camps in Syria’s neighbouring countries and other parts of Europe. Come the Division, the Liberal Democrats will be with the Scottish nationalists this evening.

7.41 pm

James Brokenshire: We have certainly heard a number of important points, which in some ways have strayed more widely than the measures in the motion before the House and which may also arise in the debate to follow.

We will continue to work with European partners to develop and implement a sustainable and comprehensive solution that allows people to live fulfilling lives in their own countries. The intra-EU relocation should not, in our judgment, be the response. The Government have been clear that the UK will not take part in it and have urged the EU to concentrate on actions that address root causes, control illegal migration and tackle abuse, not just actions that respond to the consequences of large-scale spontaneous migration. We have also been clear that, despite weaknesses in the Dublin arrangements, which we agree need reform, their underlying principles remain sound, with member states taking full responsibility for the effective functioning of their own border and asylum systems.

In our discussions with the EU we have been measured and constructive, while promoting and defending UK interests. Our approach reflects the need for a concerted humanitarian response for those who need our protection.

On the issue of solidarity, let me underline the front-line and other support that this country has given through the European Asylum Support Office, Europol, our search and rescue operations, our support for the common security and defence plan and our approach to resettlement, as well as the aid assistance that has been provided.

Underpinning all that work is the idea that measures should not undermine the principle that asylum should be sought in the first possible safe country. Therefore, I urge the House to support the Government’s motion.

Question put.

The House divided: Ayes 274, Noes 52.

Division No. 148

AYES

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, Mr Richard
Baker, Mr Steve
Barclay, Stephen
Barwell, Gavin
Bellingham, Mr Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridge, Andrew
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Carswell, Mr Douglas
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Costa, Alberto
Crouch, Tracey

Ayes 274

Davies, Byron
Davies, Chris
Davies, David T. C.
Davies, Glyn
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Dinenage, Caroline
Djanogly, Mr Jonathan
Donelan, Michelle
Double, Steve
Dowden, Oliver
Doyly-Price, Jackie
Drax, Richard
Drummond, Mrs Flick
Dunne, Mr Philip
Elliott, Tom
Ellis, Michael
Ellison, Jane
Elphicke, Charlie
Evans, Graham
Evans, Mr Nigel
Fabricant, Michael
Fallon, rh Michael
Fernandes, Suella
Fox, rh Dr Liam
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fyeh, Marcus
Gale, Sir Roger
Garnier, rh Sir Edward
Garnier, Mark
Ghani, Nusrat
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Gledhill, John
Goodwill, Mr Robert
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffiths, Andrew
Gummer, Ben
Gyimah, Mr Sam
Hallam, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matthew
Harrington, Richard
Relocation of Migrants in need of International Protection

Resolved,

That this House takes note of European Union Documents No. 9355/15 and Addendum and No. 11132/15, international protection for the benefit of Italy and Greece, No. 11843/15 and Addendum, international protection for the benefit of Italy and Greece, No. 11844/15 and Addendum, establishing a crisis relocation mechanism, and No. 9355/15 and Addendum, international protection for the benefit of Italy, Greece and Hungary; and agrees with the Government’s decision not to opt in to proposals establishing provisional measures for the relocation of individuals in need of international protection or to the proposal establishing a crisis relocation mechanism.

Question accordingly agreed to.

Resolved.

Tellers for the Ayes: Marion Fellows and Owen Thompson

Tellers for the Noes: Mr David Evennett and Margot James

NOES

Mc Nally, John
McCraig, Callum
McDonald, Stuart C.
McGarry, Natalie
McLaughlin, Anne
Monaghan, Carol
Monaghan, Dr Paul
Mullin, Roger
Newlands, Gavin
Nicolson, John
O’Hara, Brendan
Oswald, Kirsten
Paterson, Steven
Ritchie, Ms Margaret
Robertson, rh Angus
Saville Roberts, Liz
Skinner, Mr Dennis
Thewliss, Alison
Thomson, Michelle
Weir, Mike
Whiteford, Dr Elidh
Whitford, Dr Philippa
Williams,rh Mark
Wilson, Corri

Wallace, Mr Ben
Warburton, David
Warman, Matt
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittaker, Craig
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Woolastone, Dr Sarah
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Sturdy, Julian
Sunak, Rishi
Swayne, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Tugendhat, Tom
Turner, rh Mr Andrew
Tyrie, rh Mr Andrew
Vara, Mr Shailesh
Vickers, Martin
Walker, Mr Charles
Walker, Mr Robin

Arkless, Richard
Bardell, Hannah
Black, Mhairi
Blackford, Ian
Blackman, Kirsty
Boswell, Philip
Brock, Deidre
Brown, Alan
Cameron, rh Dr Lisa
Carmichael, rh Mr Alistair
Cowen, Ronnie
Crawley, Angela
Day, Martyn
Donaldson, Stuart Blair
Duran, Mark
Edwards, Jonathan
Ferrier, Margaret
Gethins, Stephen
Gibson, Patricia
Grady, Patrick
Grant, Peter
Gray, Neil
Hendry, Drew
Hosie, Stewart
Kerevan, George
Kerr, Calum
Lucas, Caroline
MacNeil, Mr Angus
Brendan

Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, Sir Oliver
Heappey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Heron, Lady
Hinds, Damian
Hoare, Simon
Hollinrake, Kevin
Hoblobe, Mr Philip
Holloway, Mr Adam
Hopkins, Kris
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hurd, Mr Nick
Jackson, Mr Stewart
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, rh Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Kirby, Simon
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lancaster, Mark
Latham, Pauline
Leadsom, Andrea
Lee, Dr Phillip
Lefroy, Jeremy
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Mr Oliver
Lewis, Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lilley, rh Mr Peter
Lord, Jonathan
Loughton, Tim
Lumley, Karen
Mackinlay, Craig
Mackintosh, David
Main, Mrs Anne
Mak, Mr Alan
Malthouse, Kit
Mann, Scott
Mathias, Dr Tania
Maynard, Paul
McCartney, Jason
McCartney, Kari
McPartland, Stephen
Menzies, Mark
Mercer, Johnny
Metcalfe, Stephen
Miller, rh Mrs Maria
Milling, Amanda
Mills, Nigel
Milton, rh Anne
Mordaunt, Penny
Morris, Anne Marie
Morris, David
Morris, James
Morton, Wendy
Mowat, David
Murray, Mrs Sheryll
Murrison, Dr Andrew
Neill, Robert
Newton, Sarah
Nokes, Caroline
Nuttall, rh Mr David
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Perry, Claire
Phillips, Stephen
Philp, Chris
Pincher, Christopher
Pow, Rebecca
Prentis, Victoria
Prisk, Mr Mark
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, rh Mr Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rosindell, Andrew
Rutley, David
Scully, Paul
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shebrooke, Alec
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Chloe
Smith, Henry
Smith, Julian
Smith, Mr Royston
Soames, rh Sir Nicholas
Solloway, Amanda
Speelman, rh Mrs Caroline
Spencer, Mark
Stephenson, Andrew
Stewart, Bob
Stewart, Iain
Stewart, Rory
Streeter, Mr Gary
Stride, Mel
Stuart, Graham

Wallace, Mr Ben
Warburton, David
Warman, Matt
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittaker, Craig
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Woolastone, Dr Sarah
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Margot James

Mc Nally, John
McCraig, Callum
McDonald, Stuart C.
McGarry, Natalie
McLaughlin, Anne
Monaghan, Carol
Monaghan, Dr Paul
Mullin, Roger
Newlands, Gavin
Nicolson, John
O’Hara, Brendan
Oswald, Kirsten
Paterson, Steven
Ritchie, Ms Margaret
Robertson, rh Angus
Saville Roberts, Liz
Skinner, Mr Dennis
Thewliss, Alison
Thomson, Michelle
Weir, Mike
Whiteford, Dr Elidh
Whitford, Dr Philippa
Williams, Mr Mark
Wilson, Corri

Marion Fellows and Owen Thompson

Tellers for the Noes:
European Agenda on Migration

Madam Deputy Speaker (Mrs Eleanor Laing): I inform the House that Mr Speaker has not selected the amendment in the name of Douglas Carswell.

7.55 pm

The Minister for Immigration (James Brokenshire): I beg to move,

That this House takes note of European Union Documents No. 8961/15, a European Agenda on Migration, No. 9345/15, EU Action Plan against migrant smuggling, unnumbered Document, a Council Decision on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR Med), unnumbered Document, a Council Decision to launch EUNAVFOR Med, and a Draft Action Plan on Stepping up EU-Turkey cooperation on support of refugees and migration management in view of the situation in Syria and Iraq; and supports the Government’s aim of working with the EU and Member States and other international partners to develop a coherent and sustainable approach to addressing current migratory pressures, focused on shorter and longer term actions to break the business model of people smugglers and traffickers, to break the link between rescue at sea and permanent settlement in the EU, and to address the root causes of migrants’ journeys.

Today’s debate offers an important opportunity to look at the range of measures proposed to address the migration situation. The first of the documents listed on the motion, the “European Agenda on Migration”, was published on 15 May and sought to provide a blueprint from which to address the worsening situation by outlining an overview of the various measures available to the EU. It is fair to say that subsequent documents listed for the most part provide the detail of that blueprint.

The Government support many aspects of the European agenda. We agree that there should be more effective joint action on returns and against people smugglers. We favour stronger co-operation with third countries, as well as more effective management of the external border. Indeed, we have continued to press our European partners on those points, both before and since the publication of the Commissioner’s communication.

We have also welcomed the proposals against migrant smuggling. Its focus on strengthening co-operation to tackle the gangs profiting from the crisis through people smuggling, including enhanced approaches with international partners, is sensible, and we support the strategic priorities outlined.

Sir Gerald Howarth (Aldershot) (Con): Does the Minister agree with me that it does not sit well with Mrs Merkel that she should be criticising the Hungarians who have done their level best to implement the Schengen arrangements, as they are required to do, by seeking to secure their border, which is the European border? Has the Minister or the Home Secretary had an opportunity to speak to Chancellor Merkel to say that she should be supporting the Hungarians, not attacking them?

James Brokenshire: As my hon. Friend will know, we are not part of Schengen, so the operations to deal with internal Schengen arrangements are for those who are party to them. As was discussed in the previous debate, what happens at the external Schengen border is important, which is why we have sought to support Frontex in a number of its activities, given the potential impact on us in the UK.

Looking at the approach off the coast of the European border, it is interesting to note how the subsequent Council decision on an EU military operation in the southern central Mediterranean has in many respects been a positive step in the joint efforts to break the business model of the people smugglers. That has had the UK’s full support. On 7 October, the operation moved into phase 2, the high seas phase, and was renamed Operation Sophia, in which the UK is playing an important role.

The purpose of Operation Sophia is to tackle the human smugglers and traffickers, disrupting their business model, which trades so carelessly in the lives of others. We must not forget, however, that Operation Sophia is only one part of the Government’s support for sea operations in the region. Since May, the UK has saved over 9,000 lives in the Mediterranean.

The last document listed, the proposed Turkey-EU action plan, has been broadly welcomed by political leaders across the EU and was the subject of an EU-Turkey summit on 29 November. The Government share the view that a plan of this kind is needed in order to ease the refugee burden on Turkey, while preventing further uncontrolled migration to the EU. Turkey is a key relationship partner for the EU and is a country with which the UK has had close co-operation for some time. It also has a pivotal role in the migration crisis, given that so many of the migratory flows through Greece and the western Balkans come through Turkey.

Sir William Cash (Stone) (Con): Does my right hon. Friend concede that there could be an element of disingenuousness in the embracing of Turkey in this context, given that so many of the problems that we have seen recently have come through Turkey?

James Brokenshire: It is important to look at the action plan to provide an overarching response to the challenges we face. Clearly, that involves Turkey as an active partner, which means working within Turkey and alongside it further afield. It is important to recognise and support Turkey’s efforts in hosting well over 2 million Syrian refugees. It is important to continue to retain that focus, which is why we are providing financial support as part of an overarching package to assist with the efforts taking place in Turkey.

However, I stress the importance of the Prime Minister’s announcement that, as part of the United Kingdom’s responsibilities, we would resettle 20,000 of the most vulnerable Syrian refugees over the next five years. We remain on track to resettle 1,000 before Christmas, building on our previous scheme. However, it is neither feasible nor desirable for us to try to meet the needs of all those who require protection within the European Union, nor is it the right solution for the majority. That is why the Government have placed so much emphasis on supporting protection in refugees’ regions of origin, and we have committed a further £100 million to fund refugee camps on Syria’s border.

As well as focusing on humanitarian assistance, the Government have consistently focused on finding a comprehensive and sustainable solution to the refugee crisis. The Prime Minister has continued to emphasise the need of the EU to deal with the root causes of the crisis, rather than merely responding to its consequences.

In Syria, that means working with the international community to end the brutal conflict there, and to defeat Daesh. The recent development of a Syrian
opposition negotiating committee following talks in Riyadh last week is a positive addition to the peace plan that was produced in Vienna last month. It could be an important step towards a solution in Syria, and therefore part of the long-term solution to the migration crisis. In Libya, that means helping to form a Government of national accord which can regain control of the country’s borders and tackle the smuggling gangs. A strong, unified response to Libya, like the one that was demonstrated only yesterday in Rome, is imperative to securing the political agreement that will allow that country to move towards improved security. And, as I have said, in Turkey that means working towards comprehensive border management, ensuring that a humanitarian response is given to those who reach the country while also disrupting the organised criminal networks that seek to profit from the flight of others.

The situation relating to the migration crisis is constantly changing. The Government maintain a watch on all developments, so that we can reshape and refresh our engagement and share our expertise and resources in a targeted way to protect the UK’s national interest, assist our European partners, and ensure that our efforts have the greatest impact on the support that we offer. We remain committed to effective practical co-operation with our European partners in pursuit of this agenda, and that is what the motion underpins.

8.2 pm

Keir Starmer (Holborn and St Pancras) (Lab): The motion covers a number of important documents, including the “European Agenda on Migration” and, of course, the “EU Action Plan against migrant smuggling”. The scope of the documents is broad, and their ambition is commendable. The “European Agenda on Migration”, for example, aims to set out an agenda for a fair, robust and realistic migration policy, and the action plan includes wider steps on issues such as people smuggling, recovering criminal assets, data gathering and the sharing of information, and the use of military assets.

We support those aims, and the motion’s call for “a coherent and sustainable approach to addressing... migratory pressures”.

We also praise and support the efforts of our Royal Navy and other armed forces, who have rescued more than 5,577 migrants from the Mediterranean so far. It would be appreciated if the Minister could update us on the figure. The key question, however, is the extent to which the Government are helping to deliver that approach, and whether the European Union as a whole is achieving it. It is clear from the concerns that have been highlighted by the European Scrutiny Committee, and from the painful reality on the ground that we have seen in many parts of the EU, that a “coherent and sustainable approach” has not yet been adopted. These documents attempt to identify an approach that will ensure that Europe remains a safe haven for those who are fleeing atrocities and persecution, while also securing its borders and creating the conditions for economic prosperity.

If there is to be a coherent and sustainable solution to the migrant crisis, we must crack down on those who seek to take advantage of people in their time of need. Ruthless criminal networks organise the journeys of large numbers of migrants who are desperate to reach the European Union. They make substantial gains while putting migrants’ lives at risk, often squeezing hundreds on to unseaworthy boats, including small inflatatable ones. Scores of migrants drown at sea, suffocate in containers, or perish in deserts. Smugglers treat migrants as goods, just like the drugs and firearms which they often traffic along the same routes. That is why we support the current operations which are aimed at preventing the smuggling of people into the European Union, and agree that undertaking such operations provides an opportunity to have an immediate impact on the crisis.

However, as the motion acknowledges, action must also be taken to address the root causes of migration. Many of those root causes lie deep in global issues that the international community has been trying to address for many years. Civil war, persecution, poverty and climate change all feed into migration, which is why the United Kingdom must be involved in reinvigorated diplomatic efforts to bring peace and stability to countries such as Syria, from which most of the refugees originate.

There is also an important role for targeted aid and assisting the development of the countries in question.

Against that background, there are a number of issues that I would like the Minister to clarify. It is important for there to be ongoing parliamentary scrutiny of UK involvement in anti-trafficking operations. Will the Minister commit himself to informing the House before any further developments are agreed, and, in particular, to informing us of any decision to move from phase 2 to phase 3 of Operation Sophia?

There are some contradictions relating to the current state of operations. The initial EU plan stated that phase 3 involved the disposing of vehicles and vessels used for trafficking, but the Government have said that 40 migrant boats have already been disposed of as part of phase 2. Can the Minister explain that, and can he tell us whether the phases have now changed?

As well as ensuring that the vessels used for trafficking are disrupted and disposed of, we must ensure that the people smugglers who take advantage of vulnerable people are brought to justice. Can the Minister provide details of what the UK is doing on that front, along with any details relating to the investigation and prosecution of those who have already been apprehended?

8.7 pm

Sir William Cash (Stone) (Con): The question of the “European Agenda on Migration” and the action plan appear in a motion which we had to urge the Government to split from the previous one. Although there are some differences between them, in practice there are also some important similarities, as the Minister said at the beginning of his speech. However, a number of issues relating to this motion are of grave concern. I remind the Minister that, in his explanatory memorandum on the communications—this was some time ago, but I do not want to go through all that again—he said that the Commission had failed to “present the correct set of policies to address the problems that Europe is currently facing in the Mediterranean and from mother migratory pressures”.

I am sure that he will understand my asking this question, which is pretty obvious: what are the correct policies, if this is the wrong one?

The Commission considers that the asylum system in the European Union, and the operation of the Dublin rules, are regarded as being “fundamentally unfair”. 
Let me ask another question. Is the Dublin system broken—and, given the behaviour of the German Chancellor, it appears to me that it is—or can it be repaired? If so, do the Government want it to be repaired? What changes do they want to be made when the Dublin rules are reviewed next year?

The Government have already made it clear that they favour a policy of resettlement—and I thoroughly support them in that respect—rather than relocation. Those words tend to be used rather freely, but resettlement is quite different from relocation. Relocation applies to individuals who are already in the European Union, who have applied for asylum in a front-line member state, and who are presumed, on the basis of their nationality, to be very likely to qualify for international protection. Resettlement, on the other hand, applies to those outside the EU who are admitted from their country of origin or from camps neighbouring conflict areas. Member states have collectively agreed to resettle 22,504 individuals from outside the EU in 2015 on the basis that they are in need of international protection. I have to say that, although that is the assertion, regrettably serious questions have to be raised about the nature of some of the people who claim to be in need of international protection. Many no doubt justify receiving protection, but I then move on to the United Nations convention—the 1951 Geneva convention—and the breadth of the definition that is applied, and my concern is that what we really need is a re-evaluation of the definitions of what is a refugee, what is a migrant and what is an asylum seeker.

I have to say that at the meeting I referred to in the previous debate which took place in Rome only last Friday, at which all the Chairmen of the relevant Select Committees were present, there was in fact an endorsement of my proposal, which I have been putting to various international and EU meetings over the past four months, for a review of these definitions. These definitions have been expanded even from 1951 and now cover so many different areas and types of people that it is extremely difficult to imagine whether any reasonable basis for a refusal to relocate them can be pursued.

We have already heard about the very few—about 100, I think—who have been relocated. The reason for that is part of the problem, which I will come on to in a moment: the charter of fundamental rights, which is applied in this instance and also for the purposes of the Human Rights Act 1998 and the European convention on human rights. I know that people feel very strongly about this on both sides of the equation, and we have agreed that we would repeal the Human Rights Act, but in my judgment the depth of the analysis of the charter needs to be greatly improved. People who are claiming asylum can fall back on these international conventions in a way that creates a blockage of the legal system and the jurisdiction and jurisprudence of the human rights legislation, whether in respect of the charter or the European convention on human rights. There is therefore an increasing statistical and legal problem which is that more and more people are claiming asylum and, effectively, being granted it. I am not saying there are not many casos de hecho, but I am saying that I think the definitions are so wide that this is becoming a very difficult problem and is not in fact going to lead to any serious policy of returns or deportations.

The Government have underlined the importance of breaking the economic model that encourages criminals to put people in harm’s way at sea, and that has to be highly commended. There are certainly advantages to the effectiveness of Operation Sophia, which has been well supported by the United Kingdom. The trouble is that with many traffickers and smugglers the problems exceed the capacity to deal with them. How effective does the Minister believe Operation Sophia has been because of the absence of an internationally recognised Government in Libya?

I now turn to the question of the extent to which we have entered into a sensible arrangement with Turkey. Turkey and the EU have signed a deal to give Turkey fast-track visa privileges in return for £3 billion-worth of aid and, I believe, the prospect of continuing financial support. There is also the prospect of a revitalised EU membership in return for a commitment to a migration action plan. I am profoundly cynical about this arrangement. I think it is based on giving money, almost in the nature of a bribe to Turkey. From what I have been hearing—and certainly from a meeting I attended very recently—the authorities in Turkey have been by no means diligent in enforcing the arrangements that are supposed to have been in place. The fact that so many people are making their way through the continent of Europe northwards towards Germany, causing an enormous amount of disruption, owes a great deal to the inefficiency with which I believe Turkey has been behaving recently.

In addition to that, without getting into the foreign policy and defence implications, Turkey has been at loggerheads with Russia, and that is a severe complication in relation to concerted action in Syria. Turkey is also profoundly committed to dealing, as it sees it, with the Kurds. That is probably more important to Turkey than anything else in this context, and that is also an obstacle to a coherent policy. I am therefore profoundly cynical about exactly how the Turkey deal will operate.

In terms of these fast-track visa privileges and its desire to come into the EU, we have to bear in mind that there are 78 million people in Turkey already, and I am told that that is increasing at something like the rate of about 1 million every 18 months. As the population expands, Turkish engagement with the EU and people coming over here will increase exponentially.

The Minister for Europe (Mr David Lidington): I hope my hon. Friend will acknowledge that the discussions about possible future visa liberalisation involve the Schengen countries; they do not involve those EU member states that are not part of Schengen.

Sir William Cash: Unfortunately, the Minister was not here when I spent a little time talking about the Schengen aspect of this in a previous debate. I believe that the current proposals, which increase the range of the border issue to external borders and include Schengen, will burst. This is not going to work. There is not the money to pay for it. The failure rate of Frontex is evident. I believe that the arrangement will not work in future, and the fact that we are not a member of Schengen will not alter the pressures of the kind we have witnessed recently that come as a result of people entering the Schengen area and, having acquired a passport and EU citizenship, making their way through the whole of the EU.
I accept that Schengen is not, for the moment at any rate, part of the UK’s bailiwick, but the pressures that are now beginning to grow are increasing the necessity for us to leave the EU, because, from what I have been hearing from other member states, Schengen is becoming a potent force towards a greater degree of emphasis on political union. It is a most remarkable state of affairs. The Minister for Europe was not here earlier, and I see him puzzling over what I am saying, but I say emphatically that the Schengen agreement is not only under review but already being broken by a series of countries. However, there is an enormous desire to make it work even more effectively. As it does so, the pressures for political union within the Schengen area will tend to increase.

Before I turn to the 1951 UN convention and the EU charter of fundamental rights, I want an answer to the question that I put to the Minister for Immigration earlier about how much, if at all, the United Kingdom is liable to contribute to the EU border force. Is it true that we will contribute £150 million?

James Brokenshire indicated dissent.

Sir William Cash: It is not true, apparently, but I will be glad to hear the Minister say it.

James Brokenshire: Time did not allow me to respond to my hon. Friend’s question in the last debate, but we do not contribute to the core funding of Frontex. The agency is funded through a specific mechanism. He will know that we are not part of the Schengen arrangements, to which Frontex relates. We provide operational support through vessels, expertise and briefing.

Sir William Cash: I heard much the same back in the days of the Maastricht treaty, when we were told that we were not going to have creeping federalism. I sincerely believe that what the Minister has just said is what he believes will happen, and I trust him to say exactly what is going on—I will take his word for it—but the pressures are there. That is all I am saying.

James Brokenshire: My hon. Friend will no doubt take a great interest in the announcements that we are expecting to be made tomorrow about the EU border force. We will look closely at the proposals, but we will not take part in them because we are not part of the Schengen arrangements. To ensure that our national interests are protected, we will scrutinise them carefully.

Sir William Cash: I am extremely grateful to the Minister for those remarks.

The UN convention on refugees was incorporated into EU law by virtue of the charter of fundamental rights, so when the European Court of Justice implements EU policies, it interprets key passages such as the right of migrants to claim asylum if they reach EU territory, under article 18 of the charter, and the non-refoulement prohibition on removal to an unsafe state, under article 33 of the UN convention. There is therefore interaction between the 1951 UN convention and the charter of fundamental rights.

As the Minister will know only too well, the European Scrutiny Committee looked at the problem of the charter of fundamental rights in the last Parliament and came to the conclusion that we should override it. I do not want to go back into that debate too much, but I remind him that the previous Labour Government were completely against the incorporation of the charter into the Lisbon treaty. Furthermore, the noble Lord Goldsmith, who was the then Prime Minister Tony Blair’s envoy, sought and achieved a protocol that, on the face of it, excluded the charter of fundamental rights from UK legislation. We argued about that in the European Scrutiny Committee at the time, and I and other members of the Committee warned that it would not stick. Sure enough, as usual—I say “as usual” with regret—our prediction was right, and the European Court of Justice is now applying the charter of fundamental rights within the scope of European law. That is part of the problem, because as I have said, the charter incorporates the UN convention on refugees and all the definitions that go with it. As I said, I believe that those definitions must be reviewed, but they cannot be reviewed if they are part of the charter, which is applied by the European Court of Justice.

For practical purposes, the whole issue is caught up in the acquis communautaire. That is causing an enormous problem of interpretation and a logjam in the ability to deal with migration policy. I freely admit that a lot of this is a bit complicated, but unfortunately many people over the years have failed to understand that European Council and Council of Ministers meetings are not just about people sitting around and deciding to tweak education policy or transport policy, as Cabinet meetings might be in relation to domestic legislation. Decisions at those meetings lock the United Kingdom into legal obligations that can be removed only by the unanimity of all member states. That is the problem—it is a legal and political system, and it affects the issue of whether people are refugees or migrants.

I have no less sympathy for genuine refugees than anybody else. I have devoted a great deal of my time in the House to international development issues such as sanitation and water and people who are in refugee situations, and the current problem is not the same thing. It is not about having policies that we can rearrange and adjust; it is about the fact that we are being driven into a deeper acquis. That needs to be said in this debate, because the charter of fundamental rights means that the human rights dimension of the current problem, including the definition of refugees and asylum seekers, is locked into the acquis. In my opinion, that is one reason why so few of them are being dealt with appropriately.

As the Minister and I, and all of us, know only too well, the UK is not part of Schengen, but we are part of the Dublin regulation, which means that EU states and other UN convention signatories are obliged to allow for asylum claims as of right if a migrant reaches EU territory. However, the UN convention is not specific about how that obligation needs to be disposed. Arguably, to claim asylum under the convention, a refugee needs to arrive directly from the state from which they are fleeing. In practice, that can mean that an applicant has not been processed elsewhere en route. We are now dealing with 900,000 people, and the scale of the situation is as much of a problem as anything else.

Under the convention and the charter of fundamental rights, frontier states are not—I repeat not—allowed to block the entry of those with a genuine right to claim asylum. The question of setting up a border fence—as I said earlier, there were barbed wire in Europe than at any time since the cold war—is extremely uncertain in law. The non-refoulement prohibition in the UN convention on the removal of an asylum seeker to an unsafe state
can also be interpreted in different ways, including so as not to exclude removal to a safe third state or safe recent transit state. I want to get this on the record, because it is important that the Government look at it all carefully when they get the opportunity to do so. As I said, the charter of fundamental rights is subject to the European Court of Justice, whereas the United Nations convention is only a convention. We are dealing with a complicated legal situation, which I believe is generating even more problems from the European Union.

Although I accept entirely that this motion is merely one that “takes note”, many of the things that I have said have not been incorporated in the motion. I say with great respect to the Minister and to the Minister for Europe that some of these issues are difficult and intractable, but they none the less relate to the Schengen area and have a continuing and ongoing effect on the UK. I say that because as long as we remain part of this European Union—the Minister will accept that I do not think we should any more—we do not alter the fact that we are affected by these things. This migrant issue, with all the tragedies it involves for those who are drowning in the Mediterranean and with the great deal of problems that come from fake passports, jihadists and so on, makes the situation even worse. I simply say to the Minister that he should not think I am asking him to reply to all these points this evening, as I am sure he will not have the chance to do so. Will he, however, please take note of the fact that there are other arguments than those contained in the motion?

8.30 pm

Peter Grant: As has been mentioned, there is a fair amount of overlap between this motion and the previous item, so I will not repeat some of the comments I made in the prior debate. Unlike the previous motion, we will not be forcing this one to a vote, although one or two parts of it give us significant concern. I shall discuss those in a few moments’ time.

Yet again, I am disappointed, because we are talking about a refugee crisis, yet everything in the papers talks about migrants and migration. This is not a crisis of migrants or migration; it is a crisis of refugees fleeing for their lives. If we could get that into the mindset of not only our Government, but Governments across Europe, we might start to address this emergency in the correct terms. The terminology is important. We fully support the fact that we need to have co-ordinated and firm action against the criminals who are exploiting the vulnerable and desperate through people smuggling and people trafficking, but, as the Immigration Law Practitioners Association is keen to point out, people smuggling and people trafficking are not the same thing. They are very different in the eyes of the law, although it is sometimes difficult to tell them apart in practice in individual circumstances. This means that they need to be addressed in different ways.

We should also remember that the House of Lords EU Home Affairs Sub-Committee has recommended to the European Commission that when setting the legislation and directives that deal with people smuggling and people trafficking, we should make a distinction when it is clear that the smuggling has been carried out for humanitarian motives. Some may question whether that could ever be the case, but if it is clear that the act was done not for criminal purposes or for financial gain, but possibly through a misguided belief that it was a humanitarian act, would it be appropriate to classify such smugglers as international criminals? I certainly would not think so and the House of Lords Sub-Committee did not think so either. I would therefore be interested to know what the Government’s attitude to that is.

The motion also refers to action to tackle the “root causes” of migration, and I would be interested to hear what the Minister thinks are the root causes of 800,000 refugees arriving in Greece over the past year or so. What are the root causes of 4 million people being in the refugee camps in and around the Mediterranean coast? Unless the Government can prove to us that there were 4 million people last year and the year before, and every year for the past 10 years, the unescapable conclusion will be that the root cause of this crisis is war, violence and persecution in Syria and in other countries in that region.

Gavin Newlands: In the previous debate, the hon. Member for North East Somerset (Mr Rees-Mogg) said that the risks families take when trying to leave a situation such as my hon. Friend has just described were “foolish”. Does my hon. Friend agree that the hon. Gentleman does not understand the situation and his comment speaks to the mindset that my hon. Friend was discussing?

Peter Grant: I am grateful to my hon. Friend for those comments and I fully agree with them. I had wanted to say more in response to what the hon. Member for North East Somerset said, but as he is not here I will not respond to him just now. There may be people taking risks that could be described as foolish, but they are not foolish risks—they are desperate risks. These people are not stupid. Some of them are very highly educated, highly skilled workers in their homeland, and the reason they are risking their lives and, even more remarkably, those of their nearest and dearest, including their own children, is because they have taken a calculated risk that leaving them behind in Syria puts their lives at even greater risk.

Alison Thewliss: Does my hon. Friend agree that part of the problem is that there is no means of safe passage across land once borders have been closed, which means that there is no option for many people but to go by sea?

Peter Grant: Absolutely. One thing that drives people into the unseaworthy boats of the criminals is that they have no other way of getting out. If the only way they can get out is by risking their lives with the smugglers, that is what they will do. Sadly, all too often the evidence is washed up on the beaches of Europe and north Africa.

Does the Minister accept that the root cause of this emergency is not the benefit system or the wonderful economic growth that is happening in Britain, but the desperate, desperate tragedy that is unfolding in Syria and some of its neighbouring countries? That is the situation that must be addressed once and for all if we want this emergency to be resolved, even in the longer term.
The hon. Member for Stone (Sir William Cash) mentioned the £3 billion of aid that is going to Turkey. We want to know what transparency and accountability is attached to that money. How do we know that it will be used for the correct purposes? I am not as enthusiastic a friend of the Turkish Government as some of those on the Government Benches. I cannot forget what the Turkish military are doing to the Kurdish people right now, and until they stop, there must be a limit to how willing we are to accept them as fully fledged respecters of human rights and of the rule of international law.

In the letter received by the Chair of the European Scrutiny Committee on 11 December, the Minister addressed this question of how the UK will respond to specific calls for assistance under the EU civil protection mechanism. In his final comment he said that he believed that there was more that other member states could do to support all this work and the various funding strands among the UK’s contribution. It made me remember a story that used to be popular a few years ago in certain management circles about the four workers called Anybody, Somebody, Nobody and Everybody. There were various versions of the story, but the nub of it was that there was always a vital job that had to be done. Everybody agreed that Somebody had to do it, and Anybody could have done it, but Nobody actually did. I just wondered whether what the Minister was saying was that they all agree that everybody else should do a lot more, but they cannot agree on who that is. Perhaps the Minister, either here in the Chamber or in the Scrutiny Committee, will clarify and amplify his comments. Which specific member states should be doing more? What more is it realistic for them to do? What are they doing already? We cannot judge whether other member states should do more unless we have an indication of what they are already doing.

One part of the Government’s motion gives me a great deal of concern. It talks about the need “to break the link between rescue at sea and permanent settlement in the EU.” I did not realise that there was an automatic permanent link of that kind. If somebody is rescued from the sea, they are almost by definition a refugee. They are claiming asylum. We have to assess whether they are entitled to asylum. If they are here solely as an asylum seeker, they do not have an automatic right to live here forever. In theory, they can be asked to go home when it is safe to do so. I just wonder whether we are seeing yet another acceptance by the Government that the emergency situation in Syria will continue for years and years. People have come here because they want a safe haven for a few years before they go home. Are we accepting that it will be years, possibly decades, before Syria is fit to take them back? I will look for clarification from the Minister on that—not necessarily this evening, but hopefully in the near future. I hope that we do not have to wait as long as the Chairman of the European Scrutiny Committee has had to wait for some of his answers.

At one point, we considered pushing this matter to a vote simply because of that comment about the link between rescue at sea and permanent settlement. We decided against it, but I do wish to put on the record our deep disquiet about the wording of that part of the motion, because it is inaccurate and it continues to create an impression that a significant number of these 4 million desperate citizens are trying to come here because they are attracted to living in the United Kingdom. They are not; they are trying to get out of Syria because they do not want to die. I just wish that the terminology that has been used and the language of this debate would recognise that this is a crisis that has fundamentally been caused by war, violence and civil unrest. It has not been caused by an economic miracle happening in the United Kingdom or in Germany.

8.39 pm

Mr Douglas Carswell (Clacton) (UKIP): In noting these documents and discussing this text, we are being invited, in effect, to give our approval to a deal struck between the European Union and Turkey—a deal negotiated and signed without our input, involvement or ability to vote it down. We should not approve it. I tabled my own unselected alternative motion.

A few days ago, the EU announced what is, in effect, a four-part deal with Turkey. I see perfectly well what might be in it for Turkey, from whose point of view it is a very good deal. However, it is not in our national interest. First, the deal will give 75 million Turks visa-free, unrestricted access to the Schengen area from next October. We may not be part of Schengen, but that does affect us. There will be no mechanism to log people coming into the Schengen area and none to log people out. The deal can only add to the porousness of the EU’s frontiers, which can only contribute to the increase in numbers of those camped outside Calais seeking entry into the UK.

Secondly, the talks between the EU and Turkey mean that Turkish accession to the EU is back on the table. I would not wish joining the EU on anyone, certainly not a friend such as Turkey.

Jim Shannon (Strangford) (DUP): I have some concern about Turkey’s abuse of religious minorities—Christians, and the Kurds in particular. We are now considering supporting its joining the EU. Why should we do that given that its human rights abuses are so terrible?

Mr Carswell: The hon. Gentleman makes an incredibly powerful point. We are sometimes made to deal with Turkey as an equal, yet it does not have the belief in equality within Turkey that we in the west—Europe and north America—hold so dear. That is a valid and powerful point.

Thirdly, as part of the deal between the EU and Turkey that we are being asked, in effect, to approve, the EU will give Turkey £3 billion a year, of which a hefty contribution will come from British taxpayers. But it is the fourth aspect of the deal outlined in these papers, under the euphemism of “migration management”, that I find most objectionable. Each year some 400,000 migrants from Turkey will be allowed to settle within Schengen. Of course, we are not in Schengen, but again the issue will affect us. Those 400,000 will be assigned to Schengen member states by quota. Once those 400,000 migrants per year have a right of abode in the EU, they will acquire with it the right to live anywhere within the EU.

Do we seriously imagine that those allocated to a high-unemployment, sclerotic Portugal or Italy will remain in those countries? No—within a short time those assigned to Portugal will have every right to come and live in Peckham and those assigned to live in Italy will have...
[Mr Carswell]

every right to move to Ipswich. This is a deal being signed up on our behalf and in our name with profound implications for us, and we have no say over it. We can expect many more thousands of migrants to find their way into this country as a direct consequence of this deal and many voters out there will deeply resent the fact that they have simply not been asked.

The Government motion talks about our need to work with our international partners. Indeed we must, but I ask Ministers to be a little more circumspect when we select those international partners. It is difficult to assess the spread of Sunni radicalism in Syria and the middle east as a push factor without also examining and bringing into the equation the effect of Saudi Arabia and its promotion of radical Wahhabism. The EU has imposed sanctions on Iran; it is a pity that the documents do not consider action against those in Saudi Arabia who also export radicalism. I cannot support the motion in front of us. I regret that even if the House objected and even if we rallied heroically through the Division Lobby to defeat the motion and voted down this tepid motion and its Minister, nothing would change. It would not matter a jot. We have signed away the right this way.

8.45 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I want to mention briefly three aspects of the European agenda on migration, the first document mentioned in the Government’s motion. The first of those three aspects is safe legal routes. That European agenda document acknowledges that “vulnerable people cannot be left to resort to the criminal network of smugglers and traffickers. There must be safe and legal ways for them to reach the EU”.

Similarly, the House of Lords European Union Committee said that one effective way to address the root causes of irregular migration is to create safe and legal routes for refugees to enter the EU. The UNHCR endorsed an EU target of around 20,000 resettlements across Europe each year by 2020—a modest and wholly achievable proposal if there is political will. We welcome the Government’s resettlement programme, overdue as it may have been.

Sir William Cash: There has been an accumulation of documents over a long period. Had the proposal from the European Scrutiny Committee been taken up earlier, we would have been debating those documents when the numbers were at the level that the hon. Gentleman has mentioned. We are now talking not about 20,000 or 40,000, but about 400,000, 500,000 or 600,000 migrants.

Stuart C. McDonald: I am speaking first about plans for resettlement. I shall come on to relocation later. Resettlement through the UNHCR is not the only method of providing safe legal routes. We have urged and continue to urge the Government to listen to the expert organisations calling for broader family reunion rules, and to consider the case for humanitarian visas so that fewer people are compelled to risk their lives crossing the Mediterranean.

The second aspect of the agenda document that I want to mention, and probably the most important, concerns hotspots, which both the Prime Minister and the Home Secretary have talked up in recent months. Everyone knows that Greece’s asylum system was already chaotic before the crisis began, and Italy’s is probably not much better, so expecting those systems to cope with the crisis would be unreasonable. That is where the so-called hotspot approach is supposed to help. The theory is that the full weight of EU asylum institutions will “work on the ground with frontline Member States to swiftly identify, register and fingerprint incoming migrants... Those claiming asylum will be immediately channelled into an asylum procedure where European Asylum Support Office (EASO) support teams will help to process asylum cases as quickly as possible.”

In addition, €60 million was to be invested in emergency funding to support the reception of migrants and the provision of healthcare to migrants in member states under pressure.

I have not had the benefit of visiting any hotspots, but I have read and listened with concern to recent reports from those who have visited. Those include reports from the International Rescue Committee, which said that “the way hotspots are currently being rolled out is causing chaos, increasing tensions and violence, and leaving more people without basic shelter.”

In October an update from the Commission explained some of the reasons why that might be the case. At that stage, only six member states had responded to its calls by providing just 81 out of 374 experts requested, and just six member states had responded to calls by providing 48 border officials out of the requested 775 border guards, screeners, de-briefers and interpreters that were thought necessary.

Lots of serious questions remain about how hotspots are to function and their basis in law, so I would be interested to know whether the Minister can comment on the legal basis for hotspots; whether people in those hotspots have access to legal advice; whether the way a person is dealt with in a hotspot area will depend on their nationality; the proportion of those in hotspots who are recorded as having claimed asylum; the number who have been removed directly from hotspots; and, more generally, when data on outcomes from hotspots will be published, and the UK contribution to all this.

Thirdly, on relocation, I was disappointed not to be able to attend the earlier debate that focused more intensively on that. The Government’s motion talks of “working with the EU and Member States and other international partners” to address current migratory pressures, but the difficult starting point for the Government is that they wash their hands of relocation plans, despite those being pivotal to the agenda on migration, and instead leave responsibility for that to everyone else.

The House of Lords described the Government’s reasons for opting out of relocation as unconvincing. I would say that that is being pretty kind to the Government. As my hon. Friend the Member for Glenrothes (Peter Grant) said, the idea that whether or not the UK takes part in relocation schemes affects the number of people attempting dangerous crossings is utterly unsupported by evidence. It has been several months since the UK first said that it was going to shirk its responsibilities in this regard, and still more and more people make the crossing. They are doing that because they are fleeing
desperate circumstances, not on the off-chance that they will be incredibly lucky in a lottery of a relocation scheme and end up in the United Kingdom. A European relocation scheme should be a response to an emergency situation—a humanitarian crisis. As the Lords EU Committee said, failing to opt in means that we are failing to live up to our duty of solidarity and burden-sharing between member states.

A crisis on this scale requires collective action. Dealing with more than 900,000 people arriving in desperate circumstances is an impossible task for two or three countries to take on. In a Union of 500 million people their arrival poses a huge challenge—there is no doubt about that—but it is surmountable given that they represent less than 0.2% of the population. As the European agenda document states:

“No Member State can effectively address migration alone. It is clear that we need a new, more European approach.”

That is the approach that the Government should take rather than their head-in-the-sand approach to what is going on in Europe just now.

8.51 pm

James Brokenshire: With the leave of the House, Madam Deputy Speaker, I will respond briefly to some of the points that have been raised during the debate.

Organised immigration crime is an important issue. It is worth underlining that in recent months we have developed a 90-member-strong organised immigration taskforce which has had a strong focus on the crime networks operating in some source countries and at transit points, including the Mediterranean, as well as the UK border and in France. We have disrupted more than 600 organised crime groups this year, and our taskforce will be expanded to a 100-strong team. Access to and sharing of data is vital to joint efforts to combat the criminal gangs. In the Government’s view, it is essential that enhanced data sharing, including with Europol, forms part of the EU’s response.

The Chair of the European Scrutiny Committee, my hon. Friend the Member for Stone (Sir William Cash), asked about the Government’s priorities for action by the EU. I have written to the Committee on this previously, but to underline the position, we have highlighted four points: first, how EU money is spent on tackling problems at source in transit countries; secondly, an increased focus on fighting organised crime, with better joining up between member states; thirdly, dealing with economic migration regarding those who enter the EU without effective controls staying without consequence, where the issue of claims of refugee status not made out needs to be addressed more firmly; and fourthly, a stronger coherence between upstream development work and the return of economic migrants.

My hon. Friend highlighted the issue of Dublin. We strongly support the Dublin regulations. We believe that an applicant’s asylum claim made in the EU should be dealt with by the member state most responsible for their presence in the EU. We are aware, however, that the Commission is reviewing the Dublin regulations with a view to bringing forward a new measure next spring. We are co-operating with that review, but we believe that the long-standing principles at the heart of the Dublin system are the right ones, and that it would be a major error to replace them with completely different, untried and untested measures.

In respect of the operations in the Mediterranean and Operation Sophia, we are in phase 2, which is the high seas operation. The House will no doubt be updated, through reports of EU Council of Ministers meetings, should there be further progress, which we look to. This is very much focused on the situation in Libya. We welcome the support from a broad range of Libyans from across the political spectrum in recognising the urgency of creating a long-awaited Government of national accord, and urge all political actors to sign on 16 December. The Rome ministerial meeting of 13 December demonstrated unified international support for the UN-led effort to establish a Government of national accord in Libya. We continue to support that and to see it as a priority for moving forward.

The EU-Turkey action plan covers most of our priority areas, including controlling the flow of migrants to the EU from Turkey. It is about improving education, health and labour rights for Syrian refugees in Turkey to address the potential push factors for further migration. It is important to stress that Turkey is accepting the return of some failed asylum seekers and tackling smuggling networks. The agreed action plan incentivises Turkey to do more on border management. It does not guarantee visa liberalisation in relation to Turkey, and the UK does not have to offer a reciprocal visa concession. It is important to underline and stress that.

Jim Shannon: In an earlier intervention, I mentioned the human rights abuses taking place in Turkey. Has the Minister had any discussions with his ministerial colleagues about that matter? It is clear to me and many other Members that those human rights abuses have not stopped; indeed, they are continuing.

James Brokenshire: I underline to the hon. Gentleman that, although we support Turkey’s EU accession process and are working on it closely with Turkey, EU member states and the European institutions, the accession process recognises that Turkey needs to do more to meet EU standards through continuing reform, particularly in the area of fundamental rights and the rule of law. Active and credible accession negotiations remain the best way for Turkey to make further progress.

We have touched on the hotspots issue. The UK stands ready to support, through the European Asylum Support Office and others, and to ensure that the appropriate support mechanisms are in place.

Our position on the migration crisis is practical, pragmatic and focused on the need for a concerted humanitarian response for those who need our protection; ensuring the sustainability of EU asylum systems; pursuing effective co-operation with EU partners; combating illegal migration and those who profit from it; and protecting our security. That is where the Government’s focus remains, and I urge the House to support our motion.

Question put and agreed to.

Resolved.

on support of refugees and migration management in view of the situation in Syria and Iraq; and supports the Government’s aim of working with the EU and Member States and other international partners to develop a coherent and sustainable approach to addressing current migratory pressures, focused on shorter and longer term actions to break the business model of people smugglers and traffickers, to break the link between rescue at sea and permanent settlement in the EU, and to address the root causes of migrants’ journeys.

**Business without Debate**

**BUSINESS OF THE HOUSE**

Ordered,

That at the sitting on Wednesday 16 December the Speaker shall put the Questions necessary to dispose of proceedings on the Motion in the name of Secretary Iain Duncan Smith relating to the Welfare Cap not later than ninety minutes after their commencement; such Questions shall include the Questions on any Amendments selected by the Speaker which may then be moved; proceedings may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(Dr Thérèse Coffey.)

**DELEGATED LEGISLATION**

Madam Deputy Speaker (Natascha Engel): With the leave of the House, we shall take motions 6 and 7 together.

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

**FINANCIAL SERVICES AND MARKETS**

That the draft Payment Accounts Regulations 2015, which were laid before this House on 17 November, be approved.

**DISCLOSURE OF INFORMATION**

That the draft Disclosure of Exporter Information Regulations 2015, which were laid before this House on 17 November, be approved.—(Charlie Elphicke.)

*Question agreed to.*

**BACKBENCH BUSINESS**

Ordered,

That Kevin Foster be a member of the Backbench Business Committee.—(Jackie Doyle-Price, on behalf of the Committee of Selection.)

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**Student Nursing (Finance)**

*Motion made, and Question proposed, That this House do now adjourn.—(Jackie Doyle-Price.)*

8.57 pm

Wes Streeting (Ilford North) (Lab): I am grateful for this opportunity to lead my first Adjournment debate on the serious issue of finance for student nurses and midwives.

I have a long-standing interest in the issues. I spent much of my career outside this place working for a number of charities to widen access to higher education and to tackle broader educational disadvantage. As deputy leader and cabinet member for health and wellbeing in the London borough of Redbridge, I became acutely aware of the challenges facing frontline staff and managers in both of the NHS trusts that serve my constituents in Ilford North. I am also a proud supporter of Unison and draw Members’ attention to my declaration of interests. I am grateful to Unison, the National Union of Students, of which I am a former president, and many other organisations for their assistance in drawing together the evidence for this evening’s debate.

With just a few lines in the autumn statement, the Chancellor announced the biggest shake-up in the funding of nursing, midwifery and allied health subjects since the Health Services and Public Health Act 1968. By scrapping student bursaries and charging them tuition fees, the Chancellor is passing on the full cost of training to essential frontline staff for the first time. The scale and potential consequences of his decisions merit further parliamentary scrutiny and public debate, and I hope that tonight will provide the first of many opportunities for that debate to take place.

Nursing and midwifery students currently pay no tuition fees for their studies and receive a non-means-tested grant of up to £1,000 and a means-tested bursary of up to £3,191 to help with the costs of living while they study and train. That is significant because students on both courses are required to work throughout their degrees in clinical practice, where they are subject to the full 24-hour care cycle. They work evenings, nights and weekends. Many will spend 60% of their degree doing more than 60 hours a week as a result, and they should not be expected to do so.

There has been a public outcry at the planned loss of the NHS bursary, but the Government’s plans go even further. Nursing and midwifery students will not only lose their grant and bursaries for maintenance; they will be expected to take out loans to pay for their tuition fees for the first time. These changes will burden students with eye-watering debts of at least £51,600, which they will begin to pay back as soon as they graduate, because nurses currently earn a starting salary just above the repayment threshold, which, shamefully, is now to be frozen at £21,000. As a result, nurses will on average take a pay cut of £900 a year to meet their debt repayments. That is no way for Ministers to treat the people who form the backbone of the NHS.
Given that the Government see fit to charge students for the cost of their tuition, will the Minister confirm whether he intends to pay student midwives and nurses for the hours they have to put into staffing our hospitals? If a private sector company tried to get workers to work long shifts and to pay for the privilege of working those long shifts while training, they would rightly be condemned. We should be no less outraged by what Ministers propose for nurses and midwives.

The impact of the changes will be felt beyond nurses and midwives; physiotherapists, occupational therapists, dieticians, chiropodists, podiatrists, radiographers, paramedics, prosthetists and other allied health professionals stand to lose out. We are not talking about the highest-paid people in this land; this assault on the living standards of key public sector workers is rightly causing outrage among NHS staff and members of the public who cherish the work they do on our behalf.

Given the scale and significance of the reforms, it is outrageous that the Government chose to sneak them out in the autumn statement. The Chancellor's statement made an oblique reference to replacing “direct funding with loans for new students”.—[Official Report, 25 November 2015; Vol. 602, c. 1363.]
The policy decision on page 126 of the Blue Book merely says: “Students studying nursing, midwifery and allied health subjects from September 2017 will be moved on to the standard student support system, with the details subject to consultation.”

As the Government have placed so little information in the public domain so far and higher education institutions and potential applicants are already turning their minds to the 2017 admissions round, I hope that the Minister can shed some light on the details this evening. Will he confirm that the Government will consult on the principle of the policy changes, not merely on their implementation? What is the full timetable for the decision from consultation through to implementation?

What analysis have the Government conducted of students in receipt of NHS bursaries for tuition and maintenance costs? Will they publish an equality impact assessment for the proposals? What research have the Government conducted into the financial hardship facing existing nursery and midwifery students and students of allied health subjects?

Why do the Government think it is fair that students from the most deprived backgrounds should have their grants taken away while some of the wealthiest people in our society receive tax cuts? How much of this debt do the Government expect to write off because those indebted by these reforms are unable to repay them in full?

Which Department will meet the cost of servicing the RAB—resource accounting and budgeting—charge for the student loan debt: the Department of Health or the Department for Business, Innovation and Skills? What are the Barnett consequentials for health education budgets in Northern Ireland, Scotland and Wales, where different arrangements are in place?

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for bringing this issue before the House. I understand that 56,000 students on the mainland, including Scotland and Wales, may be in debt as a result of this change. In Northern Ireland, the Health Minister has committed himself to continuing the bursary. We are doing that in Northern Ireland; perhaps the rest of the United Kingdom should do the same.

Wes Streeting: I wholeheartedly agree with the hon. Gentleman. He rightly points out that this change will open up a postcode lottery across the United Kingdom, as its different parts choose to treat nurses and trainee nurses and midwives in different ways.

In the junior doctors dispute—the Government have belatedly seen sense and decided to reflect on their position—we faced the prospect of junior doctors in my constituency flocking to other parts of the United Kingdom because the situation there would be more generous. With great respect to all the people represented in Scotland, Wales and Northern Ireland, I want to keep in my constituency the talented trainee doctors, nurses, midwives and other health professionals living in my constituency so that they can serve my constituents when they work at King George and Whipps Cross hospitals. These are very serious issues.

Alison Thewliss (Glasgow Central) (SNP): The hon. Gentleman is making an excellent speech and excellent points on the significance of nursing to the whole country. He might like to know that the students I have met in Scotland send a message of solidarity to their colleagues in England. They do not want to see bursaries cut, because nurses are under enough pressure as it is. I congratulate him on securing this debate.

Wes Streeting: I am very grateful for that intervention and I wholeheartedly concur with the hon. Lady.

Government Members may wear the NHS badge on their lapel, but they are quick to attack the conditions of NHS staff when it comes to taking difficult decisions. [Interruption.] They ask how I would fund it. When we were in government, even when we made changes to higher education student finance, we did not do this. We will take no lessons from the Conservative party on spending plans. It attacked Labour’s spending plans at the 2010 general election because we wanted to halve the deficit and it was promising to eliminate it. Then what did it do? It halved the deficit. When it comes to their record on spending plans, the Government are in no position to hector other parties.

Angela Rayner (Ashton-under-Lyne) (Lab): Does my hon. Friend agree that what is so devastating about these plans is that people from my constituency and from my background—I am a former Unison activist who looked after NHS staff—will not be able to go into the nursing profession? We are crying out for nurses and for people to fill the positions. The NHS has been burdened by the use of agency staff because the staff are not available. This policy will put people from my constituency off going into those positions.

Wes Streeting: My hon. Friend speaks with great experience. The Government should heed the points she makes.

I will turn to the other questions I have for the Minister. How will clinical placements be funded under the student loans system? The Government talk about the number of places they can expand, but it is not like expanding a history undergraduate course because occupational placements need to be arranged. The Government should explain how they intend to fund them.
[Wes Streeting]

Given the number of mature applicants for nursing, midwifery and allied health subjects, what assessment have the Government made of the likely impact of the reforms on applications from mature students? Are the Government at all concerned that applications from mature students may fall, given the detrimental impact that the coalition Government’s student finance reforms had on mature and part-time student numbers? Given that many people choose healthcare as a second degree and may not be willing to take on more than £100,000 of debt, how will the Government ensure that this route is not closed to such students? Have the Government conducted any evaluation at all that might give us a clue as to the extent of the risk that these reforms pose to recruitment?

The Government suggested in the spending review that half of all applicants to nursing courses are turned away. Do they have any evidence of what stage they are turned away at? If it is really the case that people are flocking to these professions, will the Minister explain why my local NHS trust has been so reliant on temporary and agency staff, including nurses who have been flown over from Portugal, to address the recruitment and retention challenges facing the NHS?

Additional allowances are currently available for students with different circumstances. Will the Minister inform the House whether any changes will be made to additional allowances, such as the extra weeks allowance or the dependants allowance? If so, what are those planned changes and what assessment have the Government made of their potential impact?

Given the press speculation over the weekend that the Government plan to increase the overall cap on university tuition fees, what assurance can the Minister give the House that students studying nursing, midwifery and allied health subjects will not see their tuition fees and debts hiked up even further than is being suggested? Given that the Government seem content to shift the goalposts for existing students and graduates, does the Minister really expect current or future students to continue or even commence study in the first place. Will the Minister inform the House whether any changes will be made to additional allowances, such as the extra weeks allowance or the dependants allowance? If so, what are those planned changes and what assessment have the Government made of their potential impact?

When the coalition Government chose to increase tuition fees in 2010, the move was subject to a debate and a vote in this House. Given the media speculation that Cabinet Office Ministers are busy trying to find extra weeks allowance or the dependants allowance? If so, what are those planned changes and what assessment have the Government made of their potential impact?

Before I conclude, I would like to share with the House some of the stories that I have heard, and I will finish by making a few points about nursing and midwifery students. These are exceptional people and their dedication to others is truly remarkable. They work long hours, often in difficult situations, and they take a direct role in caring for patients when they are at their most vulnerable. Nursing students have told me how immensely challenging their work can be. They hold the hands of patients in their final moments, and comfort them as they pass. They are the face of reassurance to patients, and a bedrock of support for families.

Wes Streeting: I wholeheartedly agree with my hon. Friend, and I am grateful to her for sharing her difficult personal experiences.

Nurses care for us in some of our darkest and most painful moments, and the weight of their responsibility carries with it a heavy physical and emotional load. The same is true for our nation’s midwives. One spoke of the difficulties that she faced when a baby was stillborn and she had to comfort the mother, while also taking hand and foot prints so that the parents would have memories of the baby they lost. She will never forget the shift when she spent 12 and a half hours with a mother who miscarried twins. She had five hours of rest, and then came back to do another 12 and a half hours with the same woman. She has supported the delivery of 10 babies, and she feels immense pride in being part of the wondrous moment of childbirth.

As the saying goes “Save one life and you’re a hero; save 100 lives and you’re a nurse.” These people are seeking to qualify into these difficult professions and form the NHS of tomorrow. They deserve our respect, admiration and support, as well as the right incentives to continue or even commence study in the first place. Ministers should listen to the students who are protesting, and to the nearly 150,000 people who have signed the petition to keep the NHS bursary. The Government owe it to patients and students to think their proposals through properly, and I ask them to pause this process. It would be a tragedy if the next Florence Nightingale or Edith Cavell were discouraged from the profession because of these changes. I look forward to the Minister’s response, and I hope that in the coming days, weeks and months, he will listen carefully to the voices of those who form the backbone of our national health service.
made a powerful speech. I know that he has experience and expertise in student finance. He was on the front line when we had discussions in this place some years ago, and I believe he brings passion and knowledge to this debate. He may feel that I am rehearsing points that he has heard before, but before I address some of the specific and detailed questions that he rightly raised, I hope he will not mind if I run through some of the issues and reasons why the Government feel that this measure is the right thing to do at this time.

The hon. Gentleman will be aware that nursing remains one of the few subjects not within the purview of the current student finance system. To our mind, the current system is not delivering as it should for either students or patients. Simply put, nursing is one of the most oversubscribed subjects in the whole academic range, and the fifth most popular subject that UCAS offers. Last year, there were 57,000 applicants for the 20,000 nursing places available.

I do not wish to go down the route of discussing NHS finance, because it will lead us to a place that is not easy for the hon. Gentleman's argument and not particularly realistic. There is no way that any Government of any stripe would be able to offer a place to every single person with the necessary qualifications who wished under the current funding system to apply for a nursing place. The question for us is this: how do we change the system to give more people the opportunity to study nursing, and do so in a way that we are able better to supply the nurses and the nursing positions required in the NHS?

The hon. Gentleman asked a very important and pertinent question, which is why in his hospital, which I know from having gone there and from discussing this with him in other debates in this place, he should be seeing a shortage of filled nursing places. It is a function of parts of London that there are problems in recruiting—I was in Hull last week where they have a similar problem, albeit for different reasons—and yet there is an oversubscription for places. He could have added that we almost have a record number of nurses in training at the moment. So how does that add up?

Under the Government, we have seen a significant expansion in the number of nurses in the workplace. The response to the tragic events at Mid Staffs, the expansion in the number of nurses in the workplace. The simple fact is that we now have more applications from disadvantaged students to higher education than ever before in the history of higher education. We have seen a significant expansion in the number of students full stop going into higher education. Eighteen-year-olds from the most disadvantaged areas were 72% more likely to apply to higher education in 2015 than they were in 2006. It has happened in precisely the opposite way to what he and his friends on the Labour Benches, when they were making the argument in 2011, expected to happen.

Wes Streeting: The Minister should look more carefully at what happened to mature student applications following the reforms—they plummeted—and think about the profile of the people applying to be nurses and midwives. Does he accept that the majority of loan debt will never be paid back, including by graduates who will earn far more than nurses?

Ben Gummer: I will turn to mature students, but I hope the hon. Gentleman will concede my central point. The significant majority of students going into nursing are doing so at an undergraduate point at 18 or 19 years of age. For that cohort across the rest of the higher education sector, we have seen the most spectacular expansion in opportunity than at any time since higher education was opened up more broadly to people after the second world war. That is something that Members on both sides of the House should celebrate. I know that those on the sensible wing of the Labour party also embrace the reforms and see why they were a good thing.

I disagree with many in the Opposition, but to be direct with the hon. Gentleman, I want to bring those advantages to student nursing. I want to expand the number of places available to people from all backgrounds to give them the opportunity to enter nursing, and I want to secure the advantages that come from bringing people from non-traditional and disadvantaged backgrounds into nursing, in the same way as we achieved in the rest of the higher education sector. I believe passionately in expanding in opportunity than at any time since higher education was opened up more broadly to people after the second world war. That is something that Members on both sides of the House should celebrate. I know that those on the sensible wing of the Labour party also embrace the reforms and see why they were a good thing.

Peter Kyle (Hove) (Lab): I wish to press the Minister on my hon. Friend's point about mature students. In higher education, the number of mature students attending has now fallen by half. This is directly related to the current funding regime. The social mobility commissioner has cited education as the key vehicle by which mature people can achieve social mobility. How will the Minister prevent the number of mature nursing students falling as it has done in higher education?

Ben Gummer: I will turn to that point with pleasure, if the hon. Gentleman will give me a few minutes, because I have several things to say about mature students. I accept that this area of the proposals requires close attention, which is why I want to ensure that they are as robust as possible and that the consultation, to which the hon. Member for Ilford North referred, is as good as possible.
I want to answer the questions from the hon. Member for Ilford North about the consultation. We will consult on the full gamut of the reforms, but we will not consult on the principle, because that has been decided, as was outlined by my right hon. Friend the Chancellor. It is unfair to say he sneaked it out, given that it was made evident in his speech and was reacted to by the Opposition, as I know because I heard them. As for the timetable, the consultation will begin in January. We have not determined precisely when it will conclude, but it will be a full consultation. In significant part, it will look at how to ensure that mature students are supported, and I can confirm one element of it: we will allow mature students to apply for a second loan. Of course, that will account for only a small number of the cohort, but we will look at the impact of the changes on mature students, because they make up about a third of the cohort going into nursing.

Mr George Howarth (Knowsley) (Lab): I am a little confused by the Minister's argument, which appears to be that by removing an existing advantage, he will create an advantage for more people to enter the nursing profession. Most people listening will find that slightly illogical, but he is not normally an illogical person. Would it not be sensible to do as my hon. Friend the Member for Ilford North (Wes Streeting) suggested and have a proper impact assessment followed by a vote in Parliament, so that we can decide the right way forward, on the basis of that impact assessment?

Ben Gummer: The right hon. Gentleman makes a fair point, and I can tell him that an economic impact assessment and an equality impact assessment will be published with the consultation. I hope that that will begin to inform the debate. He might imagine that my proposition does not align with what he thinks the effect will be. I just ask him to look at what happened in 2011 when we did the same for the vast majority of other students, when Opposition Members put exactly the same arguments and warnings, and since when the precise opposite has happened.

Mr Howarth: The Minister is being generous in giving way twice, but we are not talking about what happened then; we are talking about a particular group that at the time was excluded from the provisions. He has not yet explained why he has now decided to include them in those provisions, other than by saying he is taking away an advantage that already exists.

Ben Gummer: It is simply because I wish to see the same advantages that accrue to those already on the new finance system accruing to those who are not. I want to see an expansion in the number of places and I want to see the effects of the changes made by the Office for Fair Access to university admissions in the rest of the sector applied to nursing, so that we see not only an expansion in the numbers of nurses being trained, but a broadening of the backgrounds of those going into nursing, exactly as has happened in all other areas of higher education.

I want to explain, I hope quickly, how this change forms part of a wider reform we are making in student access to nursing. The hon. Member for Ilford North framed his entire speech, understandably so, around the university route into nursing, but he omitted to reflect on the fact that the Government have stated that we will introduce an apprenticeship route into nursing to degree level—level 6. That will provide an alternative route into nursing, whereby nurses will be able to earn while they learn from healthcare assistant level all the way to a full nursing qualification at degree level. It will be possible for them to do so as mature students, which means it might take a bit longer, but they will be able to earn all the way from an existing job to gaining a nursing qualification—an innovation that should be welcomed on both sides of the House and which will mark a real expansion of opportunity for the current NHS.

Jess Phillips: I wonder whether the Minister can clarify whether people will be paid for doing that apprenticeship and, if so, at what rates they would be paid. He rightly referred to getting mature students with families into work, so will he also say whether that cohort will fall foul of the rule that people must be doing 16 hours of work, and not be in training, to receive the Government’s 30 hours of free childcare? It was made clear in the Childcare Public Bill Committee that those nurses currently studying would not be able to access the 30 hours’ free childcare because that would not be considered work. When they saved my life, it looked like work.

Ben Gummer: Before I give way to the hon. Lady, I should also explain that there are many people working as healthcare assistants at the moment who do not have the opportunity to progress to a nursing position unless they leave the workforce to do so. That puts many of them in an impossible position, because they have families to support and other duties and responsibilities. For the first time, we have been able to give that group of people an opportunity to progress, through the apprenticeship route, to a full nursing position. That will expand the whole area of career progression to include one of the larger cohorts in the NHS workforce, in a way that no Government have previously been able to do.

Jess Phillips: I wonder whether the Minister can clarify whether people will be paid for doing that apprenticeship and, if so, at what rates they would be paid. He rightly referred to getting mature students with families into work, so will he also say whether that cohort will fall foul of the rule that people must be doing 16 hours of work, and not be in training, to receive the Government’s 30 hours of free childcare? It was made clear in the Childcare Public Bill Committee that those nurses currently studying would not be able to access the 30 hours’ free childcare because that would not be considered work. When they saved my life, it looked like work.

Ben Gummer: The hon. Lady speaks with authority from her own personal experience—I have noticed that recently she has spoken her mind without holding back. We are in detailed discussions with the Nursing and Midwifery Council about precisely how the apprenticeship route will work. The council is the independent regulator and has to certify that the qualification matches the existing degree/university route. The qualification has to have complete equality of both esteem and rigour. Of course we envisage the apprentices earning a salary. We envisage opening the route to existing healthcare assistants to give them the opportunity to progress to a nursing grade while continuing at a similar salary point as an apprentice. However, because the hon. Lady’s question about maternity care pertains to student nurses rather than apprentices, I will ensure that I write to her in detail.

The hon. Lady clearly sees why this is an idea with strength, so I hope that in asking her question she realises that there will be two routes into nursing: the university route and the apprenticeship route. I think this is potentially one of the most exciting innovations in the workforce of the NHS for several decades, because
it opens up nursing to a whole range of existing workers who have not had an opportunity before, and provides a wholly different route into nursing, but with the same rigour and robustness that the existing university degree route provides.

Peter Kyle rose—

Ben Gummer: I shall give way once more, but I do not want to detain the House much longer.

Peter Kyle: I thank the Minister for giving way a second time. It is clear that he really cares about getting mature students into these nursing training programmes. If the numbers fall as we go forward, will he come back to us and report on it, and will he pause any further reforms until that decline is halted?

Ben Gummer: I expect to be held account for this significant reform right the way through the changes that are envisaged. I hope to be able to return to provide good news about progress, as has happened in other student areas. That is why we want to be very deliberate about the way in which we form this consultation, because it is important to get it right.

I have taken note of the careful questioning of the hon. Member for Ilford North, who clearly understands the full gamut of the issues that need to be addressed in this consultation. Let me answer some of the questions he raised, and I shall write to him about any that I do not answer.

The hon. Gentleman asked about the funding of clinical placements. We have already started discussions with Universities UK about that, and it will form part of the wider consultations. The Barnett consequentials will be a matter for Her Majesty’s Treasury, as is the case for everything else connected to Barnett consequentials. I know that BIS officials are discussing the issue in the normal way.

The hon. Gentleman asked about research into financial hardship, and I know that that will form part of the consultation. The Government will be open to any further research beyond the economic impact assessment.

I was asked whether I would be happy to meet Unison and the Royal College of Nursing to discuss the changes I wish to make. I should not pretend to answer for them, but I have had productive discussions with both, especially about the apprenticeship route. I know that we will disagree with both Unison and the RCN about bursaries, but I think there is an understanding, particularly on the part of Unison, of how we are trying to open up different routes to nursing for different parts of the workforce. If we get it right, the apprenticeship model will be a strong one.

The hon. Member for Ashton-under-Lyne (Angela Rayner) made an important point in her intervention about agency nurses, so let me answer that as I am passing. As I alluded to earlier, part of the reason we are looking at that issue is to ensure that we provide a more sustainable workforce throughput, so that we do not need to rely on agencies and bank staff for the peaks in NHS demand. That is why we need to do something about numbers, and I hope that, as a result of the Chancellor’s announcement, we will increase the number by 10,000 over the course of this Parliament—a very significant increase in the establishment of student nurses. In fact, it will be the largest increase in student nurses under any Government since 1948.

I hope I have answered the majority of the questions put by the hon. Member for Ilford North.

Wes Streeting rose—

Ben Gummer: Clearly I have not. I will allow him an opportunity to intervene once more, but I do not want to detain the House much longer.

Wes Streeting: I particularly welcome what the Minister said about treading carefully and thoughtfully around the consultation. The one issue he has not addressed, however, is whether extending the tuition fees regime to nursing, midwifery and other allied health subject students will be subject to a full and thoughtful debate followed by a vote in this House and the other place.

Ben Gummer: I cannot give the hon. Gentleman a definitive answer to that question yet. Let us wait and see the outcome of the consultation, so that the House can be best informed. I imagine that there will be ample opportunities in Backbench Business Committee debates and indeed Opposition day debates, and I know that the hon. Gentleman and his colleagues will want to bring these issues up for further debate. I will reflect the hon. Gentleman’s concerns to the Secretary of State and to the Leader of the House, and I am sure they will receive them with interest.

I genuinely thank the hon. Gentleman for bringing forward this debate, which has provided an opportunity for the Government to explain our plans and the rationale behind them. There will be points on which we will disagree, but I hope the hon. Gentleman will see the force of our arguments about wanting to expand the nursing workforce, to provide different routes into nursing and to provide the sort of opportunities to 18 and 19-year-old undergraduate nurses that have been extended to other parts of the higher education sphere. These are big proposals. They could mean a remarkable and rapid transformation of the NHS workforce, and a significant expansion in the number of nursing students. We need to get it right, and I hope that, through a constructive discussion across the House, drawing on the kind of expertise we have heard from Members in this short Adjournment debate, we will indeed get it right.

Question put and agreed to.

9.35 pm

House adjourned.
**Oral Answers to Questions**

**BUSINESS, INNOVATION AND SKILLS**

The Secretary of State was asked—

**Higher-level Skills**

1. Karl McCartney (Lincoln) (Con): What steps he is taking to support higher-level skills in further education.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid):

I am sure the whole House will want to join me in sending its best wishes to Major Tim Peake, who successfully blasted off towards space just 30 minutes ago. [HON. MEMBERS: “Hear, hear.”]

We are reforming technical education and establishing clear routes into higher-level skills and employment. We are spending £2.5 billion on apprenticeships—double the amount in 2010—and £1.5 billion on adult skills, growing degree and higher apprenticeships and establishing specialist colleges.

Karl McCartney: I join the whole House in sending the Secretary of State’s good wishes to our fellow countryman.

Under the Conservatives, Lincoln’s improved educational map offers the young people of Lincoln myriad—nay, a plethora of—opportunities. Does the Secretary of State agree that prioritising funding for young adults, the low-skilled and those actively looking for work is the right thing for a Conservative Government to do?

Sajid Javid: I absolutely agree with my hon. Friend, who I know cares passionately about skills for young adults. He will be pleased to know that we rightly prioritised spending on further education in the recent spending review, which will enable colleges, such as Lincoln college in his constituency, to offer more to young people.

Mr Adrian Bailey (West Bromwich West) (Lab/Co-op): Further education colleges are vital for apprenticeships in engineering and construction, in which there is an acute shortage of skills across the country. What assessment has the Secretary of State made of the cuts in funding to FE colleges in terms of delivering this much-needed agenda?

Sajid Javid: I am surprised that the hon. Gentleman is talking about cuts in FE spending. I know that is what Labour was scaremongering about just a few weeks ago, but we have actually protected the adult education budget in cash terms, we will double spending on apprenticeships by 2020 and we have extended the availability of advanced learner loans. Taken together, this will mean a 35% real increase in FE spending by 2020 compared with this year.

2. Andrew Gwynne (Denton and Reddish) (Lab): But as ever, it is smoke and mirrors with this Secretary of State. He knows that the Chancellor has announced an extra £360 million of savings from the adult skills budget, so will he come clean and tell us where those cuts will be made?

Sajid Javid: The Department will shortly issue a skills funding letter answering some of the hon. Gentleman’s questions, but perhaps he missed the point that I just made: the adult education budget is protected in cash terms, we will double spending on apprenticeships by 2020 and the FE budget will be up by the end of the Parliament in real terms.

**Met Office Funding**

2. David T. C. Davies (Monmouth) (Con): What steps he is taking to ensure that the Government receives value for money from its funding of the Met Office.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid):

The Met Office plays a key role in our economy. A recent review of the public weather service assessed it as delivering up to £1.5 billion of annual value. As the shareholder for the Met Office, I and my officials regularly hold it to account and ensure it delivers value for money for the taxpayer.

David T. C. Davies: The BBC, no less, reported in 2012 that in 11 out of the previous 12 years predictions about increases in temperature had been wrong and that there had been a warm bias. Does the Secretary of State, as the shareholder, agree that he should be asking some tough questions at the board meeting about why we should be imposing expensive climate change policies on businesses and householders, when so often the predictions behind them are proved to be inaccurate?

Sajid Javid: I always like to ask tough questions, but I note there was flooding in my hon. Friend’s constituency recently, and the Met Office played a key role in helping
the emergency services and protecting lives and property. Today is an opportunity to commend the Met Office for some of the work it does.

**Trade Opportunities**

3. Andrea Jenkyns (Morley and Outwood) (Con): What steps is he taking to promote trade opportunities for UK businesses.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): I chair the exports implementation taskforce, which is driving cross-Whitehall support for exports. In November, my noble Friend Lord Maude launched the five-year Exporting is GREAT campaign, which promotes real-time global export opportunities to business.

Andrea Jenkyns: In November, I hosted an event in my constituency with the China-Britain Business Council to which I invited small businesses to come and find out more about trading with China. The all-party parliamentary group on China is aiming to help 50 Members to organise similar events. Can my right hon. Friend tell me how his Department plans to make good use of our new trading relationship with China to help small businesses expand into these vital global markets?

Sajid Javid: Let me commend my hon. Friend on her efforts to encourage businesses in her constituency to export more to China. While exports to China have doubled in the last five years, there is a lot of potential and a lot more that we can do. The recent visit by the Chinese President helped to highlight that, and the effort that my hon. Friend is making with UK Trade & Investment, the China-Britain Business Council and others provides an example to us all.

Nic Dakin (Scunthorpe) (Lab): What steps has the Secretary of State taken since the steel summit to increase trade opportunities for the UK steel sector?

Sajid Javid: The hon. Gentleman makes an important point. The more we can export of higher-value steel products, the more we can help. We have been discussing this with UKTI and steel producers. We are coming up with a plan, and this will certainly feature in the trade meetings we have in due course.

Amanda Milling (Cannock Chase) (Con): Next month, I will be jointly hosting an event with UKTI to encourage more local Cannock Chase businesses to consider exporting. Will my right hon. Friend outline what the Government are doing to encourage new businesses to export?

Sajid Javid: I can talk about a number of initiatives, including the Exporting is GREAT website and the roadshow that will visit constituencies up and down the country. There is obviously also the work that UKTI is doing. Most recently, I helped to launch the midlands engine scheme, which I know my hon. Friend will welcome. We released more money to help that region with exports, including a midlands engine roadshow.

Ms Margaret Ritchie (South Down) (SDLP): As part of the work of the export implementation group, will the Secretary of State explore with the Secretary of State for Environment, Food and Rural Affairs all options to access new markets for all our farm produce in north America and south-east Asia?

Sajid Javid: Absolutely. The hon. Lady makes an important point. I know that the Secretary of State for Environment, Food and Rural Affairs has been taking this matter very seriously. One thing we have done recently is to move some of the UKTI resources into my right hon. Friend’s Department so that there is better co-ordination.

Mr Peter Bone (Wellingborough) (Con): I recently talked to a senior Indian businessman and asked him how we could increase trade with India. He said that the one thing we could do was to leave the EU because of the restrictions. Will the Secretary of State, either as Secretary of State or personally, endorse his comment?

Sajid Javid: I spoke to a lot of Indian businessmen and women and many Indian students last week. There is certainly one area in respect of which we could certainly increase our exports to India, and that is education.

Kevin Brennan (Cardiff West) (Lab): It is all very well, but it is not working, is it? The UK’s latest balance of trade deficit is widening. It was up to £2.4 billion in the last quarter. Exports of goods—[Interruption.]

Perhaps the Minister for Small Business, Industry and Enterprise should have a little listen to this. Exports of goods from the UK actually fell last month by £700 million. It is a pity we cannot export spin, because the Government are very good at that. The “march of the makers” was very good, and now we have the “midlands engine”. What is the Secretary of State’s excuse for the Government’s dismal record on the trade deficit?

Sajid Javid: The hon. Gentleman should not do down our world-class exporters. They are doing a fantastic job. Let me give him a few examples of what they can export. They can export wine to France, chocolate to Belgium and even boomerangs to Australia, although I fear that it is sometimes the same boomerang that keeps coming back.

**Apprenticeships**

4. Craig Tracey (North Warwickshire) (Con): What steps is he taking to improve standards in apprenticeships.

The Minister for Skills (Nick Boles): We have given employers control over apprenticeship standards and require all apprenticeships to last at least 12 months and involve substantial off-the-job training. We will be setting up an independent, employer-led institute for apprenticeships to approve standards and assure quality in future.

Craig Tracey: I thank the Minister for that response, and I welcome the fact that there have been nearly 1,100 apprenticeship starts in north Warwickshire and Bedworth over the last 12 months. However, I know that local businesses are concerned that the focus might be on quantity rather than quality. What assurances can the Minister give to my constituents, especially those in highly skilled engineering, that that will not be the case?
Nick Boles: There is, in fact, no innate tension between quantity and quality. We want better quality, because that will mean more employers wanting to offer apprenticeships, such as BMW in my hon. Friend’s constituency. I strongly welcome the very high-quality apprenticeships that it is creating.

Stephen Timms (East Ham) (Lab): As the Minister will know, Ofsted has said that apprenticeships are not good enough at present, and many people in industry believe that the only way to hit the 3 million target is to water down quality further. What reassurance can the Minister provide?

Nick Boles: I welcome that question, because while it is true that Ofsted has highlighted some bad practice, that bad practice has been familiar to us all for a long time, and has inspired the reforms that we are introducing. All apprenticeship frameworks will be replaced by standards developed by employers. Training must last for more than 12 months, and at least 20% of it must be off-the-job training. We will also ensure that quality improves at all levels. I disagree slightly with the chief inspector’s implication that a level 2 apprenticeship is somehow not of high quality. Apprenticeships should be of high quality at all levels, and the existing level 2 apprenticeships increase people’s incomes by an average of 11% three to five years later.

23. [902722] Stephen Metcalfe (South Basildon and East Thurrock) (Con): There were 970 new starts in my constituency last year, many of them in engineering and technology. That was an increase of 24% on the number of starts in the previous year. Will my hon. Friend join me in congratulating the new apprentices, and does he agree that those figures show that the Government are committed to high-quality apprenticeship places, such as those that are provided at Prospects college of advanced technology?

Nick Boles: That was a stunning achievement in my hon. Friend’s constituency. I know that it was largely due to PROCAT, which is an excellent institution, and one of the first institutions to become a college for a long time. My visit to PROCAT was my first visit to a college in my current job, and if my hon. Friend invites me to return, I shall be happy to do so.

Peter Kyle (Hove) (Lab): I commend the Minister for establishing an institute for apprenticeships which will put employers at its heart, but may I suggest that he should consult trade unions and find ways of harnessing their insight and experience in this valuable area?

Nick Boles: As the hon. Gentleman knows, I greatly value the work that trade unions do in encouraging employees to take up training opportunities, which is why we continue to fund the important work of Unionlearn. I will certainly reflect on his suggestion, and will make some announcements shortly.

Mr Philip Hollobone (Kettering) (Con): Snap-on is a major United States manufacturer, developer and marketer of tools, and its UK headquarters are in Kettering. Given its history of exporting luxury boats across the world, did Snap-on seek to import its investment into apprenticeships throughout the country, will my hon. Friend accept an invitation to open its new £2 million facility in Kettering on 15 February?

Nick Boles: I am glad to say that Kettering is very close to my own constituency. If the Whips allow me, I will be there.

Business Support (Exports)

5. Mike Kane (Wythenshawe and Sale East) (Lab): What steps his Department is taking to support businesses which export.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): My Department is leading a cross-Whitehall work programme to support exports. For example, UK Trade & Investment connects UK businesses with export opportunities throughout the world. Over the next year, the UKTI export hub will travel around the country to give face-to-face assistance to first-time exporters.

Mike Kane: Feedback from businesses in my constituency suggests that there needs to be more support for small and medium-sized enterprises that export less than half a million pounds’ worth of goods. It suggests that once they are in the bracket of Government support, that support is short-lived, and is complicated by red tape. How would the Secretary of State respond to those businesses?

Sajid Javid: I agree that we should always try to do more to help small and medium-sized enterprises, in particular, to export more. The hon. Gentleman may know that I recently led one of our first regional trade missions, the northern powerhouse trade mission, to the far east. It included not only the Greater Manchester chamber of commerce, but companies such as Teleic Education, which is in his constituency.

Tom Pursglove (Corby) (Con): Fairline has a long history of exporting luxury boats across the world, but last week we heard the devastating news of 380 redundancies. While I hope that the administrator can identify a buyer, many of those employees have been laid off for significant periods with reduced pay. Will the Secretary of State do all that he can to ensure that the redundancy payments are expedited, especially given that Christmas is just around the corner?

Sajid Javid: This is, of course, a very difficult time for the employees who have been affected. I will certainly look into the position, and, during discussions with any potential buyer, I will ensure that export opportunities are highlighted.

David Simpson (Upper Bann) (DUP): Do the Government foresee any long-term difficulties with the transatlantic trade agreement with the United States if the Americans decide to export agri-food products into the UK?

Sajid Javid: The hon. Gentleman will know that these discussions are still going on. By their very nature, they are complex, as two huge economic areas are involved, and so they will still take some time. Agri-products and all produce of that nature need to be carefully looked at, so we have not reached a final point. It is worth remembering that once this deal is done, it can be worth up to £400 for every household in the UK each year.
Michael Fabricant (Lichfield) (Con): In my former career, I exported broadcasting equipment to 48 countries worldwide—no thanks to the EU and its regulations. Is it not the case that people need the apprenticeships to export, and although the Department can give as much help as it can, people have actually to get out there and do it, and be confident in doing so?

Sajid Javid: One thing we know is that my hon. Friend is not short of chutzpah, and I am glad he deployed it in his former career. He is absolutely right in what he says and he makes a key point: there is only so much the Government can do. We will do that and look for ways to provide even more support, but we want more and more companies to do everything they can, too.

Bill Esterson (Sefton Central) (Lab): The Government's so-called support for exports has seen grants converted to loans, and the sudden closure of the business growth service. Businesses supported by that service grew four times faster than other businesses, and the scheme created 83,000 jobs and added more than £3.5 billion to the national economy. As one BGS mentor says, “the service's closure doesn't make sense considering its huge success and may prove detrimental to Britain's economic health.” What message does the closure of the BGS send to businesses that want to grow? Given the outstanding record of success, does the closure of the service not show a complete lack of understanding by this Government of what works on support for exports?

Sajid Javid: I am glad the hon. Gentleman has raised the issue of the BGS, because although it was a good fee-earner for consultants, there is very little evidence to show that it helped businesses to grow. [Interruption.] There is little evidence that it was the best way to help those businesses. The best way to help businesses is to make sure that we continue to have a growing economy—our economy is growing faster than those of all our rivals—so one thing he can do is support our long-term economic plan. We are also providing funding to 39 local enterprise partnerships—all the LEPs—through growth hubs, which they can use for localised support, including export opportunities.

Apprenticeship Levy

6. Tommy Sheppard (Edinburgh East) (SNP): What assessment he has made of the potential cost to businesses of implementation of the apprenticeships levy.

The Minister for Skills (Nick Boles): Employers with payroll bills of more than £3 million a year will be required to pay the new apprenticeship levy. It will raise £3 billion in 2019-20 to support apprenticeship training throughout the UK, including in Scotland.

Tommy Sheppard: We do, of course, hope that the apprenticeship levy will provide the same opportunities for young people south of the border as the 25,000 who started a modern apprenticeship in Scotland this year have. Is the Minister aware of the Association of Employment and Learning Providers’ concerns that the number of small and medium-sized enterprises affected by the levy is likely to be much greater than originally thought? Will he give an undertaking to provide clear and early guidance to those, well in advance of implementation?

Nick Boles: I am delighted that the hon. Gentleman is proud of the 25,000 modern apprenticeship starts in Scotland, just as we are proud of the half a million starts we have had in the past year in England. This would suggest to me that we can both take pride in our commitment to apprenticeships. I hope he will welcome the fact that the apprenticeship levy will be generating resources, some of which will pass to Scotland to enable it to fund what I hope will be a dramatic expansion in the number of its apprenticeships.

Hannah Bardell (Livingston) (SNP): As the Minister will appreciate, the oil and gas industry faces distinct challenges at the moment. I know from my engagement with companies in the sector that there is significant concern that this levy may represent a second charge, with many oil and gas companies already paying levies to industry trading bodies. It also represents an additional cost to these companies at a time when controlling business costs is of paramount importance. Will he commit to meet me, along with my colleagues and a delegation from the industry, to hear their concerns and discuss how the apprenticeship levy scheme can be designed to take account of these circumstances?

Nick Boles: Of course I would be delighted to meet the hon. Lady and that delegation, but I will be asking them what they thought of her party’s plans for Scotland’s economy, which rested on oil prices at $100 a barrel and would now see an independent Scotland entirely bankrupt and probably scuttling to the International Monetary Fund.

Adult Skills (Funding)

7. Barbara Keeley (Worsley and Eccles South) (Lab): What steps he plans to take to make the efficiencies and savings in adult skills set out in the “Spending Review and Autumn Statement 2015”.

Nick Boles: Of course, of the £1.5 billion per year in cash terms. We are extending advanced learner loans to more adult learners and increasing spending on adult apprenticeships to £1.5 billion by 2019-20. As my right hon. Friend the Secretary of State says, this means that total funding for adult skills training will be 36% higher in the last year of this Parliament than in the first.1

Barbara Keeley: Salford city college was one of more than 100 further education colleges that wrote to the Prime Minister to protest at repeated year-on-year real terms funding cuts to adult skills since 2010 amounting to 40%. Despite the promise not to cut adult skills funding for FE colleges, Treasury documents say that there will be £360 million of savings and efficiencies, as my hon. Friend the Member for Denton and Reddish (Andrew Gwynne) mentioned. After years of savage cuts, how can that be achieved?

Nick Boles: Like many other colleges, the hon. Lady’s college wrote to the Prime Minister before the spending review in response to the shroud waving by the Opposition,

who predicted a 25% to 40% cut in the adult skills budget. If the hon. Lady had taken the trouble to attend my right hon. Friend the Chancellor’s spending review statement, she would have heard that he was protecting it in cash terms while increasing the funding for apprenticeships, which her college and others could bid for. If she spoke to her college, she would discover that, like all other colleges, it is pleasantly surprised by the funding settlement.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): Any credible long-term economic plan would recognise the critical importance of adult reskilling, but the Government have systematically cut adult skills by 40% since 2010, including a 24% cut in February this year in non-apprenticeship funding. That is probably why the Chancellor ducked out of making any reference to the further cuts in his autumn statement, leaving it to his Blue Book to talk about £360 million of efficiencies. Will the Minister say precisely what the £1.5 billion of his Blue Book to talk about £360 million of efficiencies. That is probably why the Chancellor ducked out of making any reference to the further cuts in his autumn statement, leaving it to his Blue Book to talk about £360 million of efficiencies. Will the Minister say precisely what the £1.5 billion of efficiencies from the Blue Book is? Does it include loans to over 25-year-olds, 50% of which we know will not be taken up?

**Nick Boles** (Sittingbourne): No.

**Further Education College (Sittingbourne)**

8. **Gordon Henderson** (Sittingbourne and Sheppey) (Con): What steps is his Department is taking to establish a further education college in Sittingbourne? [902705]

**The Minister for Skills** (Nick Boles): The House is making me earn my salary today.

We have launched a process of locally-led area reviews to consider each area’s skills needs and plan how further education colleges and sixth form colleges can best organise themselves to meet them. The Kent review is due to start in November 2016.

**Gordon Henderson:** I welcome the review. Sittingbourne is the largest town in Kent without its own FE college. However, we have a unique opportunity to change that. May I invite the Minister to visit the Swale skills centre in my constituency to learn about how, with the right help, it could easily and cheaply be extended into a small college?

**Nick Boles:** I have had a message from the Whips saying that they would be only too delighted for me to do further visits to hon. Members’ constituencies, so I would be delighted to visit my hon. Friend’s constituency. We do not hear the Opposition celebrating when new institutions open, including the Swale skills centre, which was set up by a very successful academies trust that is making me earn my salary today. If the Government do decide to change the caps on tuition fees without proper debate and a vote in this House, can the Secretary of State confirm that this year record numbers of young people secured places at university, including record numbers of children from disadvantaged backgrounds?

**Sajid Javid:** My hon. Friend is right. That is true of England. We have seen a record increase to 382,000 people in the past year, and the number of students from disadvantaged backgrounds has gone up from 9.5% to 18.2% in the past five years. In Scotland we have seen a fall in the number of students because Scotland does not have a funding system that allows all who want to go to university to do so.

**Wes Streeting** (Ilford North) (Lab): Given the report in The Independent on Sunday that Ministers in the Cabinet Office are desperately trying to find ways to increase the cap on tuition fees without proper debate and a vote in this House, can the Secretary of State confirm that this year record numbers of young people secured places at university, including record numbers of children from disadvantaged backgrounds? [902706]

**Sajid Javid:** If the Government do decide to change the caps on tuition fees, there will, of course, be a debate in this House.

**Paul Blomfield** (Sheffield Central) (Lab): Does the Secretary of State agree that retrospectively changing the terms of a contract is, in effect, mis-selling? Will he guarantee that in this Parliament there will be no further changes to either thresholds or interest rates?

**Sajid Javid:** The changes in question are entirely lawful. That is the advice that I received and it is perfectly consistent with the aims. Hon. Members should remember that the loans that are provided are on significantly better terms than those that are available commercially, and they achieve the objective of allowing all those who wish to go to university and who have the ability to do so.
Aerospace Industry

10. Andrew Stephenson (Pendle) (Con): What steps he is taking to support the aerospace industry. [902707]

14. Steve Double (St Austell and Newquay) (Con): What steps he is taking to support the aerospace industry. [902711]

The Minister for Small Business, Industry and Enterprise (Anna Soubry): I was delighted that in the spending review the Government committed a further £900 million of funding for aerospace research and development, supported by the Aerospace Technology Institute. That means that this Government will invest almost £2 billion in aerospace research over 13 years to 2025-26, so our world-leading aerospace industry can stay at the forefront of development and capitalise on the estimated £3.6 trillion market for new aircraft that will be needed over the next 20 years.

Andrew Stephenson: I recently met Mark Porter and Jon Brough, the trade union representatives at Rolls-Royce’s two sites at Barnoldswick in my constituency. They welcome the continuation of Government support for the aerospace growth partnership in the comprehensive spending review. However, they remain concerned about the outsourcing of high-value engineering jobs to low-cost countries. What more can my right hon. Friend do to address this concern?

Anna Soubry: I am more than happy to meet my hon. Friend to discuss the concerns of all those he has met with. Rolls-Royce, along with the aerospace sector as a whole, is a major contributor to the United Kingdom economy, so we get how important it is. That is why we have protected and, indeed, extended the investment that we are making in research and development.

Steve Double: The recent announcement of the expansion of the Aerohub enterprise zone in Cornwall to include the Goonhilly earth station has been keenly welcomed in Cornwall. Does the Minister agree that this creates a great opportunity for Cornwall to be awarded the location of the UK spaceport, which would provide a huge bonus to the Cornish economy?

Anna Soubry: I am sure my hon. Friend will continue to make that case. I have to say that a number of other airports are in the running and we aim to launch the selection process next year. We have heard the great news about the launch today and Major Tim going up into space. Ground control can report that the UK space sector has almost doubled to £11.8 billion—[Interruption.] I know it is the festive season, but it does not matter what label we put on—it is about delivery, and that is what this Government continue to do.

Energy Sector (Research and Development)

11. Mike Weir (Angus) (SNP): What funding his Department plans to allocate to research and development in the energy sector over the next five years. [902708]

The Parliamentary Under-Secretary of State for Business, Innovation and Skills (George Freeman): As my right hon. Friend the Chancellor demonstrated in the autumn statement, the Government put investment in R and D as the top priority in our long-term economic plan. I am delighted, as I am sure that Opposition Members will be, by the announcement on ring-fencing the science budget, with £6.9 billion on science capital and £4.7 billion on revenue. In addition, the Prime Minister recently
announced a 50% increase in our funding of climate finance, with £400 million over this Parliament, and we have just announced £60 million going into the energy research accelerator.

Mike Weir: Launching an investment coalition in Paris at the weekend, Bill Gates made the point that if we are to avoid global warming we have to move at full speed in developing new renewable energy technologies. To ensure that the UK plays its part, what progress have Ministers made in ensuring that the UK Green Investment Bank receives the full £3.8 billion of capitalisation and maintains its green mandate, irrespective of the future of the Government’s stake in the bank?

George Freeman: I am sure that the hon. Gentleman will welcome the Prime Minister’s announcement of £400 million extra funding. The Green Investment Bank has played the role that we envisaged in supporting the green economy, which is not an allotment economy—it now constitutes 96,000 businesses with 230,000 employees and a turnover of £45 billion for the British economy and £4.8 billion of exports. By giving the Green Investment Bank the freedom to raise money on the capital markets, we will generate more money for the green economy, which is growing under this Government like never before.

Peter Aldous (Waveney) (Con): The North sea oil and gas sector faces significant challenges at the current time, with a need for a collegiate approach to research and development to fuel innovation and to drive down costs. To achieve this, will the Minister consider setting up a North sea oil and gas innovation centre similar to the very successful offshore wind catapult?

George Freeman: My hon. Friend makes a very interesting point. On the east coast in East Anglia, in the north and in Scotland, this country is leading in the field of offshore energy. We have just funded the offshore energy centre, but I would be happy to look at the specific idea that he recommends.

Hannah Bardell (Livingston) (SNP): “Extremely disappointing”, “missed opportunity”, “damaging” and “disgrace” were some of the words and phrases used to describe this Government’s decision to withdraw £1 billion of funding from carbon capture and storage. Hundreds of jobs for the communities of the north-east of Scotland, and the opportunity to be at the forefront of low-carbon innovation, have now been lost. The Government will instead spend hundreds of millions of pounds on subsidising research into nuclear energy. Is that decision, would the Minister like to take this opportunity to explain to the people of Peterhead and the north-east specifically how he has supported them to be world leaders in innovation?

George Freeman: It is a pleasure to follow that speech. I will happily repeat the figure I just gave: the Prime Minister has just announced £400 million of extra funding for energy finance. We have just made announcements on onshore research. One of the lessons for Scotland is to reduce its dependence on public sector funding. The truth is that, under the renewables obligation for offshore wind, 28% of the funding went to Scotland—that is £560 million—when it represents only 10% of bill payers. We need to support the green economy in Scotland, just like we are doing in the rest of the country.

David Mowat (Warrington South) (Con): In the spending review, a major energy investment of £250 million was announced for small modular reactors. That was warmly welcomed in the north-west and it will make a big difference to our ability to meet our climate change targets. It is crucial that the UK owns the intellectual property rights that result from that technology. Will the Minister and his colleagues in the Department of Energy and Climate Change make sure that that is the case?

George Freeman: My hon. Friend is something of an expert on those matters and I will happily look into the very important point he makes. One of the benefits of our support for the green economy—which, as I have said, is now a £45 billion sector in this country—is that we are generating the leading technologies in 21st-century green energy. I will happily look into the specific points he makes.

Small Businesses (Late Payments)

12. Alex Chalk (Cheltenham) (Con): What steps he is taking to tackle late payment to small businesses.

The Minister for Small Business, Industry and Enterprise (Anna Soubry): The Enterprise Bill, which is going through the other place, will create a small business commissioner, and one of his or her most important roles will be to make sure, as much as possible, that the continuing problem with late payment is brought to an end. Of course, we have other measures in hand to make sure that there is reporting, but we are making good progress.

Alex Chalk: Cheltenham’s superb range of shops and small business rely for their success on people getting out from behind their computers and physically visiting local shops. Does my hon. Friend agree that local authorities should promote flexible and, above all, cheap parking wherever possible to support small businesses and shopping hubs such as Cheltenham?

Anna Soubry: I fear that, as ever, I am a bit off message. I take a radical approach to parking. As far as is ever possible, I take the view that there should be no parking charges in any towns. The car parks belong to the people—they absolutely do. There are times when a local authority wants to put in car-parking charges—a very good example being in Rushcliffe—to make sure that people do not abuse them, but, as far as possible, we should be supporting our great town centres and our great small businesses. We should not charge people for the luxury of parking in their own hometowns.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): In the spirit of Christmas, may I invite the whole ministerial team to come to Huddersfield, where they can learn about spinning and weaving? I can also arrange for the freedom to have a wonderful “Made in Huddersfield” worsted suit, just like the one I am wearing. They can also meet small businesses and the Textile Centre of Excellence and talk about all the pressures on small
business and the problems they face because the Government want to take us out of Europe, which will stop us exporting to the rest of the world.

Anna Soubry: It was all going so well—I was going to be a little Christmas fairy. Of course, everybody knows my views, and, indeed, those of my Prime Minister, on the European Union: we want to stay in a reformed Union and make sure that we get those reforms. In the spirit of Christmas, I would be delighted to go to Huddersfield. I could talk about my family’s long-standing relationship with Huddersfield. We will do that on the basis that I will go to Huddersfield if the hon. Gentleman will come to Broxtowe, to Beeston in particular.

Cyber-resilience

15. Clive Efford (Eltham) (Lab): What discussions he has had with the Minister for the Cabinet Office on supporting the cyber-resilience of UK businesses.

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): I am delighted to say that I talk about cyber-resilience a lot with the Minister for the Cabinet Office. Only the other day, we were saying how pleased we were to hear the Chancellor announce the doubling of the cyber-security budget to almost £2 billion.

Clive Efford: I am delighted that the Minister has more than doubled the budget, but only 10% of it goes on consumers, the police force and small businesses. What is the Minister doing to encourage small businesses that are time-poor, meaning that they are not able to engage with this sort of administration? What is he going to do for business in Eltham, to ensure that they are safe online?

Mr Vaizey: I did not double the budget; it was the Chancellor. It is important—particularly for one’s career—to give him credit when he does such things. I take the hon. Gentleman’s point very seriously. We have a fantastic scheme called the cyber essentials scheme, which allows small businesses and large businesses to get a certificate to show that they have been through a process to increase their cyber-security.

Productivity

16. Richard Arkless (Dumfries and Galloway) (SNP): What steps he is taking to improve productivity in the economy.

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): The Government are working hard to deliver the ambitious measures outlined in our productivity plan. We will drive productivity growth throughout the UK by encouraging long-term investment and promoting a dynamic economy.

Richard Arkless: Productivity has been the Achilles heel of this Government’s economic policy. Comparisons with G7 countries are poor, and the figures are even worse when compared with those for smaller to medium-sized and—dare I say?—independent countries. Is it not the case that the Government have been completely obsessed with austerity, and cuts and have completely neglected productivity, internationalisation and innovation, which is the fairer, more progressive way to raise tax receipts and reduce the deficit?

Sajid Javid: No, that is absolutely not the case. The hon. Gentleman is right that there has been a long-running productivity issue in our country under successive Governments. That is why we have published the ambitious productivity plan, dealing with issues such as skills, infrastructure and innovation. In the past year, we have seen a 1.3% year-on-year increase in output per hour, which is very encouraging.

Rob Marris (Wolverhampton South West) (Lab): After five years in charge, it is time the Government took some responsibility. Why has productivity stalled for the past five years?

Sajid Javid: Because after 13 years of the Labour party being in charge, we had the biggest recession our country had seen in almost 100 years and it has taken time for the country to recover from that. As I have said, productivity is on the rise.

Mr Speaker: Last but not least, I call Diana Johnson.

Broadband Market (Competition)

17. Diana Johnson (Kingston upon Hull North) (Lab): What discussions he has had with the Secretary of State for Culture, Media and Sport on improving competition in the broadband market.

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): It is nice to be back, Mr Speaker. We have a very competitive broadband market. I was thinking about that the other day when I went to York to see TalkTalk delivering fibre to premises. I met the chief executive of Virgin Media, which is investing billions in fibre. There has been an announcement from CityFibre about its acquiring some of KCom’s holdings. On Friday, I will go to see Gigaclear delivering broadband to homes in Epping Forest. We have a very competitive market.

Diana Johnson: Ofcom has confirmed to me that Hull is the only city in the country without competition for small businesses and households, and the only city among the worst 20 areas for superfast broadband access. This is really affecting small businesses in Hull. Will the Minister tell me how much of the £530 million that the Government have allocated for investment in superfast broadband will be allocated to Hull?

Mr Vaizey: The hon. Lady knows full well that Hull has traditionally had one, in effect municipal, provider—Kingston Communications, which has been privatised—which is why Hull has white phone boxes, rather than red ones. I am pleased to say that KCom is investing in broadband for the whole of Hull without any need for a public subsidy.

Topical Questions

T1. [902688] Kate Hollern (Blackburn) (Lab): If he will make a statement on his departmental responsibilities.
The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid): The recent spending review delivered a strong settlement for many of the Department’s sectors, focusing support on areas that drive up productivity across the UK.

As we have heard, in the past hour Major Tim Peake has successfully blasted into orbit. This morning, the Government launched their space policy, which has achieved lift-off. Launched a short time ago in a museum that is not far, far away, the policy document shows that there are no limits to the UK’s ambitions in this area. To mix intergalactic metaphors, we want to boldly go to infinity and beyond, and our new policy will make it so.

Kate Hollern: As everyone knows, if we are to improve productivity, we need a good, strong education system. Will the Secretary of State give a categorical assurance that further education institutions, such as Blackburn College in my constituency, will not receive a real-terms funding cut as a result of the cash-term freezefreeze in adult and 16-to-19 funding?

Sajid Javid: I agree with the hon. Lady on the issue of productivity and the need to boost skills. There will be area reviews, so I cannot make a promise about any particular institution. However, as the Minister for Skills has said, there will be an increase in FE funding of more than 35% in real terms over the lifetime of the Parliament. In the hon. Lady’s constituency, there has been a 75% increase in apprenticeship starts during the past five years, which I am sure she welcomes.

T3. [902690] Steve Double (St Austell and Newquay) (Con): The Eden Project in my constituency has run a successful apprenticeship in horticulture for the past year. Horticulturists will become more and more important in meeting our increasing demand for food. What support can the Minister provide to promote horticulture as a worthwhile career for young people?

The Parliamentary Under-Secretary of State for Business, Innovation and Skills (George Freeman): My hon. Friend makes an excellent point. We are supporting the horticulture industry under the UK agritech strategy. Indeed, I recently opened a horticultural waste reduction facility. The horticulture sector is leading in the UK on low water, low plastic and low energy farming systems, and on novel uses of insects to avoid the use of pesticides and hydroponics. It is an innovative sector that is developing on novel uses of insects to avoid the use of pesticides and hydroponics. It is an innovative sector that is developing

Ms Angela Eagle (Wallasey) (Lab): May I start by adding our best wishes and congratulations to Major Tim Peake, who will be the first British astronaut to visit the international space station, ahead of his Principia mission? May I also take this opportunity to pay tribute to Helen Sharman, who was the first Briton to go into space? Let us all pledge to do our bit to inspire the next generation of scientists, engineers, mathematicians and explorers, in the same way that the moon landings inspired my generation.

Most businesses understand that nearly half our exports and 3 million jobs are linked to our membership of the European Union, and most believe, like I do, that it is in the interests of the UK to remain a member. Yesterday, the right hon. Member for North Shropshire (Mr Paterson) described the Prime Minister’s negotiations as “froth and nonsense” and the Prime Minister’s approach to his endless renegotiations has been described today as a “shambles”. Does the Secretary of State agree with UK business or with the Eurosceptics on his side of the House?

Sajid Javid: I associate myself with the hon. Lady’s comments about Major Tim Peake’s mission. It is an inspiration for us all and will hopefully get more young people interested in science.

On the European Union, I agree with almost all the businesses I have met because they want to see reform. They want to see changes in our relationship with the EU. They want the EU to be more competitive, they want to be able to make easier, quicker and deeper trade deals, they want a deeper single market and they want less bureaucracy. I am sure that the hon. Lady agrees with that too. That is exactly what we are fighting for.

Ms Eagle: We all want the UK to remain in a reformed European Union, but the Secretary of State’s Euro- sceptic interests are well known. It is not like him to be so shy and timid about them, so let ask him more directly: is he prepared to resign from the Cabinet to fight for Brexit in the forthcoming referendum? If he cannot answer that question, how can he claim to be representing the interests of British businesses, which overwhelmingly want to stay in?

Sajid Javid: When it comes to divisions and resignations, it is her party that the hon. Lady should be worried about. I am prepared to fight for the reforms that I just outlined. Those are the reforms that everyone wants to see. We will fight for them tooth and nail, and then we will put the question to the British people and let them decide.

T4. [902691] Nigel Huddleston (Mid Worcestershire) (Con): The Worcestershire growth fund will provide grants of up to £100,000 to businesses that are looking to expand and create jobs in Worcestershire. Will the Secretary of State join me in encouraging as many businesses as possible across Worcestershire to apply for the first round before the deadline this Friday?

Sajid Javid: In the short time that my hon. Friend has been a Member of Parliament, he has done a lot to champion small businesses in Worcestershire. I have seen that at first hand. The Worcestershire growth fund represents an excellent funding opportunity and I certainly join him in encouraging companies in his constituency and mine to apply.

T2. [902689] Mr Gavin Shuker (Luton South) (Lab/Co-op): The illegal money lending team has commenced 330 prosecutions against illegal loan sharks and had £63 million written off for the most vulnerable in our communities. The decision to cut a third of its £3.6 million budget may not have crossed the Secretary of State’s desk at the time, but he has had plenty of time to review the decision and it will have a big impact, so why does he continue to dodge questions about this short-sighted cut?
The Minister for Skills (Nick Boles): We are not dodging any questions. If the hon. Gentleman had attended Prime Minister’s questions last week, he would have heard my right hon. Friend the Chancellor say that he was looking at the possibility of introducing a levy to continue to fund this action against loan sharks. That is the Treasury’s policy to take forward and the hon. Gentleman will have to ask the Treasury if he wants further details about it.

T5. [902692] Peter Heaton-Jones (North Devon) (Con): A few days ago in North Devon, I met the new cohort from the Petroc College Care Academy, which has a unique programme providing part-time apprenticeships at the local healthcare trust. Will the Minister join me in congratulating them, and does he agree that it is an important programme for training the next generation of our healthcare professionals locally?

George Freeman: I absolutely join my hon. Friend, and I thank him for raising the matter. The Care Academy programme is doing great work, and Petroc College in his constituency is pioneering 18-week placement courses so that young people can discover the interesting range of careers in the health and care sector. It supports the local economy as well as our national skills base.

T6. [902693] Carolyn Harris (Swansea East) (Lab): Several organisations, including Electrical Safety First, welcomed the recent product safety review conducted by the Department and headed by Lynn Faulds Wood. We must work to prevent ineffective product safety recalls and improve traceability better to protect customers and business in the UK. When will the Department publish the review?

The Minister for Small Business, Industry and Enterprise (Anna Soubry): I have met Lynn Faulds Wood and I thank and commend her for her work. I will have a further meeting with her to see when we can publish the review and make the progress that we all want.

T7. [902694] Michael Tomlinson (Mid Dorset and North Poole) (Con): Will the Secretary of State update the House on the objectives of his recent visit to India, and how best local businesses in my constituency can tap into that market?

Sajid Javid: Yes, I will. The recent visit was to build on the momentum generated by Prime Minister Modi’s recent visit. Along with the Minister for Universities and Science, I went to India to promote getting more Indian students to come to the UK and study. I took 30 vice chancellors, including two from Dorset. That is just the kind of export that we want.

T8. [902695] Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Last week, The British Chambers of Commerce downgraded its forecast for overall GDP growth, citing weaker than expected trade. On Thursday, the Office for National Statistics released data, which showed that the gap between imports and exports grew from £3.1 billion in September to £4.1 billion in October. Will the Secretary of State update the House on the measures that he is taking to support export growth, given that his current plans are clearly not working?

Sajid Javid: The hon. Lady knows that there has been export growth in the past five years, including to some of the fastest growing markets in the world such as India and China, which came up earlier. We obviously need to do more, and that is why we have several measures in place, some of which I have mentioned. Those kinds of changes, such as increases in exports, are leading to falls in unemployment throughout the country and generating jobs, including a 53% decline in jobseekers’ allowance claimants in her constituency.

T9. [902696] Andy McDonald (Middlesbrough) (Lab): I previously raised with the Secretary of State the Teesside Collective’s industrial carbon capture and storage ambitions, which will not only contribute massively to the climate change agenda, but secure existing industries and attract investment. In the light of the Paris agreement, will he meet me and industrialists leading that key initiative to explore how we might bring that important project to fruition?

Anna Soubry: I hope that I do not disappoint the hon. Gentleman, but I am more than happy to have a meeting with him. He knows the terms on which we always have our meetings: not to shout at me. [Interruption.] Only in the House. I hope that he will join me in congratulating the Secretary of State for Energy and Climate Change on her outstanding achievement on behalf of our nation in playing a full and important role in securing the excellent way forward to ensure that the planet that we leave for our children will be better than the one that we inherited. Yes, I will have the meeting.

John Stevenson (Carlisle) (Con): As the Minister well knows, Carlisle and Cumbria have experienced devastating floods recently. As part of the recovery, it is vital that confidence is restored as quickly as possible, especially in the business community. Will the Minister confirm that she and the Department will do everything to support Cumbrian businesses, and wherever possible, ensure that people know that Carlisle and Cumbria are open for business?
Anna Soubry: Yes indeed, and I pay tribute to my hon. Friend and all Members of Parliament affected by this issue for their great work. I will go to that area on Tuesday, and I hope to visit Carlisle as well as Cockermouth, Kendal and Keswick if possible. I am delighted that we were able to secure £5 million funding for all businesses affected by the flooding, which will make a huge improvement. We have done that very quickly, and the money will be available quickly and—most importantly—in time for Christmas, so that all those businesses and shops can be open for businesses.

Mr Iain Wright (Hartlepool) (Lab): The Secretary of State mentioned simplifying and clarifying the business environment in this country, as well as paring back bureaucracy and identifying a further £10 billion reduction in red tape over this Parliament. Why did the autumn statement propose that small businesses should file tax returns four times a year, rather than annually? Will the Secretary of State outline how that helps small businesses to reduce their costs and burdens? To keep the “Star Wars” quotes going, “I’ve got a bad feeling about this.”

Sajid Javid: I have not heard that quote from “Star Wars”. [Interruption.] It is really important that we keep deregulating for small businesses, and that was achieved during the previous Parliament. As Chair of the Business, Innovation and Skills Committee, the hon. Gentleman knows that that measure is a net target, and because of the Enterprise Bill, and many other measures, I am confident that we will see huge net deregulation, running into the billions, for businesses over the lifetime of this Parliament.

Richard Fuller (Bedford) (Con): The Business, Innovation and Skills Committee had a discussion this week about the phrase “industrial strategy”, which seems to mean all sorts of things to different people. I do not know what that phrase means, but I know that if I did, I would be against it. Will the Minister reassure the House that while he is Secretary of State, this Government will not go about picking winners?

Sajid Javid: Like my hon. Friend, the Government believe passionately in free enterprise. Free enterprise has motored this economy for decades, and it will continue to lift people out of poverty. We do have a strategy—it is called the long-term economic plan.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am sure that the space Minister will praise the foresight of the previous Labour Government who established the UK Space Agency. Given that Tim Peake’s incredible mission is launching today, will she say a little more about how she will spread inspiration from that mission to a budding generation of new space scientists, engineers and astronauts, including in Cardiff South and Penarth?

Anna Soubry: Tim Peake is going to the International Space Station, but I mentioned seven years because—as you know, Mr Speaker—I am not prone to partisanship, and I will always give credit where it is due. I wish that Labour Members would do the same.

We have made huge progress to help great industries such as the steel industry, including our announcement on energy intensive industries, but I notice—let me get this point in when I have the opportunity, Mr Speaker—that nobody has mentioned that or said how good it is. The hon. Gentleman and the hon. Member for Wallasey (Ms Eagle) are right to say how important it is that we inspire the younger generation—boys and girls—about great future career opportunities, especially in engineering.

Jo Churchill (Bury St Edmunds) (Con): Will the Minister update the House about life science clusters as a way to stimulate start-ups, excellence and growth in the sector? Does he have any plans to use devolution city deals for such clusters?

George Freeman: My hon. Friend makes an important point, and around the country—not just in Cambridge, Oxford, and London MedCity, but in the Northern Health Science Alliance and the Scottish belt—the UK life science industry is building clusters of excellence and growth for the benefit of our citizens. I am holding discussions with the Chancellor and the Department for Communities and Local Government about how the devolution package could drive and support greater development of those health clusters around the country.

Jim Shannon (Strangford) (DUP): The Minister referred earlier to moneys that have been set aside by the Government for research and development in the aerospace industry. In my constituency, 6,500 people are directly employed by Magellan and Bombardier, and double that number are subcontracted. What discussions has the Minister had with the Northern Ireland Assembly to ensure that we can be part of that research and development?

Anna Soubry: I have not had those discussions, but I am more than happy to hold them with the hon. Gentleman—he knows my door is always open, especially to him. I recognise the huge importance of Bombardier, and the role that it plays in his constituency and the whole of Northern Ireland.

Several hon. Members rose—

Mr Speaker: Order. I am sorry but we must now move on.
Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) rose—

Mr Speaker: Ah! The day would not be complete without a point of order from the hon. Gentleman.

Mr MacNeil: On a point of order, Mr Speaker. I wonder whether you can help me by telling me what can be done when the Independent Parliamentary Standards Authority, which is in my view not actually independent but very partial, is obstructing an MP from doing their work? My situation involves complex travel arrangements and IPSA is obstructing my travel movements. Is there anyone who is genuinely independent who I can deal with to get beyond the kangaroo issues of IPSA? I am wasting a lot of time and effort, as are my staff, in dealing with IPSA and getting absolutely nowhere.

Mr Speaker: Order. I am very disturbed to hear that. The hon. Gentleman might be aware—if he was not, he now will be—of the existence of an informal grouping within Parliament, which includes the hon. Member for Gainsborough (Sir Edward Leigh), to which he could usefully make representations about the particular situation that he faces. I hope that he will understand that this is not something of which I can treat here and now in the Chamber.

Mr MacNeil rose—

Mr Speaker: No follow-up would ordinarily be required, but the hon. Gentleman is champing at the bit and I will give him one last chance.

Mr MacNeil: I am grateful to you, Mr Speaker. I was on that panel, with the honourable member for Gainsborough, during the last Parliament, but I am not aware of its continued existence in this Parliament.

Mr Speaker: My understanding had always been that there was an opportunity for Members to make such informal representations. The Chair cannot deal with specific cases at all, and the Chair is in no position authoritatively to comment on particular circumstances from the Chair, especially when given no advance knowledge of them. If the hon. Gentleman wishes to pursue the matter further, he can usefully do so outside the Chamber.

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

Mr Speaker: That leave be given to bring in a Bill to provide local authorities with the duties and powers required to identify and automatically register all children eligible for free school meals; to provide for an opt-out where the family wishes; and for connected purposes.

Frank Field (Birkenhead) (Lab): I beg to move, that leave be given to bring in a Bill to provide local authorities with the duties and powers required to identify and automatically register all children eligible for free school meals; to provide for an opt-out where the family wishes; and for connected purposes.

I grew up, as you did, Mr Speaker, and as did everyone in the House, in a world in which the term “progress” did not need to speak its name. It was the assumption of all of us that things could only get better. That was true not only in this Chamber and in the country but in every western society. I view the world that I grew up in rather like a train journey. The train had different compartments that reflected our social classes, particularly in England. There was a first-class compartment, as well as second, third and fourth-class compartments. The crucial thing about the train journey, however, was that we were all on board and all heading towards a better tomorrow. In the past decade or so, the last carriage, the fourth-class carriage containing the poor, has become detached from the train journey that the rest of us are on. That is happening not only here but in every western country, and it is illustrated by the rise of food banks.

Last night, in each of our constituencies, a large number of children went to bed hungry and took that hunger to school with them today. To her credit, the Secretary of State for Education is concerned about this, and about the number of children who appear to be eligible for free school meals but are getting no hot meal at the beginning of the day. She has a taskforce that is trying to spread good practice, but we all know how long it can sometimes take for good practice to be spread.

Bernard Shaw, being Irish, did not have a great deal of time for us English, except that England gave him a good standard of living. He said that if the English were promoted from inferno to paradise, they would still gather round and talk about the good old days. There is something in our culture that resists the spread of good practice. The reasons why those children go to school hungry are moderately complicated to unravel. Clearly, at the bottom of our society, there is an increase in the number of low-paid jobs, and the wages from those low-paid jobs are uncertain. The all-party parliamentary group on hunger has identified problems with benefit delivery. There are also problems—let’s face it—of families who lead such chaotic lives that they let their children go to school hungry when they have the resources to do otherwise. Some families do not do that, but clearly some families do.

The Bill takes the campaign against hunger a stage further. It will compel local authorities to use their housing benefit data to counter hunger by identifying, first of all, the 160,000 children who are eligible for free school dinners but who, for some reason, do not claim. On average, that means that, in each of our constituencies, 250 children go hungry who probably do not need to do so.
The last Government linked the school premium to eligibility for free school meals. Equally importantly, therefore, the Bill will mean that £211 million follows those 160,000 children into our schools, so schools will be better able to cope with hunger and better able to integrate those children on school trips with other children.

Mr Speaker, your office tells me that, should the House grant me leave to introduce the Bill, Second Reading is not until 22 January, but already a record number of Members—126 Members from both sides of the House with all kinds of opinion—wish the Bill to proceed. Of course, it is in the power of the Secretary of State to beat the Bill and seek the powers herself. That move would not by itself bring a happy and more prosperous Christmas to those children, but it would form a basis so that, come the new year, there will be fewer hungry children in Britain than there are today.

Question put and agreed to.

Ordered,

That Frank Field, John Glen, Mr Philip Hollobone, Alison McGovern, Andrew Bridgen, Peter Kyle, Wes Streeting, Sir Nicholas Soames, Ms Karen Buck, Stella Creasy, Heidi Allen and Mr Christopher Chope present the Bill.

Bill read the First time; to be read a Second time on Friday 22 January, and to be printed (Bill 109).

Opposition Day

[13TH ALLOTTED DAY]

Climate Change and Flooding

12.43 pm

Kerry McCarthy (Bristol East) (Lab): I beg to move,

That this House applauds the courage and tirelessness of the UK’s emergency services, Armed Forces and volunteers who are working day and night to protect people from the damaging floods; condemns the reckless cuts to flood defence funding made by the Government, which have left communities more vulnerable to extreme weather; notes that 600 people were evacuated from their homes in Hawick due to flooding, and hopes the Scottish Government will urgently invest additional funds to enhance flood protection schemes in Scotland; further notes the increasing frequency and intensity of storms in recent years and their consistency with the warnings of Britain’s leading climate scientists regarding the impact of climate change; supports the outcome of the UN COP21 conference in Paris, but recognises that international cooperation and ambition to reduce greenhouse gases and invest in clean energy technologies must be increased if global temperature rises are to be limited and the goal of climate safety kept within reach; expresses concern at the Government’s decisions to cut investment in carbon capture and storage technology, privatise the Green Investment Bank without protecting its green mandate, reduce funding for energy efficiency and solar energy and block the growth of wind energy, which all jeopardise the future of Britain’s important low-carbon industries; and calls on the Government to institute a thorough climate risk assessment that considers the implications of the Paris Summit for future flood risk.

Although the climate deal reached in Paris at the weekend gives cause for optimism that the world is facing up to the global threat of climate change, the recent floods have brought home to us the urgency of the situation here in the UK. Climate change is already happening here, and people need not just warm words from the Government, but action.

David T. C. Davies (Monmouth) (Con): Will the hon. Lady give way?

Kerry McCarthy: May I get into my stride a little bit, and then give way? That was a premature intervention.

For the people of Cumbria, these were the third major floods in a decade. In 2009, they were told that the rainfall was unprecedented and that it was a once-in-a-century event, and yet just six years later, rainfall records in the county were again broken, causing devastation and heartbreak in the run-up to Christmas.

Flooding is already rated as the greatest climate change risk to the UK, and the Select Committee on Energy and Climate Change has warned that the frequency and magnitude of severe flooding across the UK is only going to increase. Periods of intense rainfall are projected to increase in frequency by a factor of five in this century. Indeed, the most recent Met Office analysis suggests that global warming of 2°—bear in mind that Paris does not limit us to 2°—would increase the risks of extreme flood events in the UK by a factor of seven. It is not enough to respond to the flood risk simply by focusing on building more flood defences. We need to look at how we can reduce the risk through improved land and river management, and we need to minimise the future risk of floods and other extreme weather events by tackling climate change.
We welcome the Paris accord. Nearly every country around the globe has committed to: reducing carbon emissions, building a carbon-neutral global economy, trying to limit temperature rises to 1.5°, and to reviewing our ambitions every five years. Richer nations are recognising their responsibilities to developing countries with the climate finance provisions. That is all very welcome and will make a positive difference to climate safety, but it would be complacent to suggest that the Paris accord on its own is enough.

Caroline Lucas (Brighton, Pavilion) (Green): The hon. Lady is making a strong case. As she will have heard from Paris, from civil society and from the countries that are most vulnerable to climate impacts, about 80% of known fossil fuel reserves need to stay in the ground if we are to have a hope of avoiding dangerous climate change. We need a global transition to 100% renewables by 2050. I wonder if she could say whether she agrees with that.

Kerry McCarthy: It is very important that we make progress on that. As I will come on to later in my speech, the fact that the Government’s policies seem to be moving away from encouraging renewables—indeed, harming the renewables sector to a very high degree—makes it very difficult for us to make the transition from fossil fuels, which is something we very much want to see.

Angela Rayner (Ashton-under-Lyne) (Lab): Does my hon. Friend agree that cuts to renewable energy threaten both our environment and the economy? In my constituency, Energy Gain UK is a successful local renewables business, which has grown from nothing in four years to having 10 staff and apprenticeships. The drastic cuts to feed-in tariffs mean it may be forced to close, which makes no sense either to the environment or to the economy.

Kerry McCarthy: I entirely agree. The renewables sector needs certainty and it has had the rug whisked away from underneath it. There is some incredibly innovative work being done. I visited Ecotricity in Stroud yesterday, to hear about Dale Vince’s proposals not just for building on his excellent work in the renewables sector but for going far beyond that. We must encourage the sector. This is where the high-tech, high-skilled, well-paid jobs of the future are and the Government ought to be doing more to encourage them.

We must acknowledge that the individual pledges made at Paris do not add up to a commitment to keep temperature rises below 2°. We must keep asking what more we can do by way of mitigation and consider what further adaptation to climate change is needed. Domestically, it is clear that the UK is not doing enough. Contributing to the global climate fund does not mean the UK can absolve itself of all responsibility, or pass the buck to developing nations.

While the international community is moving forward, the UK has gone backwards. The Government have axed the carbon capture and storage fund, worth billions of pounds. They have blocked new wind farms and cut energy efficiency programmes drastically by 80% and they propose cutting support for solar power by 90%. They are also selling off the UK Green Investment Bank without protecting its green mandate. They are increasing taxes on our more efficient cars and they are scrapping the zero-carbon standard for new homes. Their preoccupation with fossil fuels and fracking, as I mentioned, means they have threatened the future of our renewable energy industry and we have lost thousands of green jobs.

David Mowat (Warrington South) (Con): The hon. Lady says that the UK is not doing enough. Can she tell the House of one other OECD country that has reduced its carbon emissions by as much as the UK since 1990—just one other OECD country that has done that?

Kerry McCarthy: As the hon. Gentleman says, the UK has a proud record on tackling climate change, not least due to the leadership shown by my right hon. Friend the Member for Doncaster North (Edward Miliband) with the groundbreaking Climate Change Act 2008. However, we are now coasting on that historical record and we need to do much more. We are not on course to meet our targets, so we need to do more.

The chairman of the Committee on Climate Change had no alternative but to conclude last month that the Government’s existing energy policy was clearly failing, and the CBI has said that British businesses need clarity. Businesses need to know that the Government are serious about climate change and will not make superficial claims about being green, only to U-turn on key environmental policies.

Rebecca Pow (Taunton Deane) (Con): On clarity of Government direction and jobs, I understand we have to work together on renewables, but we are setting such a good example with Hinkley Point, on the border with my constituency, which is a low-carbon energy commitment that will generate 25,000 jobs, which will be terrific for the economy and energy production.

Kerry McCarthy: I accept that nuclear is part of the mix—that is our policy—but it is not the only solution to green energy in this country, which seems to be the Government’s point of view.

Huw Irranca-Davies (Ogmore) (Lab): Whatever the solutions, one of the key conclusions from COP 21 is that, in order to drive down from 3.5° to 2.7°, 2° or 1.5°, the UK will have to reset its rest—as it has been phrased. We need to do more faster and with greater urgency, and that is exactly what Lord Deben and the CCC have said. Does she agree that, whatever the solutions, one of the most important things is for the Government to accept the fifth carbon budget and narrow the gap with the fourth carbon budget?

Kerry McCarthy: I agree entirely with my hon. Friend. There is almost a consensus that the UK needs to do more, go faster and introduce stronger targets.

Business needs certainty, but people in Cumbria and other flood zones need it too. Last week I visited Carlisle and Cockermouth with my right hon. Friend the Leader of the Opposition. We are grateful to the councillors, business owners and residents who showed us around their communities and homes, and we left...
impressed by their resilience and determined that the Government must do all they can to rebuild their communities and reduce their future flood risk. They should never have to go through this again.

Andrew Gwynne (Denton and Reddish) (Lab): My hon. Friend, who is right about the need for certainty, will understand the concerns of many of the flood-affected communities that the Department for Environment, Food and Rural Affairs cannot provide any certainty over future spending on flooding. Was she as shocked as I was to learn that this year’s flooding budget was £115 million less than last year’s? Is that not short-sighted of the Government?

Kerry McCarthy: I agree with my hon. Friend, as I often do. I want to say a little more about what I saw in the constituencies, and then I will answer his point.

Anyone who has been to Carlisle and Cockermouth or seen the television coverage will have been dismayed at the horrific scenes. We have seen people out on the pavements with their entire belongings, people’s homes saturated, people in temporary accommodation. There is an issue with the availability of temporary accommodation in the area. Some have been lucky enough to move into holiday cottages, but there is not much in the way of private rented accommodation to move into. We spoke to people about their massive flood insurance bills, and the thing they raised with us time and again was the excess on their policies. Now that more floods have happened, their premiums are going to go up, or they might not be able to insure their homes at all.

Mary Creagh (Wakefield) (Lab): Does my hon. Friend share my concern that the Government’s new Flood Re scheme does not cover the insurance costs of businesses, and does she share my regret at the lack of solidarity in that scheme?

Kerry McCarthy: I agree with my hon. Friend. Small businesses mentioned that to us. The Government’s logic was that businesses could shop around in the market, but those that were hit by flooding in 2005 and 2009 and have been again now will struggle to find insurers. It is enough to put them out of business or at least force them to close for renewal and refurbishment for several months at a time.

David T. C. Davies: Does the hon. Lady agree that it would be incorrect to try to link these tragic instances of flooding to global warming because, as the Inter-governmental Panel on Climate Change says in its fourth assessment report 2007, it is impossible to link individual examples of bad weather with climate change?

Kerry McCarthy: I am not sure that was worth waiting for. Perhaps the hon. Gentleman needs to talk to the Environment Secretary, who acknowledged in last week’s statement that there was a risk. Obviously, individual episodes do not make a pattern, but a clear pattern is emerging of extreme weather events in the UK and abroad.

Between 1997 and 2010, flood defence spending increased by three quarters in real terms, but in the 2010 spending review, the coalition Government announced a 20% real-terms cut. Flood spending was slashed by £116 million in 2011-12 and again the next year, and it was lined up for further cuts in 2013-14, before floods in the Somerset levels forced on the Government the realisation that they had gone too far. After those floods, the Prime Minister assured us that “there will always be lessons to learn and I’ll make sure they are learned.”

But he has not shown many signs of having learned those lessons. Last year, flood and coastal erosion risk management expenditure was above £800 million, but this year it has been cut to less than £700 million—a 14% real-terms cut of £115 million. How quickly those images of the Somerset levels faded from his mind.

Mary Creagh: My hon. Friend is making an excellent point. Does she share my regret that, although the Prime Minister said money was no object, as soon as the television images of the Great Western main line under water had faded from public consciousness, money actually was an object?

Kerry McCarthy: I entirely agree. It seemed that money was no object in the short-term clear-up exercise, although there were delays in people getting the money promised to them. The Government are trying to speed up that process this time, by giving the money to local authorities, but council leaders have raised concerns that they simply do not have the resources and staff for that administration. I hope the Environment Secretary will provide some clarity on that.

Last week, the Environment Secretary was still assuring the people of Cumbria that the Government would learn the lessons, and the Prime Minister, on a fleeting visit up north, told them: “After every flood, the thing to do is sit down, look at the money you are spending, look at what you are building, look at what you are planning to build in the future and ask: ‘Is it enough?’”

I am not convinced that it is enough. In June, the Committee on Climate Change gave flood adaptation a double-red warning, and the Environmental Audit Committee gave the Government a red card for climate adaptation. The Prime Minister did not have to wait for the floods to ask, “Are we doing enough?” The experts had already provided the evidence that we were not.

Caroline Flint (Don Valley) (Lab): On learning the lessons, is my hon. Friend as surprised as I am that about half of the Chancellor’s fast-track zones to build houses are on floodplains? It is estimated that 9,000 new houses built on these floodplains might not be insurable because of the risk of flooding.

Kerry McCarthy: That is certainly an issue. Cockermouth has had planning permission approved for new houses, yet we have seen from the recent floods that the defences, which people thought were safe enough to withstand what was described in 2009 as a once in a lifetime or a once in a century event, were not good enough. The Government need to reassure me, therefore, that any defences around new housing in those areas would be sufficient to protect people and deal with the issue of insurance.

Andrew Stephenson (Pendle) (Con): The hon. Lady is making an eloquent case about Cumbria, but did she take any time to visit Lancashire, because we have had
really bad floods as well? In the same year that Labour-run Lancashire County Council has voted to increase councillors’ allowances—they now cost the taxpayer more than £1.2 million a year—it has admitted that the timescale for regular inspections of storm drains has been increased from every 12 months to every 18 months, which undoubtedly contributed to the flooding. Do local councillors not need to get their priorities right?

Kerry McCarthy: I have not yet had the opportunity to visit Lancashire, although during the floods I spoke to my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) about the situation there. It is a bit cheap to bring in details of councillors’ allowances, when we are talking about people’s homes being under water and their perhaps being homeless for the next 12 months. Perhaps the hon. Gentleman needs to speak to his Front-Bench team about the massive cuts they are imposing on local government before he starts raising such details.

Geraint Davies: Does my hon. Friend agree it would be worth the Government looking at local authorities running insurance systems, because high-risk properties would not be avoided and it might stop them building on floodplains, which they are still doing?

Kerry McCarthy: That is probably a question for the Environment Secretary to answer when she responds in a few moments.

The Government have announced and re-announced that they will invest £2.3 billion in flood defences over the next six years. As the EFRA Select Committee has today highlighted, that investment relies on £600 million worth of external contributions, less than half of which have so far been secured. With the private sector providing just £61 million, DEFRA is looking to local authorities for the additional funding. Clearly, the Government do not get just how hard local councils have already been hit by the cuts. At the moment, just one of the 27 flood and infrastructure projects is currently in construction, and there has been no progress in the past year, while schemes in Cumbria have been delayed.

On maintenance, we have been told that the budget will only be protected, so I ask the Environment Secretary whether she believes that that budget is sufficient, especially given the years of neglect? The Government spent £171 million on maintenance last year. The Environment Agency has recommended that £417 million a year should be spent. It is no wonder that experts at Friends of the Earth are warning that there is a £2.5 billion hole in the Government’s flood defence plans.

Rebecca Pow: Will the hon. Lady give way?

Kerry McCarthy: I want to make some progress now so that Back Benchers who want to speak about what happened in their constituencies will be able to do so.

Last week, the Environment Secretary agreed with me about the extreme weather patterns and the link with climate change. The Government have conceded that the risks might have been underestimated, yet it has now emerged that they are not even using the most up-to-date information. I hope that the Environment Secretary will be able to tell us why the Environment Agency’s flood risk guidance, published in 2013, is based on forecasts from 2006—despite new research in 2011 indicating that river flows could be much greater due to climate change. Flood defence plans are modelled on the medium climate scenarios rather than the high climate change pathway.

Perhaps the Government want to ignore the high emission scenarios because that would mean spending £300 million more, but the costs associated with ignoring the evidence are potentially so much greater. The national security risk assessment cites flood risk to the UK as a tier 1 priority risk, alongside terrorism and cyberattacks. By focusing on the more optimistic projections, the Government are wilfully neglecting their responsibilities on climate change mitigation and adaptation.

As the rest of the work acknowledged this weekend, simply ignoring climate change will not make it go away, yet for two years the UK was hampered by having a climate change denier as Environment Secretary. It is even rumoured that he sought to replace the words “climate change” with the word “weather” in every single DEFRA document, and that he had to have it explained to him that they were not quite the same thing. What is certainly true is that under his stewardship spending on climate change adaptation halved, even after DEFRA’s climate change staffing had dropped from 38 to six people.

Thankfully, the current Environment Secretary is less hostile on this issue, although perhaps not very interested until now, and she will have our full support if her adaptation policies are guided by the scientific evidence and by expert advice. As such, we look forward to hearing more details on the national flood resilience review. I welcome the confirmation that the Cumbrian floods partnership will be looking at upstream options, and I hope these will be included in the resilience review.

A focus on the role of the natural environment in reducing flood risk is, unfortunately, long overdue. I see in his place the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Penrith and The Border (Rory Stewart). His constituency was badly affected, and he did a huge amount of work on the ground in Cumbria over the past few weeks, so I am sure he has very much taken that point on board.

John Stevenson (Carlisle) (Con): Talking of national resilience, does the hon. Lady think it was a failure of the last Labour Government not to have done exactly the same in 2005? In Carlisle, for example, we have a sub-station in a floodplain area that was flooded in 2005. Fortunately, due to the hard work of the emergency services, it was not flooded in 2015, but should it not have been looked at after 2005 with a view to possibly moving it?

Kerry McCarthy: We commissioned the Pitt review. The hon. Gentleman mentions the work of the emergency services, and I would like to take the opportunity to say that when I was in Cumbria I met the Fire Brigades Union and Mountain Rescue, which have done fantastic work. There are calls for the fire brigade’s response to flood risk to be put on a statutory footing, rather than just an add-on to its other duties. Mountain rescue teams do wonderful work based on the voluntary contributions and the work of volunteers. I hope that that will be looked at as part of the review.
Margaret Greenwood (Wirral West) (Lab): On that point, does my hon. Friend agree that this is a timely opportunity to look again at the funding of fire services up and down the country? On Merseyside, we have certainly seen extreme cuts, and the whole model needs revisiting.

Kerry McCarthy: That issue was raised with me. I believe that five fire stations in Cumbria are due for closure. The control centre is in Warrington, but the point was made to me that local firefighters have the best local knowledge. People in Warrington were sending firefighters to places where people’s fire alarms had gone off because of rising water, but those firefighters knew that the towns and villages were already underwater and that the roads were impassable. A lot can be said for retaining local knowledge and for keeping the local fire stations open. I am sure that constituency MPs would have something to say about that.

Flooding has had a devastating impact on farmers and many in Cumbria have, as the National Farmers Union highlighted, been hit by a double whammy, after being informed that they will not receive their basic payments until February. Given the losses they suffer as a result of flooding and the positive contribution farmers can make to land management, I hope that DEFRA will work closely with farmers to involve them in a long-term strategic approach to flood risk, looking at surface run-off and soil management to maximise absorbency and how the Government can promote agroforestry. Studies have demonstrated, for instance, that reforesting 5% of land reduces flood peaks downstream by 29%. The Government could be looking at sediment management and river restoration, as well as woodland development more generally.

In urban and developed areas, sustainable drainage systems could make a positive difference, but progress has been slow and the scope for local authorities to make progress on flood risk management strategies seems limited, especially given the additional budget cuts. As the Climate Change Committee reported, many authorities are yet to finalise their strategies, despite its having been a legal requirement for the past five years. I hope that the Environment Secretary is co-ordinating cross-departmental work to manage the flood risk and ensure that it is factored into plans, including plans for new house building in areas of high flood risk, which my right hon. Friend the Member for Don Valley (Caroline Flint) mentioned.

In light of the agreements reached in Paris, I would urge the Environment Secretary to bring forward the climate change risk assessment and consider whether the national adaptation programme is fit for purpose. As the Committee on Climate Change has said, the next programme needs a “clearer sense of priorities” and “measurable objectives”. Even if commitments are met, the Paris agreement means that the Government must prepare for temperature rises of nearly 3°. Will the Secretary of State ensure that the announced national resilience review is only the first step in tackling the problem? It must lead to a realistic resilience plan—and, most importantly, action.

As yet, we do not know what DEFRA needs to adapt to, because we do not know what the Energy and Climate Change Secretary is proposing in order to implement the Paris agreement in the UK. In her statement on Paris yesterday, there was little sense that the Government had any strategy—let alone a coherent, fully-funded one—to meet the UK’s climate change commitments and help the global community to keep temperature rises below 2°.

The UN’s chief environment scientist has even had to intervene to challenge this Government’s policies on renewable energy. While the rest of the world is investing in renewables, she said:

“What’s disappointing is when we see countries such as the United Kingdom that have really been in the lead in terms of getting their renewable energy up and going”

withdrawing subsidies and enhancing the fossil fuel industry. We can only agree with her conclusion:

“It’s a very serious signal—a very perverse signal that we do not want to create.”

Under the last Labour Administration, the UK had a proud record on climate change—from Lord Prescott’s role with the Kyoto protocol and Gordon Brown’s work in establishing the Global Climate Fund to the role of my right hon. Friend the Member for Doncaster North (Edward Miliband), and indeed that of his brother before him, in the Climate Change Act 2008, which has now been emulated by about 100 other countries. It was ground-breaking at the time; we were the first.

That legacy is slipping away and future generations will pay the price. Given that the right hon. Lady failed to answer the questions of my hon. Friend the Member for Wigan (Lisa Nandy) yesterday, I hope the Energy and Climate Change Secretary will, when winding up the debate this afternoon, be able to confirm the Government will review the recently abandoned green policies and that the UK will continue to support raising European targets on reducing carbon pollution by 2030.

It is not just on energy where we need leadership. Will the right hon. Lady ensure that there is more co-ordination with the Department for Transport, that BIS prioritises green jobs and that our financial services do not keep promoting and investing in fossil fuels? And will she stop the Chancellor from making short-term cuts to energy efficiency and renewables, ignoring the longer-term environmental, financial and human costs?

Expert after expert is warning that the Government are failing on climate change, and failing to protect people from flooding. They are letting down communities who are dreading the next heavy rainfall, and they are letting down future generations who will bear the brunt of climate change. I hope that both Secretaries of State will agree that the Government have run out of excuses, and that now is the time to act.

1.10 pm

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): The exceptional rainfall that we have seen over the past couple of weeks has led to some very distressing situations for families and businesses in the north of England, where serious flooding has occurred. It is right that we in the House use every opportunity we are offered to express our sympathy for those who are most deeply affected. It is also right that we pay tribute to the work of emergency responders—the Environment Agency, and volunteers from around the country—who have worked tirelessly to help to get people to safety, and to clean up quickly so that people can return to their homes as soon as possible.
The Government mobilised a full national emergency response. We deployed the military from day one to protect people’s lives. The Cobra civil contingencies committee has met daily to co-ordinate the best possible deployment of resources for affected communities, and the recovery effort continues.

Margaret Greenwood: Have the Government considered applying to the European Union solidarity fund to help the people of the north-west, who have suffered so much? If an application were made, how quickly could the additional funds be made available?

Elizabeth Truss: Of course that is one of the options that we are considering, but it would take seven months for the money to arrive. What we have done, within a week of these terrible floods occurring, is make £51 million available to give immediate relief to households and businesses in Cumbria and across the north that have been affected. The Chancellor announced last week that we were supporting households and businesses in affected areas.

The hon. Member for Bristol East (Kerry McCarthy) asked about accommodation. We are anxious to ensure that accommodation is available to those who have had to leave their homes, and we are working closely with local councils to ensure that they have every resource that they need for that purpose. Divers are assessing the bridges so that they can be opened as soon as possible, and diggers are clearing roads. We are doing all we can to ensure that Cumbria is up and running as soon as possible, and is open for business as soon as possible.

Tim Farron (Westmorland and Lonsdale) (LD): The Secretary of State has rightly pointed out that great efforts have been made to clear the roads. As she will know, the A591 connects the north and south lakes at Grasmere and Keswick, and its closure has effectively ruined the tourist industry on both sides of that divide. The Royal Engineers did a great job in clearing up the mess, but they left yesterday. Would the Secretary of State be able to invite them back to rebuild the road quickly?

Elizabeth Truss: The hon. Gentleman is absolutely right. The A591 is a critical artery for tourism and for local residents to get about. It is now passable in a 4x4 vehicle, but we are working on getting it fully up and running as soon as possible, and the Department for Transport is working closely with the Cobra team to ensure that that happens, because it is a priority. I am pleased to say that the west coast main line was up and running as quickly as possible. Nearly all the 169,000 households and businesses whose power was cut off have been reconnected, although a small group of fewer than 50 need extra work at flooded properties. The Environment Agency has been assessing what more can be done, and has been moving in heavy equipment to clear rivers.

Our priority must continue to be public safety. Although 84 flood warnings have been removed in the last day or so, further flooding could occur as a result of rain falling on saturated ground. I urge people to keep up to date with the latest situation through the Environment Agency’s website and other news sources.

I know that this is of no comfort to those who have suffered, but the flood defences in Carlisle and Kendal successfully defended more than 100,000 households and businesses and prevented them from losing their power supplies. It is important for us now to consider how we can further improve resilience in our country.

The Secretary of State for Energy and Climate Change is working to ensure that we have long-term energy security, and that we tackle dangerous emissions; I think that she has shown massive leadership over the past week. Hers was an historic achievement in Paris, and I think that Opposition Members should applaud her for showing such leadership at an international level. I see that some of them are acknowledging her leadership; that acknowledgement is particularly welcome from the former Climate Change Secretary, the right hon. Member for Doncaster North (Edward Miliband).

Graham Stuart (Beverley and Holderness) (Con): I apologise to my right hon. Friend for returning to the subject of flooding when she has—rightly—just moved on to the subject of climate change, but does she agree that it is now time for a radical change in the way in which we fund our flood infrastructure and maintenance? The hon. Member for Bristol East (Kerry McCarthy) pointed out that when floods occur, there is investment, there are promises, but the investment then fades. That happened under the Labour Government, and it tends to happen under all Governments. Should we not hand responsibility for a regulated standard to, for instance, the water companies?

Elizabeth Truss: We have already made a major change. Rather than allowing a stop-start in flood defence spending, we have, for the first time, laid out a fully funded six-year programme to give communities the certainty they need. I shall say more about that later, but I was in the middle of praising my right hon. Friend the Secretary of State for Energy and Climate Change. She has done a fantastic job, and I think that that needs to be acknowledged. She has achieved an international climate change deal that will bring about a level playing field—it is very important for countries across the world to contribute—but she is also making sure that we deal with customers’ bills at home. It is right for us to improve our economy, achieve economic growth and reduce carbon, and my right hon. Friend is showing how that can be done.

Tim Farron rose—

Elizabeth Truss: I have already given the hon. Gentleman an opportunity to contribute. I want to make a bit of progress now.

Under this Government, there is a long term-plan for economic and energy security, part of which involves improving our resilience and investing in flood defences. Extreme weather events are becoming more common. There have been devastating floods in Cumbria, Lancashire, Northumberland and elsewhere, and there has been record rainfall. Water levels in our rivers have been more than half a metre higher than they have ever been before. Yesterday, during my second visit to Cumbria in a
week, I went to Appleby and Threlkeld, where I met residents, Army volunteers, and others whose work has been tremendous during this rescue effort. I saw the sheer power of the water, which had washed bridges downstream, but I also saw a huge amount of spirit and resilience among the Cumbrian people.

Caroline Lucas: May I invite the Secretary of State to return to the question asked by the hon. Member for Bristol East (Kerry McCarthy) about maintenance grants, and the amount that will be spent on maintaining existing flood defences? Does she accept that there is a shortfall of £2.5 billion between that amount and what the Environment Agency says is needed, and, if so, is she going to fill the gap?

Elizabeth Truss: I can confirm that, as the Chancellor said in the autumn statement, we will increase our current maintenance expenditure of £171 million a year in real terms. In a climate in which we are having to reduce Government budgets, we are increasing, in real terms, both flood capital spending and flood maintenance spending. That shows where our priority lies.

Mary Creagh: In his report following the devastating 2007 floods, Sir Michael Pitt said that flooding was the greatest risk that our country faced from climate change, and that flood defence spending needed to rise by more than inflation each and every year. Can the Secretary of State explain why, in real terms, we will be spending exactly the same in 2015-16 as we were spending in 2009-10?

Elizabeth Truss: The reality is that between 2005 and 2010 Labour spent £1.5 billion on flood capital, whereas between 2010 and 2015 we spent £1.7 billion, which is a real-terms increase and not a cut. In this Parliament, we are investing £2 billion, which is a real-terms increase and not a cut.

John Woodcock (Barrow and Furness) (Lab/Co-op): The question is: does the Secretary of State think that that is sufficient, given the recent events, and given the clear and growing link to climate change and its devastating effect?

Elizabeth Truss: I thank the hon. Gentleman for his question. The additional funding we are putting into flood defences will mean a reduction in flood risk over the next six years. That is not an elimination of risk, and we also need to make sure that we have the right emergency response in place, but flood risk will be reduced.

Several hon. Members rose—

Elizabeth Truss: I just want to answer the point raised by Opposition Members about the spending in recent years. Following the 2013-14 floods, we put in an extra £270 million to repair and rebuild the defences that were destroyed. That is the money that Opposition Members are talking about, but even if we take account of that extra funding, which rebuilt and repaired defences after the winter floods, we are still spending more in real terms in this Parliament on flood defences, and we are laying it out in a six-year programme for the first time ever. When Labour was in power it never laid out plans for more than one year at a time, whereas we are laying out a six-year plan.

Caroline Flint: When the Chancellor was pulling together his fast-track zones for housing, whereby half the houses are going to be built on floodplain areas, did the Secretary of State have sight of that policy? Did she comment on it? If not, why not?

Elizabeth Truss: I will be very clear with the right hon. Lady: the Environment Agency is part of the planning process and it does not allow house building on floodplain areas—that is part of the planning process.

Rebecca Pow: The Secretary of State will remember not only the floods in Cumbria, but the awful flooding in Somerset. The Government have committed £35 million to Somerset until 2021, but will she comment on the arrangement we are putting in place through the Somerset Rivers Authority, which may become a model for dealing with flooding, funding and the wider catchment area?

Elizabeth Truss: I thank my hon. Friend for her intervention. She is absolutely right to say that Somerset Rivers Authority, which is now established, forms a model that we can use in other parts of the country. It gives local people, who understand the area and the local catchment, the power to make decisions—

Caroline Flint rose—

Elizabeth Truss: I have already given way to the right hon. Lady once and I want to make progress, in order to give the many constituency MPs who are part of the debate an opportunity to speak.

I want to respond to the Opposition’s point about local farmers, some of whom I met yesterday. We are helping them to get their land sorted out, as much of it is covered with rubble. We are putting in place a special scheme to help farmers, which will be open from this Friday, and we are also seeing what we can do to prioritise basic farm payments for the worst affected farmers.

I have talked about our £2.3 billion programme—this is the first time ever that a Government have laid out their future flood defence spending. The private sector partnership money that the hon. Member for Stockton North (Alex Cunningham) has been talking about is in addition to the real-terms increase—extra money so that even more flood defence schemes can go ahead. We have already secured £250 million of that money and we have a further £350 million earmarked. We are only six months into the scheme. Let us remember what happened between 2005 and 2010: only £13 million was raised. We raised £134 million in the last Parliament—10 times that raised under the previous Government.

The money we are putting in represents real flood defences across the country. It means that in Boston we are building a new £90 million barrier; in Rossall, Lancashire, we are investing £63 million for a new 2 km sea wall; in Exeter, we are investing £30 million in new flood defences; and on the Thames we are investing £220 million in a 17 km flood relief channel. I am pleased to say that in the constituency of the hon. Member for Bristol East we will invest £1 million in a...
scheme for Brislington, and that in Stockton North we are investing £8 million in a scheme at Port Clarence and Greatham South. What this money—this real-terms increase in spending—means is real protection for real families and real businesses across the country, in addition to protection for 420,000 acres of farmland.

Graham Stuart: My right hon. Friend knows that local MPs supported a proposal to the Department seeking about £1 billion to help the Humber area, which faces the second greatest strategic risk in the country, after London. What plans does the Department have to work on coming up with a viable programme for our area?

Elizabeth Truss: I thank my hon. Friend for his question. We are investing £80 million in flood defences for that area, but I am happy to meet him and his colleagues to talk about what more we can do to increase resilience there.

It is very important to note that we are not complacent about our flood defences. We will look at what has happened in recent weeks to make sure we learn lessons and act upon the new evidence that has come to light. We have committed ourselves to two reviews: first, the Cumbria flooding partnership, led by the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), who has responsibility for flooding, will look at how we can improve downstream defences, do more to look at the overall catchment and slow the flow upstream, and more fully involve the community. I saw a fantastic project last week at Stockdalewath, where upstream mitigation is being used to reduce the peaks in river flow. This is already happening, but I want to see more of it, which is why we are launching this new workstream. Secondly, we are putting in place a national resilience review to look at how we model and plan for extreme weather, how we protect our critical assets and how we make future investment decisions—my hon. Friend the Member for Beverley and Holderness (Graham Stuart) asked about that. With the £2.3 billion programme that we have laid out, we want communities to have certainty that their projects are going ahead, so this review will look at future flooding investment to make sure that the formula is adapted to what we now know.

Let me be clear with Opposition Members that we already have some of the most sophisticated flood modelling in the world. For the first time in Cumbria, during this flooding we used ResilienceDirect, which meant that all the emergency services could communicate with each other in real time and with the Environment Agency, which was very effective at getting early action. We are working to make sure that we keep up to date with the latest trends in climate and in extreme weather, which the hon. Member for Bristol East was talking about.

The Government are completely committed to doing whatever it takes to make sure Cumbria and the other flood affected areas are up and running and more resilient for the future. But the reality is that without a strong economy, under a Conservative Government, we would not have money for these crucial schemes. It is our party that is investing in new power stations and making sure we have energy supplies, while reducing carbon emissions. It is our party that is investing to make this country more resilient and adapt to climate change and extreme weather. The Labour party has no plan, having shirked these decisions when it was in office and wasted our money. Let us all remember what the then Chief Secretary to the Treasury said:

“I’m afraid there is no money”.

That was the Labour Government’s legacy. The fact is that it is the Conservative party that is protecting our economy, and safeguarding our security and our future.

1.29 pm

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): Mr Speaker, thank you for allowing me the opportunity to take part in this debate. I should like to urge Opposition Members in particular to pay close attention to what I have to say. Unfortunately, the motion shows a fundamental lack of understanding of the reality on the ground in Hawick and the Scottish borders, which is my constituency and which suffered serious flooding earlier this month.

Tom Elliott (Fermanagh and South Tyrone) (UUP): Does the hon. Gentleman accept that in my constituency in Northern Ireland there has been serious flooding in the past 10 days, and the motion makes no reference to that? Even today, at least 16 roads are still closed in the constituency.

Calum Kerr: That is an excellent point. My constituency is mentioned in the motion, yet it has not been mentioned once in the debate so far, and the hon. Gentleman has had the same experience. It is extremely disappointing that the motion makes a fundamental error in terms of the funding process for flood defences in Scotland. I hope to explain this and say why I make this statement up front.

On 5 December the River Teviot broke its banks and it is true that some 600 people had to be evacuated in Hawick. A total of 333 homes were impacted, as well as 45 local businesses. However, the town reacted magnificently to the crisis. I was among the volunteers, along with the Scottish Minister for Community Safety and Legal Affairs, Paul Wheelhouse, putting down sandbags under the direction of Hawick flood group, with the police and emergency services, who all did a fantastic job. The reality is that, had it not been for their help and intervention, things would have been a lot worse. I pay tribute to all their efforts, including Scottish Borders Council. We all know that our councils tend to be the whipping boys on occasion, so I pay particular tribute to it for co-ordinating the effort.

The damage and disruption caused by the Hawick flood has been significant. The Scottish Government made it clear from the start that the Bellwin scheme would be implemented to fund repair work. They also emphasised that money was available to fund a full flood prevention scheme. A preferred scheme has been chosen, and we are now moving to detailed design. It is critical to get this right, as a wrongly built scheme can fail or even make things worse. This swift response has eased the worries of people in the town and shown the Scottish Government to be empathetic and fast acting.
John Woodcock: Just so that I am following the hon. Gentleman’s speech, is he saying that the Scottish Government have been exemplary and wonderful, and there is nothing else that he would ask them to do on behalf of his constituents in this important matter?

Calum Kerr: That is a wonderfully glowing tribute to everyone in my constituency. I thank the hon. Gentleman. If he would like to listen a bit more, I will go on to explain the process in more detail. If anyone says that nothing can be learned, they are mistaken. There is always potential to improve the response and do better next time. The flooding that took place will be examined in detail, and will inform the flood defences that are put in place.

Right across Scotland, there was a first-class and highly impressive multi-agency response. However, the stark truth is that we will never be able to stop flooding fully. It has been with us throughout history. Both the Old Testament and the Koran tell us the story of Noah and the Ark. I am afraid that there must have been people in Scotland and indeed in the constituency of the hon. Member for Carlisle (John Stevenson) who thought they were extras in the sequel. As we cannot prevent water flows, we must do our best in redirecting them. In Scotland, all the flood defences we had in place held. In Galashiels in my constituency, they stayed in place, and in Selkirk, although only half built, they did their job. This highlights how well-designed schemes can make all the difference.

The Scottish Government regard reduced flood risk as a priority and provide annual funding of £42 million for councils to add to and invest in major flood prevention schemes.

Patrick Grady (Glasgow North) (SNP): Does my hon. Friend accept that there is also an issue of urban flooding, which has perhaps been slightly less reported? Summerston in my constituency has been renamed an island because all the major access roads were blocked by sudden flooding and overflowing drains. It is important that local authorities are able to invest the money appropriately.

Calum Kerr: I thank my hon. Friend for that excellent point. It is absolutely not just a rural challenge. The flood damage in urban areas is exacerbated by the concentration of dwellings.

Geraint Davies (Swansea West) (Lab/Co-op): I was in charge of flood risk management for Wales, so I know how important devolved Administration is in this respect. Has the hon. Gentleman considered the capture of water on buildings in butts to reduce the amount that goes into sewers or investing in the resilience of particular properties by putting plugs up walls, waterproofing and so on? No defence is 100% reliable.

Calum Kerr: The hon. Gentleman displays an admirable knowledge of the subject. If I ever live in a house built on a floodplain by the Conservatives, I will know where to go for advice.

It is important to consider all aspects. The debate is about climate change and flooding, but many other issues such as land use and planning could be covered in a lot more detail. We must always plan to prevent flooding at a local level and mitigate where we can. The hon. Gentleman makes an excellent point, and I thank him.

The Scottish Government enacted their Flood Risk Management (Scotland) Act in 2009. This introduces a sustainable and modern approach to flood risk development which considers the problems of climate change. For instance, it creates a revised and streamlined process for protection schemes as well as a framework for co-ordination between organisations involved in flood risk management. New methods have also been put in place to ensure that stakeholders and the public have an input into this process, as is happening in Hawick now.

Another hugely important piece of legislation is the Climate Change (Scotland) Act, again enacted in 2009. This sets some of the toughest climate change targets in the world, with an interim 42% reduction by 2020 and 80% reduction target by 2050. Ministers are required to report regularly to the Scottish Parliament on progress and emissions. Earlier this year, the Committee on Climate Change concluded that Scotland had continued to make good progress towards meeting these ambitious greenhouse gas reduction targets. We are on track to meet that 42% target ahead of schedule. In fact, we continue to outperform the UK as a whole.

In western Europe, only one of the EU15 states, Sweden, has achieved greater reductions. The Scottish Government have not hit all their targets, partly because of data format revisions, but they should be applauded for their ambitious vision and for seeking to lead the way. The determination is that Scotland should continue to be a world leader in this area. That, surely, is the right approach. We should acknowledge their ambition and successes so far. I hope that in this Chamber we will recognise that there is a lot to learn from them in terms of best practice. For instance, the Scottish Government have pledged some £1 billion of funding over two years for climate change action and have plenty of reason for optimism.

Last year, renewables overtook nuclear as Scotland’s largest source of electricity. Only last month, wind turbines produced 131% of the electrical needs of Scottish households. These are highly encouraging figures. However, no nation can operate in isolation in this area. Only by working together can world leaders properly address this, the greatest global environmental threat of our age. At last week’s Paris summit, we finally managed to achieve a universal agreement—one that has been signed up to by rich and poor countries alike. I congratulate the Secretary of State on her role, and her hard work in securing success at that historic event, which was also attended by Scotland’s Environment Minister and First Minister. The deal reached will not by itself solve global warming. It is not a panacea. But Paris finally showed that the will, along with a firm commitment, is there.

Caroline Lucas: The hon. Gentleman will know that emissions from aviation and shipping were left out of the Paris agreement. Does he agree that that is a fatal omission and, similarly, that airport expansion, be it at Heathrow, Gatwick or anywhere else, would fatally undermine the UK’s ability to make a fair contribution to keep global warming well below 2 °C, let alone the 1.5 °C goal that is a matter of survival for many vulnerable countries?
Calum Kerr: The hon. Lady makes an excellent point. It is notable that the recent carbon report made the same point about excluding the contribution of air quality in this regard. We must start looking at the whole picture.

Paris did, however, show that the will exists, along with a firm commitment. As long as the 196 nations which signed up to the declaration are prepared to prove that their word is truly their bond, we can look forward to a future that is bright and a future that is green. In Scotland, as in so many other countries, this agreement could literally reshape our landscape. At present, increasing rainfall and changes in patterns mean that our 50,000 kilometres of rivers are likely to flood more often. That could affect most of our major airports, which are on low-lying land, as well as places such as the petrochemical complex at Grangemouth. Rising sea levels also mean that some of our coastal habitats could be lost entirely.

There is another effect. Climate change affects lungworm, a disease which affects sheep and renders their lungs unusable as food. I hope not to disturb my colleagues but sheep lungs are, of course, a key ingredient in haggis, which is central to Scottish culture. What would Burns night be without haggis? There could be a threat to our very nationhood! Hopefully, though, we can now avoid some of the worst consequences of climate change and the consequent risk to one of our finest native foods.

Since the election in May, the SNP has argued strongly against UK Government moves to roll back support for renewable energy. Subsidies to onshore wind, solar and power station conversion to wood or biomass are being reversed, and green deal funding scrapped. I know that some of my colleagues plan to talk about this in more detail and about the Treasury’s decision to cut investment in carbon capture and storage technology, which is unwise and short-sighted.

Some environmentalists say that we are now going through the worst period in green policy for 30 years. The need for positive and dramatic action staves us in the face. Climate change can no longer be denied. After Paris, every nation will have to be bolder. For us, and for our children and the consequent risk to one of our finest native foods.

On the positive side, in my local area we have offshore wind. By next year we should have 6 GW of offshore wind in this country, more than the rest of the world combined. By 2020 we should have 10 GW and, as the Secretary of State laid out recently, as did the Chancellor in the autumn statement, there is every hope that we will see a doubling of that between 2020 and 2030.
So we are making significant progress in offshore wind, and it is only because of the pipeline that we have seen the supply chain and manufacturers able to invest and lower cost. The big task for the Secretary of State is to work out how we are going to deliver decarbonisation of the UK economy at the lowest possible cost. It became apparent to me 10 years ago at the Montreal COP—conference of the parties—that we had to get the costs down. Sadly, hand-wringing environmental concern is not widely shared among the general populace of this country, among parliamentarians or across the world. We need to get the costs down so that it becomes more politically acceptable to people to do that which is compatible with tackling the risks suggested by the science.

My advice to the Secretary of State is that in every decision she makes in this area, she needs to think about creating a framework which encourages that investment. The state is only a relatively small player. Sometimes Ministers of successive Governments in this country talk as if the state is the key driver. The state is not the key driver; it is a small player. We create the framework, then we get the investment. It is that investment in solar by private companies in China and elsewhere, partly driven by the German market, that has led to the massive reduction in costs for solar. It has been the private sector investment, with the help of the Green Investment Bank, which has helped accelerate the cost curve downwards for offshore wind. That is what we must do—create a consistent environment.

There was a lot of positive rhetoric under the Labour Government about tackling climate change, but remarkably little action. In the end, in 2010, there had not been the progress that we should have seen. In the United States, by comparison, the rhetoric has always been negative but the policy environment for investment has been more positive. That is why there has been a great deal of investment in the United States, as well as more innovation and more jobs created than in this country, even though we, through the Climate Change Act and other things, have tried to be, and appeared to be, world leaders.

Huw Irranca-Davies: I cannot let the hon. Gentleman's comments pass without intervening, but I will try to say this on a cross-party basis. The success in offshore wind, which is now quite remarkable and we need to keep it going, was built on the back of the pipeline that was set up during the period of a Labour Government. That Government—I was an Environment Minister at the time—put in place things such as the £60 million investment in the ports facilities that is now allowing Siemens to carry out manufacturing in this country, and gave the go-ahead for the licensing.

Graham Stuart: The hon. Gentleman is right to make those points. Quite a lot of the progress that has been made in the past five or six years was built on that, but in the 13 years of Labour Government remarkably little progress was made. If we compare the investment environment in renewable and other green technologies in the United States, despite all the negative rhetoric, with the investment there has been in this country, we do not come out all that strongly.

The second challenge that faces the Government, after UK decarbonisation, is helping others to fulfil their national contributions to the INDCs and to build confidence at each national level to go further. Thus, when we have the review in five years' time, we will be able to raise the ambition so that we are not heading, as now, for under 3°, but are genuinely able to head for a sub-2° world. There is a tremendous amount to be done in engaging with parliamentarians. I should declare an interest as the chair of GLOBE International. Colleagues from across the Chamber attended the summit of legislators in Paris the weekend before last. We need to engage more with parliamentarians. That is equally true in Parliaments such as ours where, despite today's attendance, there are remarkably few colleagues with much interest in or knowledge of the subject matter. We have to engage more people so that they take more interest and ensure that we get the frameworks that deliver the investment. There is a huge role for the UK to play in developing countries through climate diplomacy and work with GLOBE and others to make sure that we engage with these parliamentarians, who, after all, pass the laws, set the budgets, and hold Governments to account. That is certainly what GLOBE aims to do through its chapters around the world.

I want briefly to say something about flooding, following my earlier intervention on the Environment Secretary. The threat to the Humber is real and growing, with rising sea levels. Last December, we saw a bigger surge than in 1953. If the wind direction and other factors had been slightly different, there would almost certainly have been loss of life. This is a growing issue and we need to find a long-term solution. My personal thought is if we leave it to Governments, who have to decide between investment in schools, hospitals and so on, and long-term investment in flooding, they always have a tendency, when not under the shadow of a recent flooding disaster, to cut back that long-term investment. Would it not be better to set a regulatory standard on which we could rely by handing it over to water companies, whose job is to borrow money from the international markets and invest for the long term at the lowest possible cost, to deliver an agreed standard? If we had a statutory standard with a duty placed on those bodies to deliver, and all the water tax payers of the country picking it up, we would not only save the Chancellor from the cost of hitting the Exchequer directly, but could have in place lower-cost intervention, to an agreed standard, for the long term, and stop having these fervent and heated debates every time we have a flood disaster, which, given climate change, is likely to happen more often in future.

1.54 pm

Edward Miliband (Doncaster North) (Lab): It is a pleasure to follow the hon. Member for Beverley and Holderness (Graham Stuart), who plays a very important role in the GLOBE organisation of parliamentarians. This debate comes at a timely moment after the Paris agreement, and after the tragedy of the floods that we have seen. I know that many hon. Friends want to talk about the effects on their constituencies, so I will try to keep my remarks reasonably brief.

I want to focus on the question of what the Paris agreement means for UK domestic policy. In doing so, I praise the Secretary of State for Energy and Climate Change, who played an important role in the talks. She was the host of the high ambition coalition between developed and vulnerable countries, and her office was
its headquarters. She deserves credit for the very constructive role that she played. Having said that, when I listened to her statement yesterday, I felt, while I do not want to be unfair to her, that her position was somewhat to say, “Everything has changed and nothing has changed.” In other words, internationally everything has changed, with high ambitions, zero emissions and all that stuff, but for the UK things are the same as before. I want to make the case that that cannot be right, for four reasons, three of which are to do with the agreement itself.

First, on 1.5°, no previous agreement has enshrined a commitment to try to commit to “efforts to limit temperature increase to 1.5°C.”

This is a higher ambition than there has been in any agreement before. The Secretary of State knows that, because she was one of the people who helped broker the agreement. The reason it was brokered is very interesting: it was because of the case put forward by the Marshall Islands that will disappear with warming of more than 1.5°. Some people fear that the high ambition coalition was a ruse to break up the G77 and China grouping in order to put pressure on the Chinese to get an agreement. I do not believe that it was a ruse. However, we cannot just say, “Our domestic policy will not change,” because if we suggest that our country will not do its part, that is a very strong case, which I appreciate. Surely the difference is that what we need to think again about aviation expansion. In yesterday’s aviation statement, which came right after the climate statement, nobody even mentioned climate, and yet aviation is one of the fastest-growing sources of greenhouse gas emissions.

Edward Miliband: When we were in government, I played one part in the rather unhappy saga that is Heathrow. In response to the demand that we should approve Heathrow, I pushed for a separate target for aviation emissions. Of course that must also be looked at as part of the 1.5° target. There cannot simply be unconstrained expansion of aviation. The hon. Lady makes a good point.

Secondly, the agreement contains not just the 1.5° aim but a long-term goal of zero emissions. When I asked the Secretary of State about this yesterday, she said that she was happy pursuing the existing targets in the Climate Change Act. I think that those targets are very important, because I helped legislate for them, and I am very happy that she wants to make sure that we meet them. However, when I was Climate Change Secretary we had not had a global agreement for net zero emissions. We cannot possibly say, “We’ve got this global commitment to zero emissions in the second half of the century but it has no implications for UK domestic policy.” Of course we have to look at what it means for the UK.

My case to the Secretary of State, which I hope she will consider—I am not saying for an answer today—is that when the Energy Bill comes back to this House in the new year she amends it to ask the Committee on Climate Change to do something very simple, which is to look at this issue and make a recommendation to Government about when we should achieve zero emissions. That would do a number of things. It would send a cross-party message that Britain is determined to be a climate leader; the Secretary of State has talked eloquently about the impact that the Climate Change Act had, with cross-party support. It would also reduce, not increase, the costs of transition, because it would provide a clear trajectory to business and, indeed, to future Governments.

I say to Conservative Members, who have understandable concerns, that it would be supported by business. I am not the most radical person on this issue. The most radical people are, believe it or not, Richard Branson, Paul Polman of Unilever and Ratan Tata. They want not just what I am suggesting, but something much more radical—they want zero emissions by 2050. Perhaps that is what the Committee on Climate Change will concede, but my approach is much more pragmatic, as is that of the hon. Member for Beverley and Holderness (Graham Stuart). Let us not pluck a figure out of the air—such as 2050—without having the experts look at it; let us look at what the implications of the global goal of zero emissions are for the UK. That is a very reasonable suggestion.

Graham Stuart: I agree with everything the right hon. Gentleman has just said about aiming for zero carbon. Does not the involvement of Unilever, Virgin and other businesses show that, if leadership and certainty is given, the investment conditions will be such that we will be able to get the money flowing, as I said in my speech, and jobs will be created here? If we lag behind with uncertainty, we will not have those jobs, and pioneering businesses will not establish themselves, invest or provide jobs here. If we are going to do it, it must benefit this country to the greatest extent possible.

Edward Miliband: The hon. Gentleman makes an eloquent point. Every extra ounce of uncertainty raises the cost of capital. He and I have discussed that many times and that is what business people are saying, because they want that certainty. They are asking, “What are we working towards?” That is why all those leading businesses are putting it forward.

I do not want to say to the Secretary of State that this is easy, because it is a long way off, but it is an easy win for her. She would go down in history as the person who helped legislate for zero emissions, which is the ultimate backstop. When I was Secretary of State, the ultimate backstop was 80% reductions. Now we know from the global agreement that the ultimate backstop must be zero emissions at some point.

Kevin Hollinrake (Thirsk and Malton) (Con): I am interested in the right hon. Gentleman’s specific policies to tackle CO₂ emissions. In the US, fracking is credited...
by the Intergovernmental Panel on Climate Change as being the principal reason for the reduction in greenhouse gases. Does he support shale gas exploration in the UK?

Edward Miliband: I am sceptical that it is the solution, because we have to get to zero carbon. It is true that replacing coal with gas has helped us reduce emissions. One of the reasons that our emissions have fallen as they have is the replacement of coal with gas, and I welcome the Secretary of State saying that she is going to phase out coal, but that is not a long-term solution. This agreement is about the end of fossil fuels. Carbon capture and storage can make a difference, but essentially we are transitioning to a world after fossil fuels.

David T. C. Davies: Does the right hon. Gentleman accept that if we are going to use wind power or solar, we have to have CCS, as National Grid has said; otherwise, we will not be able to match grid demand?

Edward Miliband: Certainly. While we are on the subject of sorry sagas, I am afraid that one of the other sorry sagas is the CCS competition, which is a recipe for how not to make policy. It was started, believe it or not, nearly 10 years ago by the Labour Government. I think it was started under Alistair Darling. I then pushed it forward before this Government cancelled the competition, then restarted it and then cancelled it again.

Callum McCaig (Aberdeen South) (SNP): It has been an incredibly sorry saga, but I do not think that the previous Labour Government can have anything positive to say about CCS, given how badly they treated it when it was going to be introduced at Longannet.

Edward Miliband: I am not saying it is glorious from anyone's point of view. What I put in place was a mechanism to provide four projects. At the time, the Conservative Opposition said, as Oppositions do, that four was not enough and that there should have been six. Then they cancelled the mechanism, then they said there would be public funding, then they cancelled that competition and then they restarted it. I think we can all agree that it has not been a glorious episode.

The third reason that I think the world has changed is the five-year ratchet mechanism in the agreement. It is a mechanism to ratchet up ambition so that the pledges that countries make meet the aspiration. At the moment, we are saying 1.5 °C, but the pledges add up to 3 °C. We agreed for the mechanism and the EU said before the summit that it wanted its emissions to be reduced by at least 40% by 2030. As I understand it, “at least” meant that if there was a stronger agreement, we would ratchet up the EU ambition. I ask the Secretary of State and the Government: what is the mechanism to make that happen? The world has changed, because we have a strong agreement, and the EU said at least 40%, so how are we going to ratchet it up? In his closing remarks at the summit, President Hollande said that he wanted to raise French ambition. I would be interested to hear the Secretary of State say, either today or in the future, how she thinks we can raise that ambition.

A fourth and final thing has changed since Paris, and it relates to the Secretary of State and her role in Government. I want to say something personal to her about that. I think that the thing that has changed after Paris is her negotiating power. Anyone who has been a Secretary of State knows that not all the decisions go their way—that was certainly true when I was Secretary of State. I am sure there have been a number of times over the past few months—obviously, the Secretary of State is not going to say this at the Dispatch Box—when she wanted a decision to go one way but it went another way. Successful Secretaries of State, however, recognise their power, and I say to her that she is empowered by the Paris agreement. She is empowered by it to tell the Prime Minister that he cannot just use warm words abroad and then not follow them through with deeds at home. She is empowered to tell the Chancellor that British business is, frankly, furious at the neglect of a crucial and growing sector of the economy. Above all, she is empowered to be the Cabinet champion for tackling climate change. If the Secretary of State does that—if she is that champion—she will get support from those Members on both sides of the House who believe in this cause, as I know that she does, too. They will support her in her endeavours.

In conclusion, whatever the Secretary of State does, we need to match the high ambition coalition in Paris with a high ambition coalition at home. That high ambition coalition has to combine trade unions, business and civil society. I do not see Paris as the end in any sense; it is merely the beginning—it gives us a new beginning on climate change. In the interests of future generations, we have to seize that moment.

Several hon. Members rose—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. This is a short debate. Lots of people want to speak, so I have to impose a time limit of five minutes.

2.7 pm

James Heappey (Wells) (Con): The motion conflates two hugely important issues, both of which are worthy of debate in their own right. I will speak initially about flooding and if time allows I will move on to climate change.

Somerset is affected by both elements. We have very recent and painful experience of flooding, and we have a well developed energy industry, with everything from Hinkley Point to widespread deployment of solar and anaerobic digestion. We also have the opportunity for much more, if we can harness the power of the Severn estuary.

On flooding, after speaking about our experience in Somerset at this year’s Flood Expo, I have been visited in Parliament by representatives of the Lincolnshire drainage board and the National Farmers Union, who were keen to discourage a one-size-fits-all approach to flood risk management and its funding. Cumbria has its own circumstances, just as Somerset is different from Lincolnshire, so I stress that, while I fully support the measures being delivered in Somerset, some—perhaps all—will not be applicable elsewhere. That said, the speed of the full spectrum response in Cumbria indicates that lessons have clearly been learned since our floods in 2013–14. I congratulate those on the Government Front Bench on the speed of that response and commend the emergency services, armed forces and volunteer groups that answered the call.
I was disappointed to hear the hon. Member for Bristol East (Kerry McCarthy) reflect in her opening speech that the Government have not delivered on their commitment to Somerset after the floods. Labour does not have many south-west MPs, but she is one, so surely she must know that huge improvements have been made in our region since those floods. Work on the great western mainline at Dawlish was completed within months of the floods, and the peninsula rail taskforce has since made clear, as I am sure she well knows, its plans to improve resilience both on the Somerset levels and with a new line to open north of Dartmoor.

On roads, work to improve culverts underneath the M5 has been completed, and Somerset County Council has also completed widespread improvements to the county’s road network. There has also been significant investment in pumping infrastructure, dredging and the sluice network, and Sedgemoor District Council and the county council are pushing on with advanced plans for a Parrett tidal barrier. There was public money for flood relief for the villages impacted, and most importantly, there is the Flood Re scheme, which will provide real peace of crutch for those who can now insure their homes. Above all, there is the support for the Somerset Rivers Authority, a very welcome strategic authority which looks after the interests of the county when it comes to flood defences.

All of that is happening just four junctions down the M5 from Bristol East. I am sure that if the shadow Secretary of State would like to come and see me, my fellow Somerset MPs and the leadership of Somerset County Council, we would be delighted to show her how much the Government have achieved in Somerset and how much more they are yet to deliver. None of that has been cheap, so I very much welcome the £2.3 billion that will be invested in flood defences over the next six years.

In the very short time remaining, I want to say that I very much welcome the Paris deal. The Energy and Climate Change Committee, of which I am a member, looks forward to discussing it with the Secretary of State for Energy and Climate Change tomorrow. The deal is not perfect, but it is a remarkable feat, and I congratulate the Government on the leading role they played in brokering the deal. Meeting the Paris targets will be challenging, especially as we must concurrently ensure the security of supply and the affordability of bills.

The programme for new nuclear power is very welcome, but I also congratulate the Government on their enthusiasm for offshore wind and on their success in growing the solar industry in recent years, although I appreciate that changes in the subsidy later this week may challenge only to make the future better, more secure and brighter —this is not to say there should not be scrutiny—I know that Labour Members would want to work not least on generation, but my personal interest is very much in achieving greater management of demand, which I hope the Government will pursue.

2.12 pm

Caroline Flint (Don Valley) (Lab): It is a pleasure to follow the hon. Member for Wells (James Heappey), although it is saddening how often during the past few years so many Conservative Members have had to stand up to speak about the terrible floods that have impacted on the communities they represent. It would be remiss of us if our discussion did not begin with a thought for the people of Cumbria and for others across the UK who are facing a second flooding in just six years, many of whom will spend Christmas away from their own homes.

In its latest report on adaptation progress, the Committee on Climate Change rated planning for residual flood risk to existing properties at red, both in terms of the plans in place and actual progress. As the Secretary of State for Environment, Food and Rural Affairs admitted during her response last week, the models that we currently use need updating. I will make two points about that.

First, many people are sick and tired of being told that the floods that have wrecked their homes are one-in-100-year events, given that the severe floods we have seen during the past 10 years suggest that such erratic weather will be far more frequent than once every century. If the Government and all of us are to learn anything from that—I hope we can work on a cross-party basis on these issues—it is that the patterns of weather in the past century are a poor guide to future risk, so we must ensure that the new models we need take that into account or the public will gain false comfort about their own security.

Secondly, the Government must work across Departments. It is very worrying that the Secretary of State for Environment, Food and Rural Affairs failed to answer what I thought was a very common-sense question: “Have you had a discussion with the Chancellor about the zones that Ministers are fast-tracking for housing development?” I believe we need more homes—do not get me wrong on that—but we really must have a joined-up policy across the Government if we are to make progress both on housing and on limiting the risk to our communities. I found it very worrying that she failed to answer that question, but perhaps the Secretary of State for Energy and Climate Change will return to that point in her summing up. On that area, as on climate change, if we can find a better way to work together—this is not to say there should not be scrutiny—I know that Labour Members would want to work not only to make the future better, more secure and brighter for ourselves, but to show leadership in the world.

That brings me to Paris. Many positive things have come out of the Paris agreement. Whatever the importance of using “should” rather than “shall” or “shall” rather than “should”, we still have an unprecedented, universally binding deal that aims to limit the temperature rise to beneath 2 °C degrees and to make efforts to stay below a 1.5 °C rise, which is very welcome. Progress has been impressive. I have to commend the Energy and Climate Change Secretary for her work on this: I must also commend our French colleagues, who despite everything
that has happened in France recently, managed to hold a vital conference for the world and to produce such a good result.

As we stand, however, the UK does not have the policies in place to deliver either the UK’s 2020 renewables target or its fourth carbon budget. As my hon. Friend the Member for Ogmore (Huw Irranca-Davies) said, the Government’s recent “reset” contained little to help us get there. I want the UK to develop a credible plan to deliver the 80% reduction in emissions by 2050 that our groundbreaking Climate Change Act 2008 requires. That is important in itself, but it is also a stepping stone or a foundation for moving towards net zero emissions.

In the limited time I have left, I want to say this: net zero is a huge ask. As Paris demonstrated, the world is a long way from that 2050 aspiration of 80%, and even further from that of net zero. We must therefore begin work on what a net zero carbon society should require. We must look at the research and engage scientists and engineers to make this a reality. If I learned one thing during my time as shadow Secretary of State for Energy and Climate Change it was that my job was not just to talk to the converted, but to convince those for whom this is not top of their agenda that it is the reality for them, and is something of which they can be a part and from which they can benefit. Let us get down to the practicalities and, across the House, make this happen.

2.16 pm

David Mowat (Warrington South) (Con): I do not have a direct constituency interest in this subject, but I want to talk about Paris. It is a pleasure to follow the last two Labour speakers, the right hon. Members for Doncaster North (Edward Miliband) and for Don Valley (Caroline Flint). Much as I commend the Secretary of State for Energy and Climate Change for the work she has done, I am afraid that my analysis of Paris is not quite so sanguine as the opinions we have so far heard.

It is not true that the INDCs add up to a 2.7 °C limit. That analysis is somewhat dishonest because it is based only on contributions continuing further on a basis to which countries have not committed themselves. The right hon. Member for Don Valley called Paris a “universally binding” agreement, but it is not binding on anybody. That does not mean it is not a good start, and we have to start somewhere, but the fundamental point is that if the world had adopted the Climate Change Act in the way the shadow Secretary of State for Energy and Climate Change it was that my job was not just to talk to the converted, but to convince those for whom this is not top of their agenda that it is the reality for them, and is something of which they can be a part and from which they can benefit. Let us get down to the practicalities and, across the House, make this happen.

David Mowat: My hon. Friend is always a team player. The extra minute will be put to great use.

Graham Stuart: Will my hon. Friend give way?

Graham Stuart: I am grateful to my hon. Friend. I wonder whether he could expand further on the points he is making, because I am finding them most interesting.

David Mowat: Yes, thank you.

The EU, taken collectively and not including us, failed abysmally to put forward at Paris anything close to what the right hon. Member for Doncaster North said, probably rightly, would need to be delivered to achieve 1.5°. We have to understand what the sanctions are for that, but the reasons are many and varied.

The EU got completely bogged down, as Members of this House sometimes do, in a fixation with renewables and renewables targets, rather than thinking about a carbon reduction target. Countries have put in place considerable renewables, but continue to burn coal at scale. The truth is that if we replaced coal with gas globally, it would be equivalent to increasing the renewables in the world by a factor of five. There are many points like that.

The fundamental point, which the Secretary of State will have to address in her high ambition coalition, which presumably does not contain Austria, is that we must ensure some fairness. Otherwise, places such as Redcar and Motherwell will have to get used to what has happened to those places, and that really is not right.
2.23 pm

Tim Farron (Westmorland and Lonsdale) (LD): Colleagues from all parts of the House are rightly praising the Secretary of State for Energy and Climate Change for her role in Paris. I do not have time to go into that at great length, except to say that she did indeed play a blinder, as did this country as a whole. However, it is very difficult to stack up her signing the agreement in Paris with her slashing subsidies for renewables, ending the green deal and privatising the green investment bank. The Secretary of State is perhaps, if she will forgive me, the José Mourinho of environmental politics—impressive on the international stage, woeful domestically.

Climate change is clearly not an esoteric matter, although some would consider it to be so. The impact on my constituency, throughout my county and on other places is very real. The impact on the families who will be out of their homes at Christmas—the hundreds upon hundreds of children who are not able to look forward to Christmas at home—is utterly heart-breaking. I want us to think, first and foremost, about the human cost. Among the things that I am seeking from the Government is additional support for Cumbria’s health and social services to support mental health provision and counselling for people in desperate, desperate need.

I praise the response not just of the emergency services, which have been absolutely fantastic, but of organisations such as Kendal Cares and the churches in the south Lakeland area. The response can absolutely reassure us about human nature, as people who had lost almost everything went next door to help people who had lost absolutely everything.

The scale of the floods needs to be put in a numerical sense. PricewaterhouseCoopers reckons that the cost of the floods to Cumbria is £500 million. Therefore, the Government support of £50 million, although welcome, is clearly nowhere near enough. In the few moments available to me, I will set out why we need additional support and ask for it.

There are some who will dismiss people who are uninsured or underinsured as feckless. They are not feckless; they are penniless. Very often, these are people who could afford only insurance that was cheap and, therefore, inadequate. There are many people who live in areas that flood regularly and who, therefore, could not get coverage in the first place.

The £500 grants from the Cumbria Community Foundation are utterly welcome and I praise it, but £500 will not get people far if we consider what we would lose if the ground floor of our homes flooded—all the white goods and all the other things we need to make life possible. We need support so that the £500 can be increased significantly.

We need to recognise that the £5,000 per household that the Government are promising is for flood prevention in the future, not to help people who have lost significant amounts of money right now. That money should be delivered to people in Cumbria right away and directly.

I reiterate my comment about the A591. To those who heard the Secretary of State for Environment, Food and Rural Affairs say earlier that it was passable in a 4x4, I say that I was there yesterday and it could just about be passed on a bicycle. It is not true.
2.29 pm

Rebecca Pow (Taunton Deane) (Con): I am speaking today, first, because we have to praise the historic agreement that was made in Paris. I commend not only my right hon. Friend the Secretary of State for Energy and Climate Change, but the whole team and Labour Members for all the work they did in the past. We also have to send commiserations to all those poor people suffering from flooding. We are dealing with both those things in today’s motion.

I felt I had to speak, coming as I do from Somerset, like my hon. Friend the Member for Wells (James Heappey). Taunton Deane was, sadly, at the heart of the terrible flooding of 11,500 hectares of land from December 2012 right up, really, until January 2014. So I really can sympathise with the poor folk of Cumbria.

In Somerset the impact was enormous. The cost for businesses, with all the knock-on effects, was estimated at £147 million, and it affected half of all the businesses in Somerset, even the ones that were not flooded, because of the road closures and things like that.

It was a once-in-a-hundred-year event, so it was not exactly expected, and it was not just a result of not dredging rivers, although that was one of the things that made a difference. The rivers Parrett and Tone had not been dredged during the 1990s—and I am afraid I level that at our friends in the Labour party because it was under their Government that the dredging stopped.

The flooding was also caused by a combination of many other things, including increased run-off from the urban areas around Taunton. But whether this extreme flooding was to do with climate change—that is still debatable—we clearly do have to be prepared for these events. In Somerset I am very pleased at the programme that has been put in place to set up the Somerset Rivers Authority. This has come with general agreement and much debate. A precept is to be set on everyone in Somerset and legislation will be passed to introduce it. That will then deal with the wider programme of tackling flooding in the future.

I commend the Government. They have spent £15.5 million on flood defences in Somerset, protecting thousands of properties, and have made an overall commitment of £35 million until 2021. They are taking flooding extremely seriously.

Luke Hall (Thornbury and Yate) (Con): I take my hon. Friend’s point about preparations. Will she join me in welcoming the doubling of investment for innovation in low-carbon technology as one of the less talked about outcomes from Paris?

With my environmental-agricultural hat on, and as the new chairman of the all-party group on ancient woodland and veteran trees, I want to highlight a few areas, and here I have some agreement with the hon. Member for Bristol East (Kerry McCarthy). There are many other things we can do to mitigate the effects of climate change and extreme weather in our environment. There is the wider catchment approach. There is working with farmers and landowners to slow the flow of water into the river basins, and I know that my hon. Friend the Member for Berwick-upon-Tweed (Mrs Truzzy) will agree with me on that. There is more tree planting; I applaud the Government’s commitment to plant 11 million trees—that is one for every five people. Perhaps we could plant a few more. Those trees will also help to slow the flow of water. Re-wilding is another area we could be looking at, as well as silt traps, ponds, and storage areas higher up in the valley to stop the water coming down quite so quickly.

All of those things can be, and ought to be, included, and I will put in my usual call for more grass. Grass and mixed farming economies are the way forward. Grass holds in the water as well, and sequesters the carbon. I hope that the forestry Minister, my hon. Friend the Member for Penrith and The Border (Rory Stewart), will look more closely at including grass in our policies.

Neil Parish: The Opposition are saying that we have not made great progress on renewables, but we only have to see that in Devon and Somerset and across the west country there are huge amounts of solar panels in the fields. That did not happen under the last Government—and in fact many of our constituents complain that there are too many.

Neil Parish: Will my hon. Friend give way?

Rebecca Pow: I would be delighted to give way to my hon. Friend from across the hills.

Neil Parish: The Opposition are saying that we have not made great progress on renewables, but we only have to see that in Devon and Somerset and across the west country there are huge amounts of solar panels in the fields. That did not happen under the last Government—and in fact many of our constituents complain that there are too many.

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over. We have to be realistic about what we are doing, and we have to provide security of energy at the lowest
cost to the taxpayer, so whatever we do, there has got to
be a balance.

Big applause for the Government for their big step in
getting rid of coal-fired power stations. If there was one
single thing we could do for low-carbon energy, it was
that. Applause also for Hinkley Point, obviously, which
is very near my constituency. It is the biggest commitment
to low-carbon energy we could possibly think of.

I shall wind up by saying we can all do our own bit at
home as well. We can all buy in, like Quantock Eco,
Transition Taunton, Transition Athelney, and the Somerset
Wildlife Trust. We can cut our air miles, make fewer car
journeys, grow our own food. We can buy into it, and
we need to buy into this whole situation. We need
to do it through every Government Department. We
need to do it across the world. We need to do it in our
own homes.

2.36 pm

Sue Hayman (Workington) (Lab): First, may I apologise
for my absence from my place last week? I am sure hon.
Members are aware of the devastating floods we have
had in Cumbria—it has been discussed during this
debate. As my constituency is in Workington in Cumbria,
I felt I should stay there to visit and support as many
people and businesses as possible who had been affected
by the floods. I welcome the Secretary of State’s statement
during Question Time that she intends to visit Cockermouth
on Tuesday.

I hope Members will indulge me for speaking from
the heart about the events of the past 10 days or so. On
the Sunday morning—nine days ago—I stood with
shopkeepers and residents, shocked and horrified at
seeing Cockermouth main street under water again
after only six years. Every Member here will have a high
street. I ask them to imagine standing at the end of that
high street with the shopkeepers, with that whole high
street, from top to bottom, under water. It is shocking.
After the water subsided over the coming days, we were
able to assess the damage.

Flooding is not just about water. There is a lot talked
about water, but water is incredibly powerful and in
Cumbria it roars down the fells in the overloaded beck.
It carries everything in its path. Drains back up and
overflow, and oil tanks get swept away.

Last week in the village of Flimby I stood with a
family on their effluent-soaked carpet. I stood inside
homes in Cockermouth that stank of diesel oil. I watched
families in Workington throw decorated Christmas trees
into skips. I visited the flooded village school in Brigham
and went to the town of Aspatria to see more damage.

Parents are now telling me that their children are too
frightened to go to sleep in case it happens again. They
are frightened of the rain. It is heart-breaking.

Our community is resilient and has pulled together in
an extraordinary way. I pay tribute to the local councils,
the emergency services, the coastguard, mountain rescue,
supermarkets that gave free food, the nuclear industry,
the Kirkgate centre and so many volunteers, from Churches
Together to Muslims 4 Humanity. I thank everybody
throughout the country who has given money to the
Cumbria Community Foundation for their generosity.

I want to pay particular tribute to Neil Banks, who
works for Allerdale Borough Council. We have some
flats where 34 elderly residents were trapped. They
could not get out and they had no power, water or food.
Neil crawled through with water and torches and gave
them the help and support they needed.

One young family told me that they had bought their
home because they were reassured that the floods of
2009 were a once in a 100-year or a once in a 1,000-year
event. They believed that the floods were unprecedented.
We have to stop using that language. The Environment
Agency told me that the flood defences worked—that
they did what they were designed to do. They made a
big difference in some areas and to some families, but
that is little comfort to the many people who have been
made homeless just before Christmas.

What do we need to do? I welcome the Government’s
announcement about the Cumbrian floods partnership
group. I urge the group to invite Cockermouth and
district chamber of trade to be a member, because it has
invaluable experience to offer. I am pleased that the
group is to be chaired by the Under-Secretary of State
for Environment, Food and Rural Affairs, whom I
thank for coming to Cockermouth on Sunday.

Edward Miliband: My hon. Friend is making a powerful
speech. She deserves more time to make it, so I thought
I would intervene on her.

Sue Hayman: I thank my right hon. Friend.

The Government have said that they will fund more
defences, but the costs for Cumbria alone are estimated
to be £500 million, and the solutions are about so much
more than building higher and higher walls. The water
has to go somewhere, and if we are not careful, we will
build flood defences in one place with the result that
protecting one area means that another takes the water
and is damaged.

We must look at our design of bridges. The bridge in
Cockermouth ended up being a dam as it became more
and more clogged with debris. We need to look at
planning—it has already been said that there is simply
too much building on floodplains. I fully endorse the
appeal that my predecessor, Lord Campbell-Savours,
made last week in the other place for a complete ban on
housing development on the West Cumbria flood plain.

I want to end by talking about insurance. Time and
again, residents told me that, after the floods of 2009,
they were either unable to get household insurance or it
was offered with huge excesses—most commonly, £10,000.
Now they cannot sell their homes.

Cat Smith (Lancaster and Fleetwood) (Lab): I thank
my hon. Friend for making such a powerful speech.
Does she share my concern that insurance problems
also affect many small local businesses, which are struggling
to make ends meet and often cannot afford the premiums?

Sue Hayman: I thank my hon. Friend for making that
important point. We are concerned in my constituency
that, if we do not do something about the problem of
insurance, we will end up with abandoned streets that
might as well be demolished. In fact, some local residents
are so distressed that they have asked whether the
Government would consider buying their houses and
knocking them down because it would be cheaper and
less stressful than building a flood barrier.
What help will the Government give my constituents in this position? They are honest, hard-working, decent people. Many have lost not just the contents of their homes, but their cars, and some have lost their livelihoods.

We were told that Flood Re was the answer after the previous floods, but it has been a fat lot of good to my constituents today. It is late—it is not expected to come in until next year; it is arbitrary and does not cover properties built after 2009, despite houses continuing to be built on floodplains, and it does not cover businesses. When people have insurance, the insurance companies are refusing to pay for resilience measures.

My constituents need help now. They need it quickly. Climate change is here—its effects can be seen in Cumbria. We need a Government who are serious about having a long-term strategy to prevent this from happening again. We need the money and resources to make that happen.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Before I call the next speaker, I remind the House that the rules on interventions exist to allow debate to happen. It is right to intervene, and it is great for certain Members to be complimented by extremely senior members of their party—that has happened to some extent on both sides of the House this afternoon—but when the clock adds an extra minute for an intervention, it does not add any more minutes to the day or to the debate. It means that someone less fortunate in their placing on the list will speak for less time. I appreciate that there are many people whom Members would like to speak for less time, and many whom they would prefer to speak for more time, but one has to be careful about how that is managed.

2.45 pm

David T. C. Davies (Monmouth) (Con): I am not sure into which category I fall, although I suspect that I know.

First, I express my sympathy to all those victims of floods—Monmouthshire has been affected by flooding in the past, of course—and all those who helped with the clean-up. However, I take issue with the idea that man-made climate change has caused all that. It is unfortunate that the two issues have been mixed up.

We have had few debates about global warming and climate change. Climate change has been with us for millions of years, ever since the Earth was created. I urge the Secretary of State for Energy and Climate Change to ask a few hard questions of those who are in the same position. I do not think anyone will be kind enough to intervene on me, although if someone wishes to, I shall be more than happy—

David T. C. Davies: I have asked that question on many occasions and nobody could give me an answer, but I think that a former Minister is about to do so.

Richard Benyon: Ninety-five per cent. of climate scientists seem to suggest that man-made climate change is the problem. Many of us would like my hon. Friend to be right in his scepticism because that means that everything will be okay. Unfortunately, 95% of climate scientists, such as those we met at the Royal Society, disagree with him.

David T. C. Davies: I take issue with my hon. Friend. The 95% or 97% figure is floated around often, and I have done some research on it. It appears to have come from the Zimmerman/Doran survey, which was sent out to 10,257 potential respondents, who claimed to be climate scientists. Only 77 responded and 75 said, “I’m a climate scientist and it’s all down to man.” [Interruption.] If any other hon. Members know where the figure came from, they are welcome to let me know.

The IPCC’s most recent summary for policy makers has also put out some misleading statements. Page 17 of the “Summary for Policymakers 2013” states that it is extremely likely that more than half of the increase in global average temperatures from 1951 was caused by man. However, of that 0.8° figure, only about 0.5° comes from the second half of the 20th century. That means that, if the IPCC is correct, only just over 0.25° out of 0.8° was caused by man. That means that more than half is due to other, more natural factors.

My right hon. Friend the Secretary of State for Energy and Climate Change may also like to ask about the lack of firm correlation between the increases in temperature and those in carbon emissions. Even in the past 200 years, there has been a sharp increase in carbon dioxide, but there has not been a sharp increase in temperatures. They have gone up and down. They were going up between 1910 and 1940 and they were going down markedly between 1940 and 1977, leading many to believe that we were on the brink of another ice age. From the mid-1970s until 1997, temperatures were rising, as were carbon emissions, but from 1997 or 1998 until now, there has been a sharp increase in CO₂ but no increase in temperatures. We may wish to ask why that is.

I have had meetings with the Royal Society and the Met Office, and I recently asked that question of Professor Jim Skea—a lead author on the IPCC—in a public meeting at the House of Commons, chaired by Lord Deben. I asked why there had been no increase in temperatures for the past 17 or 18 years, and he said that that was statistically insignificant. That is a fair comment. He was not trying to say that this is about oceans or because the volcanoes are cooling, or any of the other many theories; he said that it is statistically insignificant, and he may have a point. However, if the past 17 years of no increase in temperature are statistically insignificant, why are the 27 or so years before that when there was an increase in temperature so statistically significant that we have to go ahead with all sorts of policies that will have a massive impact on homeowners and businesses in the UK?

Finally—I do not think anyone will be kind enough to intervene on me, although if someone wishes to, I shall be more than happy—
Tim Farron rose—

Rebecca Pow rose—

David T. C. Davies: Thank you! I have been waiting. I will give way to the hon. Member for Westmorland and Lonsdale (Tim Farron) because I always prefer to give way to the Opposition—it is more fun.

Tim Farron: All Members of the House appreciate scepticism, and I am sure that the hon. Gentleman's scepticism is sincere. The problem is that if he spreads that kind of nonsense, he provides people with an excuse not to take action, and gives comfort to those who want us to do nothing about the biggest challenge facing humanity.

David T. C. Davies: I appreciate the hon. Gentleman's kind words—I think—but I am just trying to raise questions. If he wants me to go to my constituents and try to sell policies that will push up their energy bills and make it more likely that some of those in the manufacturing industry will be out of work, I must have answers to questions that have not yet been provided. Why has there been no warming since 1997? Why is there no correlation over the past few hundred years? What percentage of 0.8° is down to natural factors? Those questions are important. Of the CO₂ that has gone into the atmosphere, why has nobody queried the fact that less than 5% is man-made? People talk about the earth and the sea.

David T. C. Davies: The people of Cumberland are right to want to know that, but the flooding should not be blamed on something that is unproven when the impact of changes that we make will affect people across the UK. Opposition Members were the first to complain about policies that have pushed up energy prices and made it more difficult for manufacturers such as those in the steel industry to make a profit. Some manufacturers, such as those in Redcar, have recently closed, partly because of those high energy costs. With all due respect, I say to the Secretary of State that Opposition Members will not support her policies if they lead to an increase in energy prices. She will be attacked by the Opposition when steel and other manufacturing plants close, and she will be attacked for causing fuel poverty.

Rebecca Pow: Will my hon. Friend give way?

David T. C. Davies: I cannot at the moment. Aid agencies talk about trying to drive up living standards in the third world, but they are making it harder for African villagers to get access to cheap electricity from coal. Environmentalists talk about the importance of reducing carbon dioxide emissions, but they are totally opposed to nuclear power. They talk about wanting more wind power, but they are totally opposed to fracking for gas, which is necessary if we want nuclear energy. There is a great deal of inconsistency and many unanswered questions, and I ask the Secretary of State to respond to them.

2.53 pm

John Woodcock (Barrow and Furness) (Lab/Co-op): Given recent controversies about the way that I have addressed other hon. Members, I will say only that the speech by the hon. Member for Monmouth (David T. C. Davies) was enthusiastic, and I will not refer to its content.

On behalf of my constituents, I want to express solidarity with the people of Cumbria and other areas, and across the bay into Lancaster, because of the dreadful situation that they have been in over the past week. I pay my respects to, and thank, the many agencies that have genuinely pulled out all the stops to help people at this difficult time, from national agencies to community organisations and individual members of the community who have pulled together.

I also give my heartfelt thanks to fellow parliamentarians. My hon. Friend the Member for Workington (Sue Hayman) made a magnificent speech and she is doing a wonderful job for her constituents at this difficult time. Despite really challenging conditions, The Bay radio managed to keep broadcasting and effect an emergency service throughout that period, and I am thankful to my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) for reminding me of that.

The debate on responsibility and past fault is valid, and it helps us to understand what has gone wrong in public policy and what has worked. However, it only goes so far, and it is important that the House focuses on what has been deficient and what can be done in future to make it better. In that sense, I hope that Ministers will have the courage to assess the issue dispassionately. Where they identify that the current trajectory is insufficient, I hope they will take the difficult steps of arguing with their colleagues to put those things right for the future. They owe it to the people of Cumbria and the north-west who are suffering so badly, but also to the whole country, to ensure that it is recognised that these floods will not happen only once in 100 years. It makes a mockery of Government science if we cling to that description, given the prevalence of such events in recent years.

In the time I have left I want to push for answers and further action on specific issues in my area regarding what happens next. In 2009 Furness was badly hit by floods, and some homes are still suffering from the six-year process to get back on their feet, and the difficulty of getting insurance. This time we were more fortunate, but transport links were affected when the A roads at both ends of my constituency were flooded and became impassable. That occurrence is all too frequent in that area, not simply because of adverse weather conditions, but because of accidents. I urge the Environment Secretary to speak to the Transport Secretary and agree to reassess the A590 and areas that are flooded such as Levens and Lindale, and to make anti-flooding measures investment priorities. Such measures are really needed and could genuinely be a matter of life or death, given the vital health services that we often have to access across Morecambe bay.
I call on South Lakeland District Council to reopen the issue of building on floodplains in Ulverston and other areas. It has set its face against such a reassessment, but surely these events will give them the courage to think again. Finally, let me add to the message from the hon. Member for Westmorland and Lonsdale (Tim Farron). I have been contacted by Anita Garnett of the Ulverston Brewing Company, who passed on the huge concern from local pubs because people are not visiting at this vital time. South Cumbria and Furness remains open for business, and that message must go out loud and clear.

2.58 pm

Kevin Hollinrake (Thirsk and Malton) (Con): My hon. Friend the Member for Monmouth (David T. C. Davies) asked for evidence for his constituents. A quick check on Google shows that the NASA site states that the five-year average for global temperatures is rising by 0.75% a year, and that the 10 warmest years on record have all occurred since 2000. That may help.

David T. C. Davies: Does my hon. Friend think that Jim Skea, an IPCC lead author and world renowned expert on climate change who spoke recently at the House of Commons, is wrong about the hiatus, as is the Met Office?

Kevin Hollinrake: I do not know Mr Skea, but I do know of NASA. And I have another minute on the back of that intervention, which I appreciate.

There has been a fourfold increase in extreme weather events since the turn of the 19th century, and we have all seen the terrible scenes affecting homes, businesses and farmers and the devastation as the water recedes. In my constituency, the town of Pickering has suffered devastating floods four times in 10 years. The Secretary of State joined me in opening an innovative scheme there called Slow the Flow, which other Members, including my hon. Friend the Member for Taunton Deane (Rebecca Pow), have mentioned. This involves upstream attenuation measures, bunds, the planting of 60,000 trees, dealing with timber debris and the restoration of wetlands, all of which will help matters upstream. I urge the Secretary of State to look at this as a model for future activity.

Our television screens have been dominated in recent weeks by the flow of migrants across continents. Perhaps this is a warning of the much greater population movements and economic security. I welcome the Secretary of State’s efforts in Paris. She showed great leadership in getting 190 nations in a single unanimous agreement. There are difficult choices ahead, and I do not envy Ministers who have to make tough decisions many weeks by the flow of migrants across continents. Perhaps this is a warning of the much greater population movements. I do not know Mr Skea, but I do know of NASA. And I have another minute on the back of that intervention, which I appreciate.

Kevin Hollinrake: Absolutely. We need a new scheme. Owing to the demographic of our housing stock, we have some of the least energy-efficient housing stock in Europe.

We must also be pragmatic. Only 7% of our energy comes from renewables today, and fossil fuels will be part of the mix for the foreseeable future. There is an M55 maxim that we are only four meals away from the next. We are probably only two dark days and nights away from the next one. Natural gas is the cleanest fossil fuel, and we have to keep the lights on.

Ian Lavery (Wansbeck) (Lab): There has to be an understanding that shale gas—natural gas—is a fossil fuel, and that if we continue to burn it in ever-increasing amounts to replace the coal-fired power stations without carbon capture and storage, we will never hit the limits that we have just agreed in Paris only a week ago.

Kevin Hollinrake: I will come to that point shortly.

Let us look at the situation in the US, which is the second biggest emitter of carbon dioxide. According to the United Nations Intergovernmental Panel on Climate Change, the US has made great progress on reducing greenhouse gas emissions, and an important reason for that is its production of shale gas. Environmental campaigners such as Stephen Tindale of Climate Answers and the Labour shadow energy Minister, Baroness Worthington, have expressed support for fracking as a way to reduce carbon emissions but, crucially, only in conjunction with investment in carbon capture and storage and low-carbon energy generation, storage and distribution.

There is a shale gas application in my constituency. Having heard both sides of the debate over many months, I decided to visit Pennsylvania, where fracking has happened, to see whether it is possible to do it safely and in a way that does not industrialise the countryside. I believe that that is possible, but we need to paint a picture for local people to show them that. At the moment, we are losing the PR war with those who are simply against fossil fuels per se. Fossil fuels are going to remain part of the mix.

Our regulations are strong—they are certainly much stronger than those in the United States—but I believe that we need a lead agency and independent supervision of the regulations. I also believe that we need a local plan, so that residents can see how their area will change or, as I believe, not change. In my constituency, there are already 10 conventional gas well sites, and most of the residents do not even know where they are. The local producers say they will need another 10 more sites and, crucially, 950 wells. That scares people, but 10 more sites are relatively easy to screen. In my
constituency, there are hundreds of pig and poultry farms whose visual impact is much greater than that of a fracked well site.

We must win the argument publicly, so that people can see that fracking will not change the nature of their countryside and that it can be done safely. We must proceed cautiously. We must produce the evidence, and ensure that the public have full access to that evidence, if we are to win the argument. We are in an age of wonderful technology and we can paint a picture through computer-generated images and time-lapse photography to show people how it is possible to move towards a much cleaner source of fossil fuels and to provide an important bridge to a carbon-free future.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. My prediction about time not standing still during interventions was, I am afraid, correct. I shall now have to reduce the time limit to four minutes.

3.6 pm

Callum McCaig (Aberdeen South) (SNP): Floods are clearly devastating at any time, but never more so than at this time of year. We have heard a number of eloquent speeches about the devastation that the floods have wrought, but we also need to remember that we are in a fortunate position, as a rich advanced nation, in that we can afford to rebuild, to rehouse and to protect those who are affected by flooding. Those who are affected by climate change in other parts of the world will not be so fortunate.

For me, the stand-out aspect of the Paris agreement was the $100 billion for the mitigation of climate change. That will allow the poorest nations access to the finance they need to develop in a way that will allow the planet to be protected. It will also give us the opportunity to lock in low carbon emissions without locking in poverty. That is fundamental to the way in which we deal with what has rightly been described as the greatest threat that humanity is facing.

My hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) mentioned the Scottish Government’s climate justice fund, and we as a party are rightly proud of that. This is not a devolved matter, but we have sought to put our money where our mouth is. That money has to be seen as an additional contribution, however; it cannot be taken out of the pot because of what we have done. That needs to be respected nationally and repeated internationally.

We have had many debates in this place on the changes that have been made to the renewables obligation and to the green economy more widely. It disappoints me to state that our target in Scotland of a 100% renewable electricity generation is under threat because of changes to the renewables obligation and the prevarication over contracts for difference. There has also been much slower progress over heat, which represents a bigger challenge in relation to carbon reduction. It is pleasing that there will still be some form of support through the renewable heat incentive, but in the context of what we are dealing with following Paris, the £700 million that has been taken out seems like yet another short-sighted move.

Speaking of short-sighted approaches, the decision on carbon capture and storage is one of the worst that we have heard, and I will continue to bang the drum about that. There has been prevarication over CCS for a number of years. This process just needs to be done. We are talking about spending billions of pounds to prevent the symptoms, but we are not trying to tackle the cure. If we were to put £1 billion into carbon capture and storage, the reduction in the impact of flooding would be a potential game changer. Using carbon capture and storage is the most straightforward way of dealing with the matter. It also has the least impact on our economic model. It allows us to extract the fossil fuels that we discussed—shale, North sea oil or whatever—with having to invest. We will still have to invest in other technologies, but this gives us an opportunity.

Barry Gardiner (Brent North) (Lab): Did the hon. Gentleman share a sense of comedy yesterday when the Secretary of State spoke on this matter? She said: “I believe that CCS is going to play an important part in decarbonising in the future”.—[Official Report, 14 December 2015, Vol. 603, c. 1297.]

She then went on to say that, just for now, the Government are cutting the £1 billion subsidy towards it.

Callum McCaig: It was comedy of the blackest sort. It is short-sighted and it does not take into account how we can target the reduction at industry, as has been ably suggested.

The action here falls very short of the rhetoric, and very, very short of what is required to deliver and protect those people, both at home and abroad, from the impact of climate change. We need to up our game. It is time that we reset the reset button. I am happy if we in the Scottish National party join the high ambition coalition of the right hon. Member for Doncaster North (Edward Miliband) here in the UK. The SNP is more than ready and willing to play our part in achieving that ambition.

3.11 pm

Luke Hall (Thornbury and Yate) (Con): May I associate myself with those who have expressed their condolences to the victims of the floods? I congratulate the hon. Member for Workington (Sue Hayman) on such a powerful speech on behalf of her constituents: I can certainly picture myself at the bottom of my high street in such a situation.

I am one of many MPs across the House who regard climate change as one of the most serious long-term economic and environmental threats that this country and our world face, although I had not quite appreciated the threat it posed to haggis, which was mentioned earlier.

Earlier this month, I, along with other Members, attended the GLOBE conference in Paris, where legislators, leading members of the judiciary, policymakers, the scientific and academic community, and business and civil society gathered to discuss the challenges in Paris and the post-2015 agenda.

We heard contributions from Deputy Jean-Paul Chanteguet, president of GLOBE France, Jacqueline McGlade, chief scientist on the United Nations environment programme, Helen Clark, former President of New Zealand, Senator
Ed Markey, and legislators from around the world. A cross-party delegation of MPs from the UK included members of the Energy and Climate Change Committee and the Environmental Audit Committee. We were ably led by the hon. Member for Ogmore (Huw Irranca-Davies). When the Secretary of State sums up, perhaps he will mention the contribution of the GLOBE conference to the debate.

The feeling that I gauged during the conference was one of cross-party consensus and support for the ambitious deal in Paris. The presence of such a strong delegation from the UK was vital. I pay tribute to my hon. Friend the Member for Beverley and Holderness (Graham Stuart), who chaired the conference so ably.

The commitment by 195 nations to attempt to cut greenhouse gas emissions to a level that will limit the global average temperature is truly historic. Inaction on climate change would cost us a great deal more than shifting to a decarbonised, climate-friendly way of life. I particularly welcome the legally binding, regular reviews and submissions of emission reduction targets. It is important that those countries will now have to come together regularly to review their climate plans and collectively ensure that the necessary action is taken to tackle climate change.

Countries being legally obliged to make new post-2030 commitments to reduce emissions every five years from 2025 is a welcome step forward. I also welcome the $100 billion fund from developed economies to help emerging and developing nations decarbonise their energy mix, which will provide welcome support to aid the transition from burning fossil fuels to clean energy sources.

Decarbonisation will have to be a key part of the UK’s fiscal policies—lip service will not be enough. I am confident that the Secretary of State agrees with me on that point.

Richard Graham (Gloucester) (Con): My hon. Friend is making some powerful points about the importance of the climate change deal in Paris. Bringing it down to a local level, where he and I both live, does he agree that it is incredibly important that, this month, the snappily named “Severn River Basin District: flood risk management plan” is published, which will be on top of local flood resilience plans, because he and I both know the devastating impact that climate change has had on the River Severn and on our local areas?

Luke Hall: I thank my hon. Friend for that point. I completely agree with him about the importance of that plan. I will do everything I can to help him work on it in the future.

I also thank the Secretary of State for her assurances during that conference that she would do everything possible to secure an ambitious deal. I commend her for playing such an important role in the successful negotiation. The deal sets out a clear long-term goal of near net zero emissions by the end of the century, and it represents a huge step forward in securing the future of our planet.

I will take leadership as my theme today. I am talking about the leadership that has been shown during the negotiations not just by the Secretary of State for Energy and Climate Change but by the whole team that was out there. I was delighted to meet up with Lord Nick Bourne, an old colleague of mine from Swansea institute, and to urge him to show that leadership. The outcome was good, but I am sure that the Secretary of State and her team will agree when I say that it is as nothing unless we now rise to the challenge that it has set up. We are looking at 3.5°C to 3.7°C based on our current trajectory of global warming. If all the actions within the current package are delivered, we may be able to achieve 2.5°C, or even 1.5°C if we ratchet up our actions every year or every five years. The scale of this transition is huge; it is enormous. We cannot base it on our current plans, so the leadership that has been shown should be commended. We now need that leadership to turbo-charge what we do both here within the UK and in our international negotiations.

Once again I applaud the leadership that has been shown on the ground in areas of flooding, including in Hawick in Northern Ireland, in Wales, and in Workington, two scenes from which were described in the remarkable and emotional words of my hon. Friend the Member for Workington (Sue Hayman). I was in Workington back in 2009, after what we thought was the worst flooding we had ever seen. That came on the back of the 2005 floods, and here we are again. Back in 2009, more than 2,200 properties and 250 farms were affected, 25 bridges were closed, and 40 waste treatment works were closed—again there is that issue of resilience—and here we are again.

In response to the hon. Member for Monmouth (David T. C. Davies), whom I love dearly, I have to say that he is completely wrong. We are not talking about this one event being down to climate change. It does not matter whether we are talking about the traumatic incidents in Cumbria, Scotland, north Wales, Ireland, Bangladesh, or the Maldives, it is a pattern of climate change that is unarguable and we must deal with it.

In the short time available, I must say to the UK Government that, if we are to make the Paris commitments work and go further, we really need a step change now. We need to go further on the international stage. I strongly urge the Minister and her team to go back and look at what we are doing at an EU level. I suggest that we are not being ambitious enough to meet that 1.5°C or 2°C target. In terms of this country, the right hon. Lady has admitted that we have a policy vacuum at the moment, specifically in regard to the closure of various schemes. I will not argue the pros and cons of it, but we have a policy vacuum none the less, whether it relates to energy efficiency in homes, the type of clean green energy that we produce, demand reduction, or residential or commercial properties. We are consistently being told by business people and others that there is a policy vacuum in all those areas.

Neil Parish: Does the hon. Gentleman not agree that a tidal lagoon in Swansea would be a very good way to produce tidal energy, and that we could use that idea all around the United Kingdom?

Huw Irranca-Davies: My admiration for the hon. Gentleman has gone up hugely, because I was not going to be able to get in at that point. He is right. We were a
little frustrated by the lack of announcements on the Swansea Bay lagoon and strike prices in the autumn statement. Let us now see a commitment that will take forward not only the Swansea Bay lagoon, but the Cardiff Bay lagoon and all the ones that come after it. One of my recommendations to the Secretary of State would be this: let us use this as an opportunity to create jobs and to be a world leader so that we can export that technology, that know-how and those jobs. It is there for the taking. When Stern warned us about the challenges of climate change, he told us to make the early investment to save money down the line. That is what we must now do.

Rebecca Pow: I have enormous respect for the hon. Gentleman, the Chair of the Environmental Audit Committee. I wonder whether you might want to comment on this: with the plan you are suggesting, we need much more—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I am not suggesting anything. It is “he” or “the hon. Gentleman”, not “you”.

Rebecca Pow: I apologise, Madam Deputy Speaker.

Will the hon. Gentleman comment on whether we need more detailed inspection within Government Departments so that we are all doing our bit? We have a green investment strategy in the Department for Transport, but what about all the other Departments? Should we be working together more?

Huw Irranca-Davies: The hon. Lady, who is so committed on these issues, is absolutely right. The approach needs to be cross-departmental and rigorous, and it needs a step change. We have been trying to turn the supertanker around slowly, but Paris says that that is not fast enough. Lord Deben, the chair of the Committee on Climate Change, has said that we need to do more. We heard recently from the head of the National Audit Office, who said that we need joined-up thinking and leadership in government. The hon. Lady is absolutely right.

One of the biggest commitments the Government could make—the Secretary of State and her team would have my support—is fully to accept what the Committee on Climate Change says about the outcomes of Paris. It said in its June report that we need to go further and faster. We will now need to go faster again and deliver more. There are opportunities with that. I ask the Secretary of State to accept that—I ask her to do it and get on with it, and in fact go beyond it if she can. She should look at how we can do that. What technologies should we invest in? Where will the private sector put its money? What do we do with the green investment bank? How does it play its part?

The Secretary of State should also fill the current gap from the fourth carbon budget. That is to do with leadership. It is great coming back from Paris with excellent commitments—they are better than many people were expecting. The UK played a leadership role there. We now need to take it to a whole other level. Paris means that it is not business as usual for us or for many other nations. Let us keep on leading and let us go further. I look forward to the Secretary of State saying how we will do that.

3.22 pm

Tom Elliott (Fermanagh and South Tyrone) (UUP): It has been an interesting debate and it is interesting to follow the hon. Member for Ogmore (Huw Irranca-Davies), who spoke about his views on climate change.

We have talked a lot about the Paris deal. We have that relationship and what will turn out to be an historic agreement. I want to highlight another historic agreement—one made between the Northern Ireland Government and the Republic of Ireland Government back in 1950, which also included the Westminster Government. At that time, there was an agreement between the three Governments to have a hydropower station in the Republic of Ireland using the water that flowed from Lough Erne.

I am disappointed that the motion does not mention Northern Ireland at all. At least 16 roads are closed in my constituency and huge amounts of damage have been done to businesses and homes. Like other constituents in Cumbria, Scotland and other places, a number of my constituents will not be in their homes for Christmas, which is a demoralising situation. Local businesses—family-owned businesses—have lost more than £100,000 of stock and a lot of their Christmas business. That is devastating for them and for me, and it might actually put some of them out of business.

The farmlands, which have been highlighted, are where the agreement between the Republic of Ireland and Northern Ireland come into play. The levels of Lough Erne have not been investigated since 1950. We need that historic agreement to move on and we need a review of it. We need to ensure that some of the actions that took place at that time—in other words, dredging Lough Erne and ensuring that the levels were safe and reasonable—need to be carried out once again.

I appreciate that that is a devolved matter, but I am asking the UK Secretary of State to speak to the Department of Agriculture and Rural Development Minister in Northern Ireland to see whether there is flexibility and whether another agreement is needed from Westminster, just as there was in 1950. I note that the Secretary of State indicated a special finance scheme or a special scheme for farmers. I wonder whether there will be a knock-on effect, perhaps through the Barnett consequentials, to help farmers in Northern Ireland to clean up. It is important that we get assistance just as people in Cumbria in England and other places in Scotland will get assistance.

My colleagues from Scotland talked about the situation there. Unlike the Departments in Scotland, Departments in Northern Ireland have not dealt with the situation as well. People and staff on the ground have been very effective in helping businesses, domestic homes and farmers, but the Departments have not been effective at the wider aspect of planning. That is a key aspect. We do not want a repeat of what has happened this year. We had the same situation in 2009 that is being repeated six years later. We do not want another repeat in another four or six years.

I am appealing to the Secretary of State and the Government to do all they can to ensure that this does not happen again and, in my case, to liaise with officials and Ministers in the Northern Ireland Departments.

Several hon. Members rose—
Madam Deputy Speaker (Mrs Eleanor Laing): Order. While we had time limits of four or five minutes, several Members spoke for seven or eight minutes. They know who those who are still to speak can feel aggrieved—they can take it up with them and not with me. I therefore have to reduce the limit to three minutes.

3.26 pm

Cat Smith (Lancaster and Fleetwood) (Lab): I speak as the Member of Parliament for Lancaster and Fleetwood, a constituency that was affected by Storm Desmond and recent flooding. Although we are not in Cumbria, I urge hon. Members to remember that the effects of the flood went beyond those county boundaries.

I pay tribute to the role of The Bay, our local commercial radio station, which continued broadcasting. For many people, it was their only source of communication with the outside world for four days because we lost power. The station managed to get back online despite being flooded and despite power cuts to keep local people informed.

A lot has been said about the effects of the flooding of the city centre in Lancaster, but I want to say something about the impact on the Lune valley, a beautiful part of Lancashire that has a big farming community. I thank Jenny Walmsley, the chair of the Caton-with-Littledale parish council, who helped to introduce me to many more people I did not already know in that area. I welcome the views from the Government today about the support for farmers and look forward to seeing it go online.

The floods in recent weeks are consistent with what we should expect in a warming world. Met Office data show that annual rainfall has increased in the UK since the 1980s. Five out of the six wettest years on record have occurred since the start of the new millennium. That is a warning that I heed.

Businesses in my constituency have been badly affected. I pay tribute to the business people who stepped up and played a role when the water breached and flooded the city centre, including Mark Cutter, the landlord of the Robert Gillow pub. He opened up his pub and allowed people in when they were unable to return across the river after their Saturday nights out because the bridges had been hit by a shipping container. That reminds us of the force of nature. People enjoying the nightlife in Lancaster were stranded in our city centre.

Small businesses are particularly at risk from flooding and 52% of them do not have flood insurance. My fear is that that will increase in my constituency because insurance premiums will certainly increase. The Environment Agency’s long-term investment scenarios recommend an optimum overall investment of around £470 million a year more than is currently being spent. Therefore, the Government need to spend £2.5 billion in the period from 2015 to 2021. That might sound like a lot of money but, frankly, the cost of doing nothing is far greater than the cost of investing in protecting our communities from floods. I have seen first hand for the first time the devastation in the area where I live. I call on the Government to support our councils as they do their best to deliver. It should not take another flood for the Government to realise their mistake. I also call on them to take climate change and flood defences seriously.

3.29 pm

Ronnie Cowan (Inverclyde) (SNP): UK Government analysis shows that global warming is expected to cause more intensive heavy rainfall events and we have to ask ourselves whether we are prepared for the ramifications of the changes in our weather.

The Government have set up a national flood resilience review in England and a report will be published in summer 2016. I hope the review will look far and wide for innovative, sustainable solutions, because it has rained before, it has flooded before and we have had reviews before. A solution will not be found by more parliamentarians navel-gazing. The cry of, “I want to make things right, just not right now” is how we fail to make things better. I hear the Government promising, over the next six years, £2.3 billion in capital funding on flood defences and I acknowledge that in 2014-15 the Government spent £171 million of taxpayers’ money on flood maintenance. But just like the wee boy with his finger stuck in a dam, required as these actions are, they do not solve the problems.

We have two problems facing us. First, we are screwing up our own environment—let us be absolutely clear about that. Turning that around is a massive task that sticking plaster politics will not address, yet the Government have decided to cut investment in carbon capture and storage technology, reduce funding for solar energy and block the growth of wind energy. Secondly, we need to find a way to alleviate the flooding we now see on an annual basis. Every additional instance of flooding means more lost revenue for local businesses or damage to homes. We owe it to our constituents to meet or exceed our targeted timeframes for tackling this issue.

We must also recognise that the way we have changed the environment has left us more exposed to the risks of flooding. We should give serious consideration to reforestation as one method of assisting flood prevention. Trees catch rainfall and take water from the soil. With careful planning, they could be our first line of defence. Managed correctly, trees lead us to the next logical stage: utilising biomass boilers can maintain a closed carbon cycle with no net increase in atmospheric carbon dioxide. If all public buildings used biomass boilers and could source their fuel, primarily wood pellets or wood chips, locally, we would start to see a coherent localised industry employing local people as part of an environmentally friendly solution.

Reforestation is just one of many policies we could implement to improve our catchment management in the longer term. Contour ploughing, restoring upland bogs and reintroducing the meanders in straightened rivers are other measures we may wish to consider as we seek more permanent solutions. One change will not fix the problem, but a series of correct adjustments will help in a number of different ways. Whether it is reforestation or tackling climate change, it is time for us to be bold with our policy making and ensure that no more lives, businesses or homes are ruined by flooding.

3.32 pm

Geraint Davies (Swansea West) (Lab/Co-op): It is a pleasure to follow the hon. Member for Inverclyde (Ronnie Cowan). I speak as a former chair of Flood Risk Management Wales, responsible for adapting Wales.
to climate change in terms of flood defences and investing the Welsh Assembly’s money through the Environment Agency and partners. I will be talking about adaptation.

On Paris, I will simply say that the Secretary of State needs to look carefully at the fact that the environmental imperatives agreed in Paris are not enforceable and binding in the Transatlantic Trade and Investment Partnership and the Comprehensive Economic and Trade Agreement, on which the Government are moving ahead.

On adaptation, we took evidence from Kuala Lumpur, which was drowned in water every year until it put in storage lakes upstream and tunnels underneath. In addition to woodland and so on, we need to consider the option of major capture and diversion of rivers upstream to stop flooding. On urban drainage systems, we need to consider the use of water butts. It is not enough just to have a few bits of grass verge for absorption; all public buildings—and, arguably, all new build—should have butts. Butts store water from the roof, which is then leaked down over a period of days, rather than just swept through the sewerage system all at once. The sewerage system, of course, takes floodwater and sewage. When it all comes up through the drains, everything is ruined. We can stop that happening by capture and storage on roofs. That would save enormous amounts of money.

On housing, we have heard that not enough is being spent on defences and maintenance, so defences can give a false sense of security. There needs to be investment not only on defence but on common-sense resilience too. Raising plugs on walls, installing steps on entry into houses and waterproofing downstairs would mean that after flooding, people could get back to their normal lives. Many people die from the trauma of flooding.

On insurance, poor people cannot get insurance. There should be local government schemes for insurance. That would also incentivise local authorities not to build on floodplains, which they do. Regardless of what the Environment Agency says, a lot of local authorities just keep on building. We need to ensure that we have sufficient emergency services, including armed services. Finally, we need to ensure the ratio of cost to value—we have heard some of the ratios today, such as 4:9. We need to ensure that poor people in low-value houses are protected. In Wales, we have changed the system, so it is not just those who live in a rich property area who receive flood defence. Those who are poor are protected and can get insurance. It is vital that we invest in adaption and I wish the Secretary of State the best of luck.

3.35 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I am delighted to speak in this debate as the Scottish National party spokesperson on climate justice.

The flooding caused by Storm Desmond, which affected large areas of north-west England, southern Scotland, north Wales and Northern Ireland, had devastating effects. At a time when most of us are looking forward to Christmas and trying to be organised for the forthcoming festivities, those most severely affected by the flooding are likely to be facing a more bleak festive period away from their homes for the imminent future, with a significant clean-up process ahead of them. Our thoughts are first with those affected and we express our gratitude to all the emergency services involved alongside communities and local councils.

This is not an isolated event, however, and over recent years there have been a number of extreme floods in the UK, both during winter and summer months. Some people have experienced floods on multiple occasions. Extreme floods have a substantial human, emotional and financial toll on the individuals and communities affected, both in the immediate aftermath and over the long term. Flooding leads to homes and businesses having to be evacuated, loss of power, and to public amenities and transport links being closed. Most tragically of all, it has resulted in a number of fatalities.

In Scotland, the Scottish Government are very aware of the impact of climate change, both domestically and globally. They have introduced pioneering policies which aim to alleviate the effects of climate change both in Scotland and in developing countries across the world. In this regard, the Scottish Government have been investing in a number of initiatives to reduce carbon emissions and Scotland is well on its way to meeting its world-leading target of a 42% reduction in emissions by 2020. We have also made significant progress on building renewable energy resources, which, as well as providing a sustainable energy supply, promotes jobs and growth.

Patrick Grady: Does my hon. Friend recognise the contribution the Scottish Government have made, with the announcement of the £12 million climate justice fund to be extended over the next four years? Does she agree with my hon. Friend the Member for Aberdeen South (Callum McCaig) on the importance of climate justice funding, including the $100 billion a year in addition to existing aid flows?

Dr Cameron: My hon. Friend’s intervention is timely, as I was just moving on to those very points.

The Scottish Government are aware of the importance of supporting developing countries around the world, and have been encouraging investment in their climate justice fund. In the past five years, the climate justice fund has already invested £6 million in 11 projects in four sub-Saharan African countries. In Malawi, for example, about 30,000 people now have access to safe, clean drinking water and over 100 communities have been trained in natural resource rights and management. The Scottish Government have also announced they will double their climate justice fund by pledging a further £12 million for developing countries to help lessen the impacts of climate change. This is important because it is recognised that richer countries have polluted more and for longer, and that we therefore have a responsibility to ensure developing countries can adapt adequately to climate change.

I applaud the hard work that UK Ministers, Scottish Ministers and Governments across the world put into the COP 21 agreement in Paris. I was honoured to play a small role by attending the legislators summit hosted by GLOBE International. I also had the pleasure of visiting the London Natural History Museum during recess. It got me thinking about global climate change and how it hit the dinosaurs of the past and led to their
extinction. Climate change is not new, but it is once again reaching crisis point. We must learn the lessons of the past, not be the dinosaurs of the present, and protect this world for future generations.

3.39 pm

Liz McInnes (Heywood and Middleton) (Lab): I am grateful for the opportunity to make a brief contribution to this fascinating debate.

As many hon. Members have pointed out, just six years ago Cumbria was hit by unprecedented floods, and once again, this year, it has been hit by unprecedented rainfall. More than a month’s rain fell in one day on Saturday 5 December, and main rivers across Cumbria exceeded the highest levels ever recorded. Storm Desmond led to road closures, rail disruption, school closures and loss of power supply to many homes and businesses owing to unforeseen flood damage at a substation in Lancaster, as a result of which hospitals had to work on emergency generators and Lancaster University had to declare the end of term one week early. I had my own, small experience of this: on Sunday 6 December, we had to drive to Lancaster to rescue our son from the university, which had been without power since Saturday evening. Surely power stations should be protected from flooding to prevent such disruption to our healthcare, education and business institutions. I am pleased that the Secretary of State has announced a national flood resilience review to assess our infrastructure, including electricity substations.

I want to mention the creation of a statutory duty on the fire and rescue service to respond to flooding. The Fire Brigades Union argues that a statutory duty on firefighters to attend floods would help fire and rescue services, other emergency services and the Government to plan effectively and reduce risk to life and property, and indeed such a duty has already been adopted in Scotland and Northern Ireland. The response to the recent floods has shown the emergency services, the military and the British people at their best. Communities have rallied round and helped those in need of shelter, food and clothing—they have been magnificent—but they need action and support from a Government who have failed to take the flood threat seriously.

Not only are better flood defences needed, but cuts to emergency services need to be addressed. Five fire stations in Cumbria are set to close in the latest round of money-saving measures. It sounds like a statement of the obvious, but we cannot go on cutting the fire service, while expecting it to do more and more. I am grateful to my hon. Friend the Member for Bristol East (Kerry McCarthy) for quoting the Prime Minister’s words:

“After every flood the thing to do is sit down, look at the money you are spending…and ask is it enough.”

Clearly, it is not enough. The Government’s “cut first, think later” approach is failing communities blighted by flooding.

3.42 pm

Lisa Nandy (Wigan) (Lab): I thank hon. Members on both sides of the House who have given a voice to communities affected by flooding today. We called this debate to give those communities a voice, and Members who have spoken have done those communities proud.

Members have done something else: they have given a voice to all of us who are deeply concerned about the costs of inaction on climate change and what it will mean for the UK. There is a remarkable degree of consensus—with the exception of the hon. Member for Monmouth (David T. C. Davies)—about the clear link between climate change and the emerging trends in flooding. The Met Office analysis suggests that global warming at or above 2° from 1990 levels will increase the risk of extreme floods by a factor of seven. It is becoming increasingly clear that the sort of rainfall and flooding once seen as rare—as once-in-100-years events perhaps—seem to be happening more frequently. It is right that the Government have acknowledged that.

The Government’s own adviser on climate change, Lord Deben, said that “if global greenhouse gas emissions do not peak soon and start to fall, 4 or more degrees of warming could take place this century. This would lead to severe and unavoidable…flood risk” and result in an extra 1 million homes being exposed. The Committee on Climate Change has warned that the annual cost of flood damage to the UK could increase from £1 billion to £5.6 billion by the 2080s.

In her short but moving contribution, my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) made us understand the human consequences, and as her neighbour, my hon. Friend the Member for Barrow and Furness (John Woodcock), said, this is about the future. The Committee on Climate Change said that the Government’s national adaptation programme lists a range of useful activity, but that it does not amount to a coherent programme. I say to Ministers today that they must urgently rectify that. My right hon. Friend the Member for Don Valley (Caroline Flint) said that we need a real plan—a long-term plan, as the hon. Member for Westmorland and Lonsdale (Tim Farron) also pointed out.

We also need to recognise, as the hon. Member for Thornbury and Yate (Luke Hall) made clear in his contribution, that inaction has a cost. These are lives, homes and livelihoods that are on the line. The hon. Member for Aberdeen South (Callum McCaig) said that we are spending billions tackling the symptoms and not the cause. Quite frankly, we cannot go on like that.

Last week, my hon. Friend the Member for Bristol East (Kerry McCarthy) and I called for a new flood risk assessment, and I would like to take this opportunity to commend the Environment Secretary for agreeing to that. What that will not be able to do, however—given that we have to wait until 2017 for the national climate risk assessment—is fully account for the latest understanding of climate change impacts on UK flooding. I therefore ask the Secretary of State for Energy and Climate Change today whether she will bring that forward. Will there be a new national climate adaptation plan to follow those reviews?

As my hon. Friend the Member for Ogmore (Huw Irranca-Davies) said, the leadership shown in Paris must be followed by leadership at home, so I take this opportunity to ask the Secretary of State the following question. Will she take the chance presented by the Paris accord and stop the sell-off of the Green Investment Bank, and stop blocking onshore wind where there is strong local support for it? Will she take this chance to make real progress on the Swansea bay tidal lagoon,
and will she find the money to fulfil the promise made by successive Governments to coalfield communities to give us carbon capture and storage, so that those communities have the chance to build the future of energy and future jobs? Will she think again, too, about the deep cuts made to the solar industry—just at the moment when it stood on the cusp of becoming economically viable?

Many Members talked about the need to take the public with us on the journey to climate safety. Just as communities such as mine in Wigan helped to build this country’s prosperity through dangerous, difficult and dirty work down the coalmines, so young people in communities such as Wigan and across the country should be given the chance to build and power the future through jobs in solar, wind and CCS.

The UK team—the Department for Energy and Climate Change team and officials, the Foreign and Commonwealth Office and the hon. Member for Beverley and Holderness (Graham Stuart) as chairman of GLOBE International—showed in Paris this weekend just what is possible if we put our minds to something, raise our ambition and work together to build the future. In so doing, they built on a proud record of leadership shown by the UK—from 1997 and Kyoto to the Climate Change Act 2008, led by my right hon. Friend the Member for Doncaster North (Edward Miliband) and David Miliband. Again, in 2015, I was proud to stand with 50 Labour councils around the UK that have pledged to go clean by 2050.

As my hon. Friend the Member for Heywood and Middleton (Liz McInnes) said, we owe our thanks to the emergency responders, including the fire service—especially in view of the example given by the hon. Member for Heywood and Middleton (Liz McInnes)—and to the volunteers who have worked tirelessly to return people to safety, to restore power supplies, and to clean up quickly so that people can return to their homes as soon as possible.

Ian Lavery: It has been said time and again how valuable and heroic the fire and rescue services have been in cases of flood, including those in not just Cumbria but Northumberland this week. Why is there so much resistance to giving them a statutory duty to carry out floodwater rescues?

Amber Rudd: Several other Members have made the same suggestion. All I can say at this stage is that I hope various Ministers will continue to consider it, because I share the hon. Gentleman’s admiration for all the effort and work that the fire and rescue services have put into helping people.

Over the next six years, we will invest £2.3 billion in flood defence. That is a real-terms increase on the £1.7 billion that was invested during the last Parliament. The hon. Member for Swansea West (Geraint Davies) made some helpful suggestions about future spending on mitigation, while the hon. Member for Lancaster and Fleetwood (Cat Smith) called for more support. I remind the hon. Lady that £60 million has already been invested in flood defences to protect Fleetwood. More than 200 schemes are currently being constructed in England, and we will deliver on our manifesto commitment to provide better protection for 300,000 more homes.

Tim Farron rose—

Amber Rudd: I know that the hon. Gentleman recognised the enormous effort that had gone into support for Cumbria, and that he made some additional suggestions, which I will certainly pass on to my right hon. Friend the Chancellor.

Tim Farron: I can help the Secretary of State to find some of the sources of funds that would partly satisfy my requests. Her right hon. Friend the Secretary of State for Environment, Food and Rural Affairs said earlier that one reason why a bid might not yet have been made for EU solidarity funds was the fact that they would take seven months to come through. Will she confirm that Commissioner Cretu made clear today that 10% of any award from the solidarity fund could be provided immediately to help us to carry out work such as the rebuilding of the A591?

Amber Rudd: I have been reliably informed by my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs that the Department for Transport is already dealing with the matter, so the hon. Gentleman may well see some action in that regard.
Barry Gardiner: Will the hon. Lady give way?

Amber Rudd: I am going to make some progress now, because we are very short of time.

There is a link between climate change and an increase in extreme weather events. I do not share the views of my hon. Friend the Member for Monmouth (David T. C. Davies), who always speaks with enthusiasm. Let me say to him that, while we cannot attribute every storm, drought or flood directly to climate change, all the evidence from our scientific understanding of weather systems suggests that our changing climate will lead to more intense and more frequent events. Last month, the Met Office released papers from its study of the exceptional rainfall of 2013–14. It found that, given the same weather pattern—a persistent westerly flow—extreme rainfall over 10 consecutive winter days might be about seven times more likely now than it would be in a world without man-made greenhouse gas emissions.

Of course natural influences will still be an important factor, but it is clear that the impact of climate change is already being felt, especially in vulnerable countries, which is why the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) was right to comment on the need to assist developing countries with additional funds. Unless we limit the rise in the global average temperature, we shall have to live with more extremes. That is why the global agreement that was reached in Paris this week is so important. As we heard from the right hon. Member for Don Valley (Caroline Flint), the French played a very important role in ensuring that it all came together.

No single country, acting alone, can hope to limit climate change. Only by acting together can we hope to succeed. With nearly 200 countries coming to an agreement, the Paris conference was a clear turning point towards a sustainable and low-carbon future. If we limit the global average temperature rise, we will limit the intensity and frequency of extreme weather such as the flooding we have seen recently.

Barry Gardiner: On limiting that extreme weather, the Secretary of State will recall that the Chancellor mentioned 300,000 properties whose flood risk was being reduced. Is she aware of the Chartered Institution of Water and Environmental Management report, which has said that

“this largely moves properties from a low risk to an even lower one”?

In other words, the Department for Environment, Food and Rural Affairs has asked officials to achieve the maximum number instead of the most—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order.

Amber Rudd: I am jealous of the time the hon. Gentleman is taking off me, and I will allow the Secretary of State for Environment, Food and Rural Affairs to respond on that point. I wish to make some progress, so that I can cover the interesting comments made by other Members.

With a global agreement, we signal to business that a responsible national energy policy demands a willingness to take decisions today for the good of the next generation. This is a definitive turning point. Business is crucial for delivering on our ambitions, as my hon. Friend the Member for Beverley and Holderness (Graham Stuart) ably set out. He was in Paris over the weekend, leading with GLOBE International, where he was accompanied and supported by my hon. Friend the Member for Thornbury and Yate (Luke Hall). We know that in isolation, cuts to Britain’s own greenhouse gas emissions, which comprise just 1.2% of the global total, would do little to limit climate change. Our most important task therefore is to provide a compelling example to the rest of the world on how to cut carbon while controlling costs. The hon. Member for Aberdeen South (Callum McCaig) has many spending commitments to recommend to us, but no more. In a tight spending review, he should welcome at least the increase in the renewable heat incentive budget. We are committed to meeting the UK’s 2050 target. We are on track for our next two carbon budgets, and we will be setting out our plans for meeting the fourth and fifth carbon budgets next year. My hon. Friend the Member for Warrington South (David Mowat) questioned the fairness of the EU target of a 40% reduction by 2030, and I share his concern to ensure that it is fair. I can reassure him that we will be addressing that when we approach the effort-sharing decisions next year.

We need to get the right balance between supporting new technologies and being tough on subsidies. When costs come down, as they have for wind and solar, so, too, should support. I share the enthusiasm of my hon. Friend the Member for Wells (James Heappey) for solar, but we will also always look after the bill payer. That is why I have announced that we will support and accelerate the cost reduction also being seen in offshore wind by making funding available for a further three auctions during this Parliament. That and other measures, such as supporting new nuclear and gas-fired power stations to provide a lower carbon base load, could provide us with the energy security we need to close unabated coal. We have also committed to double spending in clean energy research and development, so that by 2020 we will be spending in excess of £400 million. That is in recognition of the fact that we will tackle climate change only if we find technologies that are both clean and cheap.

Graham Stuart: Will my right hon. Friend give way?

Amber Rudd: I am sorry, but I will not give way. As I was saying, that is the answer to the question put by the right hon. Member for Doncaster North (Edward Miliband) about ambition and to the question highlighted by my hon. Friend the Member for Taunton Deane (Rebecca Pow). We will reach this ambition—the 2° is operational; the 1.5° is the aspiration—only through our plans to link with other countries in an international low-carbon energy innovation taskforce called Mission Innovation. That goes back to the leadership to which the hon. Member for Ogmore (Huw Irranca-Davies) referred, and we believe that we can achieve that.

The last Labour Government left behind in 2010 an energy security black hole: no nuclear power plants built; a legacy of under-investment; and low carbon targets and no plan to meet them. The advice of the hon. Member for Wigan (Lisa Nandy) never considers the consumer. In her endless recommendations to increase subsidies, it is unknown what the Opposition actually have in their plan. It is clear to Conservative Members that a responsible national energy policy demands a willingness to take decisions today for the good of
tomorrow. It is this Government who will not take any risks with our energy security, and that is why we agree with the position set out clearly by my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) that shale would provide a low-carbon bridge. We will get on with the job of building a system of new energy infrastructure fit for the 21st century.

Question put.

The House divided: Ayes 214, Noes 296.

Division No. 149] [3.59 pm

AYES

Abbott, Ms Diane
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Anderson, Mr David
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Kevin
Beckett, rh Margaret
Berger, Luciana
Betts, rh Kevin
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Burnham, rh Andy
Butler, Dawn
Cadbury, Ruth
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Carmona, rh Mr Alistair
Champion, Sarah
Chapman, Jenny
Coaker, Vernon
Coffey, Ann
Corbyn, rh Jeremy
Cox, Jo
Coyle, Neil
Craig, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
De Piero, Gloria
Dodds, rh Mr Nigel
Donaldson, rh Mr Jeffrey M.
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Dromey, Jack
Durkan, Mark

Kinahan, Danny
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Maclagart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Malhotra, Seema
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonnell, John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinney, Catherine
McMahon, Jim
Meale, Sir Alan
Mearns, Ian
Miliband, rh Edward
Moon, Mrs Madeleine
Morris, Grahame M.
Murray, Ian
Nandy, Lisa
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess
Pound, Stephen
Powell, Lucy
Pugh, John

ADDENDA

Adams, Nigel
Afriyie, Adam
Aldous, Peter
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Atkins, Victoria
Bacon, rh Mr Richard
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bellingham, Mr Henry

Rayner, Angela
Reed, Mr Jamie
Reed, Mr Steve
Rees, Christina
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robinson, Mr Geoffrey
Rotheram, Steve
Shah, Naz
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Shuker, Mr Gavin
Siddiq, Tulip
Skinner, Mr Dennis
Slaughter, Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Cat
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Starmer, Keir
Streeting, Wes
Stuart, rh Ms Gisela
Tami, Mark
Thomas, Mr Gareth
Thomas-Symonds, Nick
Thornberry, Emily
Timms, rh Stephen
Turley, Anna
Turner, Karl
Twigg, Derek
Twigg, Stephen
Umunna, Mr Chuka
Vaz, rh Keith
Vaz, Valerie
Watson, Mr Tom
West, Catherine
Whitehead, Dr Alan
Williams, Mr Mark
Winnick, Mr David
Winterton, rh Ms Rosie
Woodcock, John
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes: Jessica Morden and Vicky Foxcroft

NOES

Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Borwick, Victoria
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian
Bridgen, Andrew
Brine, Steve
Question accordingly negatived.

Tellers for the Noes:

Zahawi, Nadhim
Wright, rh Jeremy
Wragg, William
Wood, Mike
Wilson, Mr Rob
Williamson, rh Gavin
Wells, Tim
Wrigley, William
Wright, rh Jeremy
Zahawi, Nadhim

Sarah Newton
Housing

4.13 pm

John Healey (Wentworth and Dearne) (Lab): I beg to move.

That this House notes that the Government’s record on housing is one of five years of failure with rising homelessness, falling home-ownership, escalating rents, deep cuts in investment and the lowest level of house-building since the 1920s; further notes that the Spending Review and Autumn Statement will not result in the homes that young people and families on ordinary incomes need being built because it cuts the level of investment from that of 2010 and fails to prioritise genuinely affordable homes to rent and buy; notes Shelter Scotland’s report of September 2015, Affordable Housing Need in Scotland, which states that overall house-building levels are well below their peak in 2007 and that the number of new social homes built has fallen by 44 per cent from 2010 to 2014; notes the widespread concern that the Government’s Housing and Planning Bill will lead to the severe loss of affordable homes, will be a let-down for aspiring home-owners, and will do nothing to help England’s private renters struggling with poor conditions and high renting costs; and calls on the Government to help families who are struggling with the cost of housing, including by building more affordable homes to rent and buy.

Above schools, wages, crime, foreign affairs and terrorism, people now place housing as their most pressing concern. It is fourth in Ipsos MORI’s latest long-running “Issues Facing Britain” survey. In all parts of this House, we know of the increasing pressure, frustration and sometimes despair that our constituents feel when a decent, affordable home to rent or buy is totally beyond them.

That is why we have called today’s debate on the Government’s record on housing. It is a truly shameful record, with five years of failure on every front. For the Housing Minister, who I know is a fan of social media, we could call it #fiveyearsoffailure. There have been five years of failure on homelessness—[Interruption.]—which, despite the laughter of Conservative Members, we all feel keenly at Christmas. Rough sleeping has increased by more than half in the past five years, while statutory homelessness is up by more than a third and is rising rapidly.

There have been five years of failure on home ownership. The rate of home ownership has fallen each and every year since 2010, and the total number of home-owning households in this country is now more than 200,000 fewer than when the Tories took control. It is young people who are being hit the hardest, with the number of households in this country for our people.

There have been five years of failure on private rents. While incomes have stagnated, private rents on new lets have soared—up by £1,400 a year—since 2010.

There have been five years of failure on housing benefit costs, which rose by £4.3 billion in the last Parliament, despite punishing cuts such as the bedroom tax, even as housing investment was slashed.

Finally, there have been five years of failure on house building. The House of Commons Library has confirmed to me that the previous Government built fewer new homes than when the Tories took control. It is young people

Chris Philp (Croydon South) (Con): Speaking of house building, is not the most important statistic that, in the last year of the last Labour Government, on the right hon. Gentleman’s watch, there were 124,000 housing starts across the UK, whereas last year that figure had gone up to 165,000, which is a very impressive record? If he is so concerned about the topic, why didn’t he not—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I think you intend to speak, don’t you?

Chris Philp: Yes, Mr Deputy Speaker.

Mr Deputy Speaker: In which case, it should be a very short intervention. I do not think we need to hear any more, because I want to get you on the list.

John Healey: The statistic that matters most is the number of homes that were actually built. The hon. Gentleman is right to say that 2009 saw the lowest level of house building under 13 years of Labour, but that figure was still higher than that in the best year in the past five years of a Tory Government.

There have been five years of failure on every front, by every measure and in every area. Two weeks ago, the Prime Minister gave a speech in which housing was a central theme. He said—I am not making this up—that “this is a government that delivers”.

Well, it does not deliver on housing. The Government spent the last five years blaming Labour, but they have their own track record now—and it is one of five years of failure on housing under Conservative Ministers.

The Chancellor gave his autumn statement and spending review three weeks ago and, again, housing was a central theme.

Andrew Griffiths (Burton) (Con): Doubling!

John Healey: That is exactly what the Chancellor said:

“We’re doubling the money for housing to build 400,000 new affordable homes”.

After the Chancellor’s autumn statement, the Government’s annual investment in housing will be £1.7 billion. Under the money inherited in 2010 from Labour, it was £3.1 billion. That is not an increase, but a cut—it is not a doubling, but a halving—of vital investment in housing in our country for our people.

Robert Neill (Bromley and Chislehurst) (Con): The right hon. Gentleman was a long-serving Minister. Will he reflect on the fact that, on his Government’s watch, the number of households on the housing waiting list went up from 1 million to 1.8 million and that there were 420,000 fewer social homes to rent at the end of his term in office than before? Is that not 13 years of failure?

John Healey: The hon. Gentleman might like to reflect on the fact that, under 13 years of Labour, more than 2 million new homes were built in this country and the number of homeowners rose by more than 1 million, but in the five years under his Government that figure has fallen by more than 200,000. So much for the party of the so-called homeowners.

Mr Jim Cunningham (Coventry South) (Lab): We should remind the Government that it was the Conservatives, when they were last in power, who stopped local authorities
building social housing. As a result, rents have gone through the roof and young people cannot get a house today.

John Healey: My hon. Friend is right. He probably shares my view of our own Labour record. We are deeply proud of the billions of investment we made to make homes decent again, but we were perhaps too slow to start building new homes. When I was the Minister for Housing in the final year of the previous Labour Government, we got under way the largest council house building programme we had had for more than two decades. For the first time, councils were able to get the support on the same terms as housing associations to build the new affordable homes that were so badly needed in this country.

I want to return to the Chancellor’s boast about doubling the money for housing for 400,000 new affordable homes. It was not a doubling, but a halving of the investment under Labour. Most of those 400,000 homes had been announced before, so there is also double counting. Finally, many of the new homes will not be affordable for those on ordinary incomes either to rent or to buy. I would say to the Minister that we perhaps need a new hashtag. How about #fivemoreyearsoffailure?

Andrew Gwynne (Denton and Reddish) (Lab): My right hon. Friend makes an important point about just how affordable the new affordable homes are likely to be. The data I have seen show that, in areas such as Stockport, somebody would need an average income of about £53,000 just to have a deposit for one of the new starter homes.

John Healey: My hon. Friend is right. I will come on to starter homes and how Tory Ministers try to fiddle the figures by fiddling the definition, but this is not the first time they have redefined what constitutes “affordable”. The level of so-called affordable rented homes we are now seeing in many parts of London means that rents are more than £1,000 each month. That may be affordable in their book, but for many people—with ordinary jobs, on ordinary incomes—it is totally beyond their reach. More is required of this Government to help the people who are working hard and struggling most.

Mr Stewart Jackson (Peterborough) (Con): The right hon. Gentleman is being generous in giving way. He did not attend the Housing and Planning Public Bill Committee, for the reasons he has given us, but will he confirm that it was comprehensively demonstrated by all the witnesses during the evidence sessions that there was no evidence that starter homes would be unaffordable for anyone north of a line between the Bristol channel and the Wash—most of the north-west, the north-east, Yorkshire and Humberside, and the east and west midlands?

John Healey: I am not sure how much attention the hon. Gentleman was paying. He should have looked at the reports from Savills and from Shelter, and he should have listened to my hon. Friends who led for Labour so ably and so strongly throughout the many scrutiny sessions in Committee. I want to return to the fact that we have seen such a serious failure during the past five years under Conservative Governments.

Mr Gareth Thomas (Harrow West) (Lab/Co-op): Does my right hon. Friend not think that the forced sale of council homes will exacerbate the homelessness crisis? Will he encourage the hon. Member for Uxbridge and South Ruislip (Boris Johnson) to speak in this debate to set out his view of the potential for extending Help to Buy to pay for the voluntary right to buy for housing associations?

John Healey: My hon. Friend led in making those very arguments in Committee, and I hope we will get a chance to make those arguments again when the Bill returns to the House straight after the Christmas recess. He asked for my view about whether the forced sale of council homes, particularly in London, is likely to lead to a rise in homelessness. I agree with him that it will. In some ways, however, it is much more significant that the Conservative-led Local Government Association agrees, which is clearly why it opposes the plan. It has warned of the consequences, “in particular on council waiting lists, homelessness and housing benefit.”

In many ways, these are not simply abstract political arguments or dry statistics, but the lives of our friends, our neighbours and our constituents: the young couple on average income who want to start a family, but are now less, not more, likely to be able to get a home of their own; the family, renting privately, whose kids—like 1.4 million others in the same situation—are less, not more, likely to go through school without being forced out by their landlords and forced to move areas; and the pensioner needing affordable supported accommodation who is now less, not more, likely to find a suitable home and the help they need. These are the human stories of this housing crisis, which has worsened during the past five years.

Steve McCabe (Birmingham, Selly Oak) (Lab): Do we not need a bit of contrition, rather than laughter and synthetic anger, from Government Members? Is it not a fact that homelessness and rough sleeping have risen 55% since the Prime Minister took office, even though he said they were a public disgrace?

John Healey: My hon. Friend is right. He will remember how serious the levels of homelessness and rough sleeping were when Labour came to office in 1997 and how they fell with the policies that we put in place over 13 years. He is right to say that he, like Members on both sides of the House, has seen homelessness and rough sleeping rising again. We should pause ahead of the Christmas period, reflect on that and ask hard questions of the Housing Minister about why it is happening, what he will do about it and, in particular, what he will do over the Christmas period to help.

Jake Berry (Rossendale and Darwen) (Con): The right hon. Gentleman will be aware that homelessness peaked in 2004. He makes the serious point that we should all consider homelessness at Christmas. That peak came under a Labour Government, but I am not making a political point. As he has worked on this issue and will have been involved in part of the solution, perhaps he can tell the House what he believes the solution is.
John Healey: I was, indeed, involved in part of the solution. I have to tell the hon. Gentleman that part of the solution is not cutting the rents for supported housing, because that will lead to a cut in the provision for many of the most vulnerable people in this country.

Unfortunately, we are still close to the start of a five-year Parliament. This is the most crucial part of the political cycle, when policy direction is set. It should be a time for stock-taking and fresh thinking, but the Budget, the autumn statement and the Housing and Planning Bill do nothing to correct the causes of the five years of failure and, in many areas, will make problems much worse.

Alberto Costa (South Leicestershire) (Con): The right hon. Gentleman is raising very serious matters. If his facts are correct, why did the property website Zoopla state just before the general election earlier this year: “A win for the Labour party in the General Election could spell trouble for first-time buyers”?

Why would Zoopla have said that?

John Healey: Search me, guv. Ask Zoopla. I have to tell the hon. Gentleman—if I’m not sure I’ll bother, Mr Deputy Speaker. He is not listening anyway.

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. That is a very good point. I am struggling to hear the shadow Minister express his views on housing. Can we please be a bit more tolerant and have less shouting?

Rob Marris (Wolverhampton South West) (Lab): Does my right hon. Friend agree that it is time that the Conservatives took some responsibility in respect of the housing market, at a time when the housing market in many parts of the country is already out of control.

John Healey: The hon. Lady raises an interesting point. If she looks at the Homes and Communities Agency data, they will confirm—as my hon. Friend the Member for Sheffield South East (Mr Betts), a member of the Select Committee, said at DCLG questions yesterday—that more than eight in 10 of the social homes and council houses built under the last Labour Government over the last five years were started and funded under the Labour programme.

Helen Goodman (Bishop Auckland) (Lab): Before my right hon. Friend moves on from the point about speculation, is he aware that the largest amount of foreign money coming into the London property market is from Russia and the average price Russians pay is £6.3 million?

John Healey: That detail had escaped me, but I am very grateful to my hon. Friend for mentioning it.

Graham Jones (Hyndburn) (Lab): I think my right hon. Friend will agree with me that it is time to kill this myth that the Tories are the people’s friend and that they build council houses. The reality is that those council houses were left in a right mess by the previous Tory Government and the last Labour Government had to put a large amount of money into refurbishing them. It was a disgraceful legacy.

John Healey: My hon. Friend is right. The last Labour Government invested £22 billion to bring homes that were barely decent up to scratch—some 1.4 million council homes were given new kitchens, central heating, doors that fitted, double-glazing. Those homes were, for the first time, fit to live in, but they had been left as a
legacy from the previous Tory Government. My fear for the future is that when Labour gets back into government, we will be faced with a similar legacy of neglect of our council housing.

Over the next five years, we look ahead to a huge loss of affordable homes to rent and to buy in this country. In total, the Chartered Institute of Housing expects the loss of 195,000 affordable homes for social rent over the next five years.

On top of this, in the very last sitting of the Housing and Planning Bill Committee, Ministers introduced plans to scrap the secure tenancies that Margaret Thatcher herself brought in for council tenants, restricting them instead to fixed-term tenancies of between two and five years. So the message from this Government could not be clearer: “If you’re on a low or middle income and rent a council home, then a stable family home is too good for the likes of you.”

*Wes Streeting* (Ilford North) (Lab): Thanks to years of Tory leadership in Redbridge, we have the lowest amount of social housing stock in London. Does my right hon. Friend also know that one in 27 households in the private rented sector is at risk of eviction because of a whole load of factors, the majority of which are due to the Government’s policies?

*John Healey*: I do indeed, and I say to the Minister, because there is still time for him to think again, that the Housing and Planning Bill is a huge missed opportunity to help 11 million people who live in the private rented sector without the security to start their lives and bring up their families. He could legislate for longer tenancies, better consumer rights, and better and more decent standards and obligations on landlords. He has refused to do that so far. I hope that he will think again.

*Boris Johnson* (Uxbridge and South Ruislip) (Con): I ask the right hon. Gentleman to clear up one point upon which I—and, I am sure, many people—am still in doubt. Is he in favour of giving housing association tenants the right to buy their home? Is he in favour of aspiration for those people to buy homes, in the way that Opposition Members have done? Yes or no?

*John Healey*: I am certainly in favour of aspiration and of home ownership. Under the last Labour Government, the number of homeowners increased by more than 1 million. However, I confirmed on Second Reading that we will oppose right to buy funded by forced sale of council homes because it will lead to a huge loss of affordable homes to rent and buy that people in this country need. That policy will penalise people on ordinary, modest incomes.

*Mr Clive Betts* (Sheffield South East) (Lab): Is my right hon. Friend not amazed that, despite the Government’s claim that their policy of selling off high value council homes will fund the replacement of housing association properties and council homes, as well as a contribution towards the remediation of brownfield sites, they still cannot table for hon. Members the figures to justify that?

*John Healey*: My hon. Friend is right. Obviously, the Select Committee is examining those matters. It is not the first time that the sums do not add up, but if the Government are going to force the sale of council assets to fund the programme to extend the right to buy to housing associations, why do they not start with some of their own assets? Why do they not start by funding their policy with Government support, instead of taking it, like some medieval baron, from councils because their coffers are empty?

Ministers made much of starter homes and there is clearly a need for more affordable homes to buy, especially given that the number has fallen in the past five years by nearly 30%. However, the Government’s starter homes will be a non-starter for families on ordinary incomes. Shelter calculates that, across the country, one would need an annual income of around £50,000 and a deposit of £40,000 to afford a starter home. In London, one would need an income of £77,000 and a deposit of £98,000. That is simply out of reach for most of those on middle incomes—working families, who need help to buy the most. Of course, there are no controls to stop those who can afford to buy without help from the Government taking advantage of the scheme. There is a big risk that those who need it least will benefit most.

*Julian Knight* (Solihull) (Con): The right hon. Gentleman is being most generous in giving way. If right to buy is, as he suggests, such a disaster for housing associations, why have they entered into a voluntary arrangement with the Government to deliver it? Will the right hon. Gentleman explain that?

*John Healey*: Has the hon. Gentleman ever heard the term, “shotgun arrangement”? If he talks to a lot of housing association chief executives, their boards or their tenants, as I have done, he will find that they feel that they are left with no choice. They do not like it, they do not believe it, they do not trust Ministers, but they signed up to it because it is the least worst option for them.

With so many people’s dreams of buying their own home out of reach, Ministers have responded by announcing plans to fiddle the figures again, by changing the definition of affordable homes to include so-called starter homes for sale at up to £450,000. That is an insult to young people and families on ordinary incomes, and a mockery of common sense and sound policy. It is like the Health Minister tackling the GP shortage by reclassifying cashiers at Boots pharmacy as qualified doctors.

The second area that demonstrates the direction that the Government are taking in this Parliament is the systematic side-lining of local people and local decision making. Whatever they say, Ministers’ actions are anti-localist. At every turn since the election, housing policy has been set to undermine the say of local people and override their local representatives. The Housing and Planning Bill puts 33 new centralising powers in the hands of the Secretary of State, from directing starter homes to be built instead of affordable homes, to fixing rents for so-called high-income tenants.

Those powers include a legalised annual cash grab from councils, which totally undermines their ability to plan for housing need in their area. The Bill also rips up the contract of localising local finance for housing, which until this point has been the subject of all-party support. Ministers will have sweeping new powers to award “automatic planning permission”—the so-called...
“permission in principle”. That is not, as the House has been led to believe, simply a policy for dealing with brownfield sites: it is a power and policy for any site allocated for use in a local plan. There will be no need to apply for full planning permission, no limitations on what sort of development can be built, and no planning gain or obligation on developers. Only the technical details will be left for the elected local planning authorities to deal with.

A host of organisations now echo Labour’s concerns about such open-ended powers, including the Campaign to Protect Rural England, Friends of the Earth and the Woodland Trust. There will be deep concern in all parts of the House if the Government’s dramatic failure on housing leads to such drastic steps and denies local communities a voice on development in their areas.

Robert Neill: I am following what the right hon. Gentleman is saying, but would his argument have rather more weight if he had not been part of a Government who imposed regional spatial strategies that gave no choice to local communities on how housing was imposed? Is he contradicting his own policy in government?

John Healey: The hon. Gentleman is a master of distraction. I am making a point about clause 1 of the Bill, and he has enough experience to know what is at stake. If he reads the Bill, I know he will be worried about the sweeping, open-ended powers that it contains. If the Minister wants those powers, he should justify that in this House and the other place during the passage of the Bill, or tighten them up so that they do what he says he wants them to do. I look forward to the Minister’s response on that point, but I am not holding my breath.

In the housing world the Minister has become known as “Mr Million Homes”. He said: “By the end of this Parliament success would mean that we have seen a build in total of something like a million homes”.

Now we know that the Minister is prone to a bit of hyperbole, and that is going some. In his first year as Housing Minister, not 200,000, but 115,590 homes were built. Last year—the best year out of the previous Government’s five years—only 117,720 homes were built. The total number of homes built in that Government’s best year was still lower than in the worst year of the Labour Government’s 13 years, which was in the depths of the global banking crisis and recession. Even the Prime Minister has not gone as far as the Minister.

In conclusion, no Government can sit back and see a whole generation priced out of a decent home, and call themselves a “one nation” Government. No political party can say nothing in their manifesto to the 11 million people living in private rented accommodation, and call itself a “party of aspiration”. No party can have a programme that will lead to a huge loss of genuinely affordable housing, and call itself the “party of working people”. This country has seen five years of failure on housing under Conservative Ministers. People desperately need and deserve better, and during this Parliament, this party—the Labour party—will prove itself to be the party of working people, of aspiration, and of one nation.
It was no coincidence that that disregard for aspiring home owners was matched by chaos in the regulation of lending, a planning system in disarray controlled from the centre, a post-war low in house building by councils and the lowest level of house building since the 1920s.

Mr Jackson: Is my hon. Friend as disappointed as I am that in the course of the 32-minute churlish whinge-a-thon by the Opposition spokesman, he could not even give this Government credit for using the Housing and Planning Bill to tackle slum landlords? The Labour Government did nothing about that in 13 years.

Brandon Lewis: Perhaps the right hon. Member for Wentworth and Dearne has not been involved in the Bill’s progress in Committee, as I know my hon. Friend the Member for Peterborough (Mr Jackson) has been. That might be why, despite what is in the Opposition motion, he has oddly not picked up on the fact that we are going further to crack down on and drive out rogue landlords than any Government have done before. The previous Labour Government oversaw the lowest level of house building since the 1920s, with just 88,000 starts being overseen by the right hon. Members for Don Valley (Caroline Flint) and for Derby South (Margaret Beckett) and, of course, the right hon. Member for Wentworth and Dearne. That was their housing crisis, that was their record, and that is the state of affairs that the right hon. Member for Wentworth and Dearne claims the public should prefer.

Dawn Butler (Brent Central) (Lab): Does the Minister feel that those people who voted Tory at the last election will be surprised by this Housing and Planning Bill?

Brandon Lewis: As it contains two of our key manifesto pledges, on which we are mandated to deliver, I suspect that people will be pleased to see that we are a Government who are getting on and delivering for the people of this country. To take the hon. Lady’s very direct question, the public gave their verdict on the performance of the last Government at two general elections. At the last time of asking, the electorate were offered by the Opposition party a reprise of Labour’s centrally controlled, top-down housing nightmare—land grabs, the mansion tax, rent controls, red tape and restrictions on right to buy.

Victoria Borwick (Kensington) (Con): Is the Minister pleased to see how many people have already expressed their interest in our aspirational policy and are already queuing up to take advantage of it?

Brandon Lewis: My hon. Friend makes a good point. The right hon. Member for Wentworth and Dearne does not seem to want to give housing association tenants the opportunity to buy their home, even though some 11,000 people have already expressed their interest in doing just that.

The public did consider the cocktail of regressive options being put forward by the main Opposition party, and they politely declined to take it up.

Wes Streeting: Actually, people in Redbridge were tired of the Conservatives running the council, which is why they elected a Labour council in May 2014. One of our pledges—I am still an unpaid councillor in Redbridge—was to introduce a landlord licensing scheme. When can we expect to hear from the Minister’s Department the go-ahead to deliver the manifesto pledge that so many residents are crying out for?

Brandon Lewis: Obviously, we took through selective licensing just before the general election. That cracked down on rogue landlords, which are mentioned in the Bill. I will be coming back to that matter as we make progress with the Bill. I am sure that the hon. Gentleman’s residents will be delighted to see that we are going further than any Labour Government ever did. Under our watch, the number of first-time buyers doubled, the number of new homes doubled and public support for new house building doubled.

Steve McCabe rose—

Brandon Lewis: I am sure that the hon. Gentleman is rising to congratulate us on our success.

Steve McCabe: Well, actually I do want to congratulate the Minister on his measures to tackle rogue landlords. It is a step forward. Does he think it would be a good idea also to tackle rogue developers, so that we do not have an explosion of rogue landlords?

Brandon Lewis: I am sure that the hon. Gentleman will want to explain what he means by rogue developers. Certainly, I want to ensure that good quality developers are building the houses that we need across the country for the people who need them.

Helen Goodman: I thank the Minister for giving way. May I suggest that he speaks to Mr Toon, the economic director of the National Crime Agency, who says that, “the London property market has been skewed by laundered money.”

He said that prices are being artificially driven up through the use of the proceeds of crime. If he wants to do something, he should just pick up the phone.

Brandon Lewis: Obviously, I would be happy to support anybody who is looking to crack down on crime in London. Equally, I know that the hon. Lady seems to think that affordable houses in London start at £6 million. That may be so for those on the Labour Benches, but not for those of us on the Government Benches.

Graham Jones: I thank the Minister for giving way. In this long list of successes, will he include that wonderful policy, the green deal?

Brandon Lewis: One day, the hon. Gentleman or one of his colleagues will intervene to explain the wonders of eco-towns and just how many got built under the Labour Government.

Robert Neill: Perhaps I could bring my hon. Friend back to the London housing market. Does he agree that one of the worst things that could happen to the London housing market is the imposition of rent controls on the private sector, as it invariably drives up costs, reduces supply and encourages the bad landlord rather than the good one whom we need to see in the capital?
Brandon Lewis: My hon. Friend makes a good point. One lesson we have learned from around the world, in places such as New York, is that rent controls simply drive down supply. They drive a black market and send rents upwards. Certainly, it is not something that we will be seeing under this Government.

Mr Andrew Smith (Oxford East) (Lab): I will make a little more progress, and then I will take some more interventions.

Since 2010, we have helped more than 270,000 households buy a home through Government schemes. We have provided more than 270,000 affordable homes to rent, which went beyond our target, nearly one third of which were in London. We are the first Government since the 1980s to finish a term of office with a higher stock of affordable homes than we started with.

I gently remind the right hon. Member for Wentworth and Dearne, who has set out his preference for council house building, that twice as many council homes were built in the past five years of our Government than were built during 13 years of the Labour Government. More new council housing was started in London last year than during the whole of the Labour Government, shocking as that may seem. In all, £20 billion was invested over the course of the last Parliament, achieving the same rate of affordable house building with half the rate of grant as under the Labour Government.

In many ways, that is a clear metaphor for our record on housing: building more for less and doing it faster. We were not afraid of difficult decisions and of doing things differently. That has continued. Gentleman mentioned our decision to end lifetime tenancies for new tenants to ensure that we make the best use of social housing based on need and income.

Clive Efford (Eltham) (Lab): When the Minister introduced that amendment to the Housing and Planning Bill, he referred to 380 households that occupy social housing with two or more spare bedrooms, and cited that as a reason for wanting to manage the stock more efficiently and to move people around social housing. Given that the Government are concerned about under-occupation, is it their policy not to allow people who under-occupy properties the right to buy?

Brandon Lewis: On lifetime tenancies, it is only right that tenancies are reviewed after several years to identify whether the circumstances of tenants have changed. Through the voluntary extension of right to buy—it will be for housing associations to decide—we want to extend that opportunity to all 1.3 million people.

Clive Efford: On a point of order, Mr Deputy Speaker. I am sorry, but the reason I tried to intervene again is that the Minister, discourteously, completely ignored the point I made, presumably because it was too awkward for him.

Mr Deputy Speaker: Order. I will make the decisions. That is not a point of order. I hope you are not trying to reflect on the Chair. [Interruption.] In which case, you don't need to be stood up waiting for the Minister to give way again. I am sure the Minister will wish to give way on his terms, and not on your terms or mine.

Brandon Lewis: Thank you, Mr Deputy Speaker. As it happens, I have outlined our intention to extend right to buy to all social housing tenants. I am delighted that housing associations are playing their part.

Jake Berry: Will my hon. Friend update the House and say whether he has had any representations from the housing sector or from the Labour party on reintroducing lifetime tenure for those in social housing? If that happened, what will be the effect on the market?

Brandon Lewis: My hon. Friend makes a good point—that silence has been very stark.

Our plans for housing are delivering but I will be absolutely up front about this: it is clear that we must do more to meet the housing needs of our nation. If our task during the last Parliament was to rescue the housing market, now we must supercharge it.

Jo Cox (Batley and Spen) (Lab): Does the Minister accept the Office for Budget Responsibility estimate that, as a result of the July Budget and the November spending review, the Government will build 34,000 fewer homes by 2020 than previously forecast?

Brandon Lewis: I will come to housing associations in a few moments but, as I told the Communities and Local Government Committee this morning, housing associations have an exciting opportunity. I would argue that they will be able to access and realise assets to build more homes than ever before.

Mr Andrew Smith rose—

Mr Betts rose—

Brandon Lewis: I was going to make progress but I will give way to the Chairman of the Select Committee.

Mr Betts: I thank the Minister for giving way. To go back to supercharging, some of us were pleased when the Government made a commitment to build 1 million new homes in this Parliament. Is that still Government policy and a commitment, or has it been downgraded to an aspiration?

Brandon Lewis: To be fair to the right hon. Member for Wentworth and Dearne, he quoted me spot on in his opening remarks. It is absolutely still our ambition to build 1 million homes. We need to be ambitious about building new homes, but this is not solely about the number of new homes. We are determined not just to halt but to reverse the slide in home ownership that the
Labour party oversaw. With so many people being kept off the housing ladder for so long, we are determined to deliver on our promises quickly.

James Cartlidge (South Suffolk) (Con): On the measures to increase home ownership, which contrast with the inaction from the Labour party, is not one of the most radical measures we have introduced to support first-time buyers the levelling of the playing field between them and the people who wish to buy property to rent out to those same frustrated first-time buyers?

Brandon Lewis: My hon. Friend makes a very good point—one he has raised a number of times in the House. I am pleased we are able to move forward and deliver on something that will, as he rightly says, level the playing field.

Mr Andrew Smith: Will the Minister give way?

Brandon Lewis: I will make a bit more progress and then I will take more interventions.

For the reasons that I have given, in the spending review we announced the biggest investment in housing for 40 years. We are determined to invest in what matters most to young people and to British families. We want to pay off Labour’s debt and make sure we build the homes our country needs. Both are required to make this the turnaround decade.

In the spending review, the Chancellor said, “We choose housing” and delivered a further £20 billion. Our work will include: major investments in large-scale projects, such as Ebbsfleet garden city, Bicester, Barking riverside and Northstowe; £7.5 billion to extend the Help to Buy equity loan scheme until 2021; and supporting the purchase of 145,000 new build homes. In London, we are doubling the value of equity loans to 40%, providing the capital’s aspiring home owners with a better chance to buy. A new Help to Buy ISA is helping buyers across the country to save for a deposit.

The brand new Help to Buy shared ownership will deliver a further 135,000 homes by removing many of the restrictions that have held back shared ownership. For example, an aspiring home owner in Yorkshire can get on the housing ladder with a deposit of just £1,400. I am sure the right hon. Member for Wentworth and Dearne (John Healey) will be encouraging his constituents to apply. Let me provide the House with some clear examples of why this matters. In the south-east, a deposit could be as low as £2,400, and in London £3,400. Our plans for shared ownership will make 175,000 more people eligible for home ownership. Just last week, the Prime Minister visited a family in Burton and I visited one in Didcot. They were excited for the future and the possibilities home ownership opens up to them. These possibilities will be open to anyone of any occupation as long as they earn under £80,000, or £90,000 in London.

We will provide other opportunities for working people, too: a £1 billion housing delivery fund to support small and custom builders; £8 billion to build 450,000 affordable homes; 100,000 homes for affordable rent; and, yes, 200,000 affordable homes will be starter homes available to young first-time buyers, with a 20% discount. That is the largest affordable housebuilding programme for many decades. Starter homes will be transformational.

Opposition Members may laugh and pour scorn on starter homes, and go against the aspirations of first-time buyers, but I ask Members across the House just to pause and think for a moment. A first-time buyer getting a 20% discount on a new home, linking that with a 5% deposit thanks to Help to Buy, saves thousands. For example, a two-bedroom home in Durham—in the constituency of the hon. Member for City of Durham (Dr Blackman-Woods)—can be bought for just under £150,000. With 20% off, that will be £120,000. If used with Help to Buy, it means a first-time buyer can get a house with a mortgage of £90,000 and a deposit of only £6,000.

Andy Slaughter (Hammersmith) (Lab): The average price of a property, according to the Metro today, is now over £1 million in my constituency. To get a starter home, if one could possibly be found for £450,000, an income of over £101,000 is needed. Is that what the Minister has in mind as affordable housing? Pathetic!

Brandon Lewis: That was almost a reasonable attempt by the hon. Gentleman, but let me just give him some facts for London. The average first-time buyer home is less than the cost of an average home generally. For example, in London an average first-time buyer home is £364,000. We recognise that that is a challenge, but with a 20% discount it will cost £291,000. If used with the Help to Buy scheme, a first-time buyer can buy that home for £174,000 with a deposit of just £14,500. I also point the hon. Gentleman to my comments of a few moments ago: shared ownership, even in London, means getting on the home ownership ladder for just under £3,500. We make no apology for our focus on affordable home ownership.

Boris Johnson: I congratulate my hon. Friend on his remarks, and here is one more statistic: the massive expansion in “part buy, part rent” schemes, which he is helping us to oversee in London, has already helped 52,000 families, on an average household income of £37,000, into homes they partially own and will own more of in the future. That is the Conservative policy.

Brandon Lewis: My hon. Friend highlights the reality and what the ambition should be. London is a shining example of what a city can achieve under the leadership of a powerful Mayor. He has overseen the delivery of more than 67,000 affordable homes since the mess we inherited in 2010, and we want to build on that, which is why we are looking to devolve more powers to mayoral London and enable my hon. Friend the Member for Richmond Park (Zac Goldsmith) to take forward my hon. Friend’s work. We make no apology for focusing on affordable home ownership, while Labour does everything it can to deny people the chance to own their own home. It is what people want; buying a home is an aspiration shared by the vast majority of the public—86% say they would choose to buy their own property—which might partly explain the result at the general election, when Labour was ignored by the public.

Robert Neill (Bromley and Chislehurst) (Con): The Minister is right to emphasise the importance of delivering on aspiration, but is he not also right to contrast the delivery by my hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) with the complete
failure of the top-down dirigiste policies of the former Mayor of London, who I gather now advises the leader of the Labour party?

Brandon Lewis: My hon. Friend puts it succinctly and highlights the mess inherited nationally and in London. I hope we can build on our work delivering for our country, following the general election result, by ensuring good governance in London with another Conservative Mayor next year.

Mr Andrew Smith: The Minister talks about aspiration, but what about the aspiration of people on low incomes in my constituency for whom the sorts of figures he is talking about are completely out of reach and who are being shunted out of Oxford because the housing allowance will not cover rents in the private rented sector? What about their aspirations and chances of a decent life?

Brandon Lewis: And there was I thinking the right hon. Gentleman was going to congratulate my hon. Friend the Mayor of London on his excellent work. It is important that he considers the whole ambit of the Housing and Planning Bill and our policies elsewhere, which are providing a wide offer across all tenures and types of housing and, with those £1,400 deposits to help people into those homes, making sure that, in areas such as his, shared ownership is a real possibility.

For too many people, the aspiration and the reality of home ownership are drifting apart. The decline in home ownership is not just an economic problem but a social failure. We risk creating a generation of young people exiled from home ownership. The right hon. Member for Wentworth and Dearne might not consider the decline in home ownership since 2005 to be such a bad thing, but we disagree. He might not care, but we do. We care about young people worse off than their parents, compelled to leave the communities they love and grew up in or to decline good job opportunities because local housing is too expensive. That is why we must build more homes. Everyone in the House has a duty to make that case and, along with local authorities, to show good leadership. We have a duty not just to say that we need to build more homes somewhere else, but to build—and to make the case for building—more homes in all our communities. This will be a defining challenge of our generation.

Mims Davies (Eastleigh) (Con): During the election, I received phone calls from people who had been in their homes for some time and were delighted to get the opportunity to buy them. On local plans and Labour's top-down approach, is it not perfectly possible to build good-quality homes with a good local plan?

Brandon Lewis: My hon. Friend makes the very good point that the policy will lead to an extra home being built. Every property sold brings in money that will mean that extra homes get built—housing supply will go up. So it is time to end the baseless scare story that right to buy reduces the number of homes, particularly in London.

Julian Knight: Is the Minister aware that in the Select Committee I asked three leaders of housing associations whether they thought that Government policy would lead to their building more affordable homes to buy, and the majority agreed that it would?

Brandon Lewis: As my hon. Friend will know, having given evidence after being quizzed by the Select Committee, I am an avid proponent of what it does, and my hon. Friend makes the very good point that the policy will increase housing supply. The reality is that every property sold brings in money that will mean that extra homes get built—housing supply will go up. So it is time to end the baseless scare story that right to buy reduces the number of homes, particularly in London.

Let me provide hon. Members with some figures. After we reinvigorated the scheme for council tenants in London, 536 additional homes were sold in the first year, and 1,139 were built. Yes, hon. Members heard that correctly: two for one on right to buy homes. After we reinvigorated the scheme for council tenants in London, 536 additional homes were built. Nowhere is this clearer seen than in the right hon. Gentleman's opposition to our extension of right to buy for housing association tenants.

In the last Parliament, we dramatically improved the right to buy for council tenants, with 47,000 tenants seizing this opportunity and over 80% of the sales occurring under the reinvigorated scheme, yet 1.3 million social tenants in housing association properties continue to get little or no assistance. That cannot be right. We promised the electorate that we would end this unfairness.

Andy Slaughter: Will the Minister give way?

Brandon Lewis: No, not at the moment.

Housing associations have recognised this inequality and have signed an offer to the Government that we have accepted—a historic agreement to end it. I thank the housing associations for doing that, and I applaud them for their forward thinking and their eagerness to help tenants own their own property, especially in light of the fact that this has bitterly disappointed the Opposition. Clearly, the housing associations have not followed the Labour party script and fallen obediently into line. Instead, what housing associations are doing is giving tenants what they want. That should not be a surprise, because the mission of housing associations is to deliver for their tenants. They are now passionate about doing that, providing tenants with an option to buy their home and a ladder to opportunity. Every property sold will lead to an extra home being built.

Julian Knight: Has the Minister any idea of the number of homes sold by the council in the last Parliament? There are 113 homes that have been sold, and an extra 2,000 homes in the next three years. A significant number of homes are being sold to tenants in the private rented sector, which is good for tenants and good for tenants. The Minister talks about aspiration, but what about the aspiration of people on low incomes in my constituency for whom the sorts of figures he is talking about are completely out of reach and who are being shunted out of Oxford because the housing allowance will not cover rents in the private rented sector? What about their aspirations and chances of a decent life?

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Brandon Lewis: My hon. Friend makes a good point. It is important that we show good local leadership and deliver good local plans setting out where homes can be built in communities and outlining the aspiration for good-quality homes and good-quality design. That is what local authorities and we in the House have a duty to do and what my hon. Friend has championed in the House over the last few months. This will be a defining challenge for our generation, yet the right hon. Member for Wentworth and Dearne, who spoke for more than 32 minutes, gave not an iota of a start of a Labour policy to tackle this problem. Instead, he fell back on outdated policies. I am afraid it was the Soviet version of “Back to the Future” after all. There is the lazy assumption that there is a contradiction between supporting the dreams of home buyers and ensuring that more affordable homes are built. Nowhere is this clearer seen than in the right hon. Gentleman's opposition to our extension of right to buy for housing association tenants.

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Andrew Gwynne: I am grateful to the Minister for giving way, but he will, I hope, forgive my scepticism, given that in the Stockport part of my constituency, there have been 184 sales of council homes under right to buy over the last three years—yet not one single right to buy replacement.
Brandon Lewis: The hon. Gentleman’s council will want to listen to him and get on with building more homes. There is £2 billion worth of headroom for all local authorities to build homes, but what I can tell the hon. Gentleman is that right across the scheme, housing associations will build a home for every home sold. Even under the reinvigorated scheme across this country, we are seeing one for one, while in London, as I say, we are already seeing two homes built for every one sold.

Clive Efford: I have already given way to the hon. Gentleman, and I want to make some more progress.

We are building even more, and that success will be repeated on a grander scale. Whether it be through right to buy, starter homes or Help to Buy: when buyers can buy, builders can build. We can support and we will support the aspirations of hard-working people. These plans are at the heart of our ambition to build those 1 million new homes. We are clear that we must go further and faster in all areas of housing supply. The Housing and Planning Bill is part of that, and it will give housebuilders and local decision makers the tools and confidence to deliver more homes.

I know that Members of all parties will want building on brownfield land to be the first choice at all times. Under this Government, brownfield land will be prioritised. New homes will be built near existing residents, so that their green belt and local countryside is protected. Regenerating eyesores and derelict land to create modern homes for the next generation is the opportunity that lies ahead of us. A new statutory register of brownfield land will provide up-to-date and publicly available information on land suitable for housing. Forty brownfield housing zones are being created across the country, including 20 in London. I thank my hon. Friend the Member for Uxbridge and South Ruislip, the Mayor of London, for working with us to deliver those homes in London. We want to see planning permissions in place for 90% of these sites by 2020. We will also change the parliamentary process to allow urban development corporations to be established more quickly and get on with delivering new homes at the earliest opportunity. Smaller firms in particular will benefit from quicker and simpler ways of establishing where and what they can build, especially with the new “permission in principle” for sites on the brownfield register.

The Bill will ensure that the planning system helps to drive our increased aims for the supply of houses. During the last Parliament, we reformed and streamlined the failing top-down planning system. We dismantled regional spatial strategies, and as Planning Minister, my right hon. Friend the Secretary of State was able to oversee the reduction of thousands of pages of planning guidance to just 50, thus creating a system that people can understand and work with. Today, local people are in control.

Mr Richard Bacon (South Norfolk) (Con): My hon. Friend mentioned making it easier to establish urban development corporations. Will he also reflect on the possibility of establishing rural development corporations, with powers to make things happen quickly?

Brandon Lewis: I am always open to any ideas from local authorities that want to drive forward growth of that kind. We are already talking to authorities that want to be part of delivering for their communities. My hon. Friend has championed that work, because he wants to see local rural areas delivering housing, and I will be happy to work with him on that.

What we are seeing through this local system is that trusting local people and moving away from the top-down days of Labour’s past is working. We are seeing people develop their own plans for house building, and the system is faster and more efficient. Since 2010, the number of planning permissions for new homes has increased by 50%, and the number of local plans has more than doubled. Meanwhile, neighbourhood planning has captured the imagination of communities across the country. Following the holding of 125 referendums, each plan was approved by democratic mandate.

I know that not every authority has reached the stage that we would like them all to reach with their local plans, but if plans are not in place by 2017, the Government will work with local people to ensure that that happens, so that all local areas have the plans that they want for the homes that they need.

We have come a long way since the great housing crash of the last decade, when house building was in real danger of stopping altogether. We made the tough decisions to get Britain building again. We are still clearing up the mess that we were left, but now we are moving from rescue to recovery and thence to revival. Our investment in house building during the current Parliament is the largest for 40 years. We are determined to deliver a better housing market that secures our economic recovery, boosts productivity and rebalances the economy. Our plans go far beyond numbers, schemes and timelines; they are about people and their hopes and dreams; they are about supporting their aspirations and giving them the confidence that their hard work can be rewarded with home ownership and a place to raise their families. This is about having one nation, where whoever people are, and wherever they live, they can walk through the doors of opportunity and into a home of their own.

Alan Brown (Kilmarnock and Loudoun) (SNP): The motion is about a scattergun approach to a very important topic. I understand it is aimed mainly at the last five years of the coalition Government and the direction they took. Of course, a standard one-line dig is now levelled at the SNP Scottish Government, as if that is somehow going to transform Labour’s fortunes north of the border.

Current policy ties in with decades of housing policy of Governments of all hues. There is no doubt that the roots of the current housing crisis stem from the Housing Act 1980—an Act that Labour contemplated introducing before it lost power—which led to the decimation of housing stock across the UK as a whole, the biggest problem being that those houses were not replaced. The reason they were not replaced was that the moneys from the sale of stock were either used to offset debt or reclaimed by the Treasury, so it was impossible for councils to replace stock.

Fast-forward to Scotland now, the SNP has recognised this issue. That is why we scrapped the right to buy. As of this year, the right to buy council houses has been
eliminated in Scotland. We are also opposed to the extension of the right to buy to housing associations. By removing the right to buy and opposing it in housing associations, we preserve stock and allow better targeted new building of social housing to meet local housing needs. Labour had 13 years in power in the UK but did not do that and Labour did not do it in Scotland when it was in power for eight years. Labour could have invested in a council house building programme but, like the Tories, in the main chose to leave affordable housing to the markets and to social landlords. We have heard about the sorry state of affairs whereby the coalition Government actually built more council housing in five years than Labour did in 13.

On the council housing theme, I point out that in Scotland the Scottish National party has now delivered more than 6,000 council houses, which compares to a grand total of six that Labour delivered when it was in power. [Interruption.] I said that right, the figures are 6,000 versus six. There is no doubt that greater council house building just makes more sense. Councils can borrow at a lower rate, they can use their land supply and they can target regeneration. Those were all things I was pleased to be involved with as a councillor for East Ayrshire Council.

Given the increased discounts put in by the coalition Government for right to buy, what council in England is going to invest in council house building in the future, as its stock will be at risk of getting sold off? The same goes for the extended right to buy in respect of housing associations. They will not be able to borrow securely when they no longer know accurately what their future rent projection will be. Clearly, they could build houses but those could then be sold off, which distorts the whole model that housing associations were built on.

Let me now deal with one-to-one replacement. Despite what we heard from the Minister for Housing and Planning, it is a complete sham. It is based on a three-year cycle, and I understand that that is to allow for planning and getting houses coming out of the ground. The Government say that they have already achieved the one-to-one, but they are comparing the first year's right-to-buy sales with the replacements over a three-year period. There has been a massive increase in the right-to-buy sales since then. The Library briefing paper shows that to stay on track against the increased number of right-to-buy sales, 4,650 houses need to be built every six months. In the first six months of this year, there were only 730 starts and acquisitions, so for the first six months of this year the Government have achieved only 15% of that required target. There is therefore no doubt that going forward the one-to-one replacement will not happen. When that is combined with the forced sale of the highest-value council properties, it is clear that this Government are going to create a worse housing situation in the long term, rather than do something to sort it, despite all the bluster we have heard.

There is still no definition of what one-to-one replacement is. The target is a national one, so it does not compel councils and housing associations to replace houses locally. It means that local needs and supply assessments do not govern the replacement strategy or housing strategy, whereas in Scotland the local needs and supply assessments are a prerequisite of Government funding. The SNP Government, when funding social housing and council housing, are making sure that they take local needs and assessments into account. That is a proper strategic overview, which is the only way in which housing stock can be managed.

Another major issue I have with the right-to-buy policy is that councils are forced to subsidise home ownership through the sales programme as well as fund the rebuild without any Government money being added. Monetary experts agree that this is the time to invest in infrastructure, and clearly housing is integral to infrastructure. If the Government used the £10 billion to £12 billion subsidy that is getting used for right to buy for housing associations, we could create additional housing. That would help to tackle the housing problem, it would create more jobs and it would lead to a more sustainable model. If the Government were actually willing to put money up front, that would also lead to Barnett consequentials for Scotland, and I know that the SNP Government would use that wisely.

The right-to-buy measure in effect privatises housing associations. I draw a parallel with what happened during an early reading of the Scotland Bill when a proposal was made to devolve the Crown Estate. The hon. Member for North East Somerset (Mr Rees-Mogg) made an impassioned defence of the Crown Estate on the basis of the principle of not imposing a change of ownership. No Conservative Member is willing to come to the defence of housing associations, yet it is the same forced change of ownership.

Under the right to buy, large family houses have all but disappeared from council stock in some areas, and private renting has had to increase to compensate. That drives up housing benefit costs, which is counterproductive for the taxpayer in the long run. Many sold properties end up in the rented sector, especially flatted properties. Someone exercises the right to buy. Then they die; the flat is passed on to family and the family have no need for it. It ends up as a buy-to-let and the taxpayer pays more money for someone to rent that property than for the person in the council house next door. In a study by Glasgow university, this is estimated to have cost the taxpayer an extra £3 million a year in Renfrewshire alone. We also know that 40% of flats in England sold under the right to buy have ended up in the buy-to-let market. Clearly, that will only increase under the extended right to buy for housing association tenants.

We heard in the autumn statement of an additional levy on people who buy additional homes. That is supposed to provide some income to the Treasury and have a balancing effect on the buy-to-let market, but there is no doubt that it will not do anything. It will give the Treasury a wee bit more money, but the returns that buy-to-let landlords get will at least offset that one-off levy. So the taxpayer will still pay more money in the long run in housing benefit. Going forward, it is almost guaranteed that the only way the housing benefit bill will be reduced is if the Government take further punitive measures.

I think I have made it clear that I am against extending the right to buy to housing association tenants. It will lead to social cleansing—to a clearing out of people.

Jake Berry: They will still live in the property.

Alan Brown: They might do in the short term, but I can guarantee that they will get money from the taxpayer as a discount, then they will sell the property. Property
developers will move in, they will demolish and rebuild and there will be an ongoing moving out of people. The social houses will not be rebuilt in that area so people on lower incomes will not be able to rent in the area that they were staying in. [Interruption] I think I should be pleased. I am getting a wee bit of chunter, and that is maybe a good thing.

Affordable homes clearly need to be truly affordable. The SNP Government have made sure that that is the case, and it is part of our plan going forward. It is not the case here in London. A cursory glance at my local estate agent in Kennington where I have a flat for when I stay down here shows that the costs for one-bedroom flats are truly mind-blowing. I can understand why London has a housing crisis.

In Scotland the SNP Government have delivered 30,000 affordable homes since 2011, backed by £1.7 billion of investment and they are committed to 50,000 affordable homes, of which 70% will be available for social rent, if they are re-elected. Despite what the motion says, I can inform the House that the chief executive of Shelter Scotland has welcomed this commitment. We have had no such commitment from Labour as yet in Scotland.

Although we are against the extended right to buy, we are not against home ownership. I accept that many families welcomed the original right to buy and many people have benefited from it. However, the scheme has had its time and it is time to move on. The rhetoric comes back to whether we are for or against home ownership, but that is not the right message. I have concerns that the UK Government proposals for Help to Buy and right to buy will encourage more people to borrow. At present interest rates are at an all-time low, so homes may be on the cusp of affordability. People can borrow now, but when interest rates go up there will be a risk to the affordability of those homes.

Although the Government talk about reducing borrowing, the one-for-one replacement scheme is funded by additional borrowing by councils and housing associations. As we now know, housing associations are adding to the public debt and are on the public books, so there is no benefit from what the Government are doing. The long-term economic recovery plan appears to give a discount to home owners, but it will increase personal debt and force borrowing elsewhere for replacement housing. All in all, it is not a plan at all.

To meet people’s requirements, we need more houses to be built, based on local need and demand. Those must be truly affordable homes that are energy efficient. This would deliver health benefits and reduce the long-term housing benefit bill. A house building programme would create jobs, improve the welfare bill as more people would be working, and improve the Treasury’s income. That is the strategic plan that the Government should work to. It is one that the Scottish Government are doing their best to implement and they certainly will do so if re-elected next year.

Several hon. Members rose—

Jake Berry: On a point of order, Madam Deputy Speaker. I seek your guidance. Given that housing is completely devolved to Scotland, it does not seem reasonable that the Scottish National party spokesperson should take up about 15 minutes, when there are many Back-Bench colleagues who want to speak. Now, you have imposed a five-minute time limit on an extremely important topic. [Interruption.]

Madam Deputy Speaker: Order. That is not a point of order. The SNP is the third party, so its spokesperson has every right to make a speech. We should keep such points of order to a minimum so that we do not eat even more into the time of Back Benchers.

5.31 pm

Mr Richard Bacon (South Norfolk) (Con): The right hon. Member for Wentworth and Dearne (John Healey) opened the debate by referring to five years of failure. By the way, I do not know where he is. He seems to have done a bunk. He spent a little time in the Chamber; he did not turn up to the Committee stage of the Bill at all, which for a shadow housing Minister strikes me as a little odd. What he should have referred to is five years of recovery from the dreadful situation we inherited. I enjoyed his speech.

Dr Roberta Blackman-Woods (City of Durham) (Lab): Unfortunately, my right hon. Friend had to go and meet the Minister because of the decimation of the steel industry in his constituency.

Mr Bacon: I understand that. It is a very good reason for not being in the Chamber. I enjoyed the right hon. Gentleman’s speech, particularly the reference to the money inherited from Labour. There was no money. I do not think he got the memo written by the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), that played a significant part in the general election. The Prime Minister carried it round with him the whole time. The memo said that there was no money.

We have been facing not five, but 50 years of failure from all Governments, who have worked on the flawed assumption that only the Government can solve the problem. For 50 years Government have been part of the problem, getting in the way of the supply of housing being allowed to rise to meet demand. We saw quite a lot of finger-wagging from the right hon. Member for Wentworth and Dearne, but we heard nothing in the way of solutions. I listened to Opposition MPs carefully for many weeks in the Housing and Planning Bill Committee and I heard a lot of whingeing, but no real solutions. It is as if they have never asked themselves why the supply does not rise to meet demand. We do not talk about the shoe crisis, the jeans crisis, the DVD crisis or the chair crisis. Everyone in this Chamber is wearing a pair of shoes—including you, Madam Deputy Speaker, and if I may say so, yours are very nice shoes.

James Cartlidge: I cannot see them.

Mr Bacon: My hon. Friend should move along a bit. They are very nice.

No one says we need a national shoe service in order to solve the problem. We have a broken model, and it is this Government who are seeking to fix it. What I find
so depressing from the Labour Benches is the paucity of ideas, the sheer paucity of radicalism. Almost every amendment proposed from the Opposition Benches during the Committee stage of the Housing and Planning Bill would have had the effect of slowing things down—sand in the gears, a spanner in the works. Labour Members do not seem to recognise that they are seeking to make the central problem—the problem of supply—even worse.

Last week Kevin McCloud addressed the all-party self-build, custom-build and independent house building group at our No. 10 summit, and I am very pleased that he was able to do so. He said:

“The consumer has been on the receiving end of a pretty poor deal. We build some of the poorest, most expensive and smallest houses in Europe. That’s not something to celebrate.”

Yet according to Ipsos MORI, 53% of the adult population would like to build a house at some point, 30% would like to do so in the next five years, and more than 1 million people would like to buy a site and start in the next 12 months. This can be done at scale. Adri Duivesteijn in Almere in the Netherlands has proved that it can be done, with serviced plots for over 3,000 dwellings. Cherwell District Council is now doing it in Oxfordshire, with over 1,900 serviced plots. This is the way to help supply rise to meet demand, putting the customer at the centre.

Chapter 2 of the Housing and Planning Bill, on self-build and custom house building, will make that happen. The right hon. Member for Wentworth and Dearne did not mention chapter 2 or self-build and custom house building.

There are very legitimate reasons why local authorities might want to have and maintain affordable housing. In my view, they could and should use some of their £22 billion of reserves to establish, promote and grow mutual housing co-operatives for affordable rent. That is completely normal in Berlin, where it is called genossenschaften, and elsewhere on the continent. These arrangements are not relevant in terms of right to buy because they involve people entering into contracts with each other to form part of a co-operative. I thought there was a thing called the Co-operative party; I was the one talking about it. Interestingly, the local authority leader who showed the most interest in it when asked about in-perpetuity social rents in big cities was the Conservative leader of Westminster council, Philippa Roe, who said very seriously, yet with a gleam in her eye, “Yes, we’re looking at that.” From Labour Members, I am afraid we heard nothing.

We need vision and imagination, and the Bill will make that easier to achieve. Instead of building the most poorly performing, most expensive and smallest homes in Europe, we should do things differently. We should use our imagination and our knowledge to make the best places that we can, with the best-performing homes that we know how to build, in the most beautiful surroundings that we know how to create, where people will be able to find an education, find the skills they need for life, find a job they enjoy, perhaps start their own business, put down roots, build a house or have someone build a house to their own design, raise a family, and be part of a community. These are all normal human aspirations. We have to make it normal to achieve them, so that housing supply rises to meet demand here in this country, just as it does in the rest of Europe. That is the vision that we should pursue, and this Government, with the Housing and Planning Bill, will make it happen.

5.37 pm

Julie Elliott (Sunderland Central) (Lab): The Government’s record on housing over the past five years is sadly one of failure, and failure across all parts of the housing sector. It is a failure driven by short-termism, incompetence, and a lack of understanding of how millions of people live their lives. People in my constituency live very different lives from the people the hon. Member for South Norfolk (Mr Bacon) described. Most people in my constituency earn very low wages, often on very short-term contracts. Getting a home of their own—

Mr Bacon: Will the hon. Lady give way?

Julie Elliott: No. Getting a home of their own is a dream too far; being able to self-build is absolutely out of the question.

Since 2010 this Government have presided over the lowest level of homes built in peacetime since the 1920s. This fact does not become dulled by repetition. Since May, muddled thinking has given way to contradictory policies. The Government give with one hand and take away with another. The Chancellor’s Office for Budget Responsibility confirmed in November’s “Economic and fiscal outlook” that Government policies since the election will lead to 34,000 fewer housing association homes being built over the next five years.

I share the Government’s desire to create a property-owning democracy for those who want to own their own home. I can therefore only assume that the Secretary of State shares my disappointment that home ownership under this Government has fallen by over 200,000 to the lowest level in 30 years, below the EU average for the first time on record. To choose a period at random, from 1997 to 2010 the number of homeowners rose by more than 1 million. The rise of insecure working practices, such as zero-hours contracts and underemployment, has meant that many people cannot save for a deposit or get a mortgage, because they do not have a permanent contract.

The state of social housing in many parts of the country is close to breaking point, with waiting lists of many years. If the Government are not sure why that might be the case, perhaps they could look back to 2014, when the number of homes built for social rent was at its lowest for at least two decades. The number of affordable homes provided in the past year fell by more than a quarter compared with 2010.

This Government simply do not get social housing. I sat on the Localism Bill Committee in the last Parliament, when a Conservative member of the Committee referred to social housing as “housing of last resort.” I was born in a council house and I grew up in that house and that community—it was my home. Council housing provides a safe, warm place for millions of people to call home. It is not housing of last resort. The proposal in the Housing and Planning Bill, which is currently going through this House, to scrap tenancies for life is a disgrace, and this Government should be ashamed for proposing such a change.
This Government have made it harder to build social homes by choking the planning system. They have consistently watered down section 106 affordable homes requirements, while in his day job as Mayor of London, the hon. Member for Uxbridge and South Ruislip (Boris Johnson), who is no longer in his place, has banned Labour councils from insisting on the building of genuine social homes through section 106 agreements in his London plan. He did that against the guidance of the planning inspector, but with the approval of the former Communities and Local Government Secretary, the right hon. Member for Brentwood and Ongar (Sir Eric Pickles).

With home ownership an unobtainable ambition for many, and with social housing in short supply, it should come as no surprise that the private rented sector has enjoyed tremendous growth. Although there are many good private landlords who provide decent homes for their tenants, many other tenants endure daily instability and short-term tenancies—typically of six months—as well as poor standards and rent increases at a pace that outstrips wages.

By every metric, and in whatever part of the housing sector, the situation has deteriorated in the past five years. I hope the Government can start to address the differing and diverse needs of families across this country with a comprehensive strategy that does more than simply manage decline.

5.42 pm

Stephen Hammond (Wimbledon) (Con): It is a great pleasure to follow the hon. Member for Sunderland Central (Julie Elliott), but I have to say that my conclusion from looking at every metric is rather different from hers. The right hon. Member for Wentworth and Dearne (John Healey) opened in his usual way, but, behind his façade of bluster, the only conclusion we can draw from the statistics is that the Labour party left a housing crisis in this country. Under that Government, house building was at its lowest level since the 1920s, while the housing available for social rent decreased and the number of those on the waiting list increased.

There are a huge number of possible solutions to that problem, but Labour Members have offered a paucity of ideas. This Government have delivered for the past five years and they are continuing to do so. They are delivering 753,000 new homes and 260,000 more affordable homes, and council house building is now at its highest level for 23 years. The Mayor of London, who is not in his place but I was pleased to see him here earlier, has a record to be proud of. He is on track to deliver those 100,000 more affordable homes over his two terms.

Being a London Member, I was also pleased that the Chancellor, in both the autumn statement and the Budget, ensured that there was housing news and opportunity across the country. In particular, I was delighted with the extension of the very successful Help to Buy scheme—which in the last Parliament helped 120,000 households to get on the ladder—to London. That will be really important for the other measures the Government are also putting in place in London to work. It is clear that this Government do not lack ambition and that they are not complacent.

I heard the right hon. Member for South Norfolk (Mr Bacon) remind us—and that will provide the opportunity for quality developers to bring forward quality developments on brownfield sites. Yet, Opposition Members have told people waiting to move into such homes, “Vote Labour—it won’t happen.” It is very clear that there is a real difference between us on such ideas and aspirations.

I know that the Minister is in the mood and has an appetite to deliver even more than the target of 1 million houses, so let me tell him that he could do a few other things. In particular, will he consider introducing a plan to allow small-scale developers—perhaps paying a small extra fee to accelerate the process—to fast-track small developments through the process more quickly? That would give us a real opportunity to bring on some of the smaller sites. We all want big developments, but small ones will help just as much.

This Government are absolutely right to be taking action on housing, which is the most important issue for our country. It was largely ignored during the 13 years of Labour failure, but I know that this Government have the ambition to build the homes in which the people of this country want to live.

5.47 pm

Ms Karen Buck (Westminster North) (Lab): I have spent too many years in the trenches of statistical warfare on housing supply, so today I want to use the few minutes available to me to talk about values.

Conservative Members have spoken about one aspiration—the aspiration for home ownership. That is an important and vital aspiration, because most people want to own their home if they can and we should help them to do so. The fact that the Government proposals for starter homes require households in my constituency to have an income of £101,000 does not fill me with
I would love to be able to do so. do not have time to tell some of those stories, although entrenching that into the lives of the poorest. Sadly, I risks and worse educational achievement. We are worse physical health, worse mental health, higher suicide children, above all, who suffer. The hyper-mobility that jobs and torn away from their communities. It is their responsibilities for, torn away from the volunteering away from their children's schools, torn away from their parents, torn away from the people they have caring for, torn away from the volunteering they do, torn away from their part-time or even full-time night—but is where people bring up their family and experience community and neighbourliness, and it therefore means so much more to them. That does not disappear for people on low incomes: a home means as much to someone on a low income as it does to the millionaire who can spend £6 million to buy a home in the London luxury market.

Mr Bacon: Will the hon. Lady give way?

Ms Buck: No, I will not give way, because too many Members want to speak.

What we have seen under this Government—although it did not start in 2010, of course—is an erosion of the principle of security. That erosion reached its nadir with the proposal to scrap the security of tenure for social housing. The proposal to scrap secure social tenancies will mean an intrusion into the lives of the poorest, and only the poorest, every few years as they are required to justify their home.

The principle of security is being eroded in many other ways. There has been a doubling in the number of families who are bringing up children in private rented housing, where they can only rely on a 12-month assured shorthold tenancy. The Government refuse to do anything to address the desperate need for longer security for people in the private rented sector. There has been an increase in homelessness. It was coming down for many years from too high a peak under the last Labour Government, but it is soaring again. There has been a fantastic 820% increase in the number of families being held illegally in bed-and-breakfast accommodation. Families are living, sometimes for years, in nightly booked temporary accommodation after they have been homeless. That has happened to my constituents. Insecurity is the new normal, but only for the poorest. Far from addressing that crisis, the Government plan to extend it and entrench it even more widely.

The stories of my constituents and the constituents of everybody on the Opposition Benches—and, quite possibly, the stories of the constituents of Government Members that go unheard—are stories of people torn away from their children's schools, torn away from their parents, torn away from the people they have caring responsibilities for, torn away from the volunteering they do, torn away from their part-time or even full-time jobs and torn away from their communities. It is their children, above all, who suffer. The hyper-mobility that is forced on families at the moment is bringing about worse physical health, worse mental health, higher suicide risks and worse educational achievement. We are entrenching that into the lives of the poorest. Sadly, I do not have time to tell some of those stories, although I would love to be able to do so.

We know not just from the anecdotes, but from academic research that has been done in Australia and America, just how damaging this is. Communities suffer as well as individuals when the people who are the building blocks of communities—people who are registered to vote and who are civic participants—can no longer be so because they are forced again and again to move house. They are forced to move house every six months or every year, and now social tenants will be forced to move house every three or four years.

I will finish with a quotation from Professor Steve Hilditch, who for over 40 years has been an academic, a manager and a deliverer of housing. He says in respect of the end of secure social tenancies: “Social rented housing is our most precious housing asset. Its existence broke the historic inevitability that people on low incomes and vulnerable people would also endure homelessness and dreadful housing conditions. It removed the blight of bad housing from generations of children. In my view it was the strongest mechanism of all to achieve genuine social mobility and to give children born into poor families similar opportunities to those enjoyed by better-off families.”

5.52 pm

Mr Robin Walker (Worcester) (Con): I am grateful to the Opposition for calling a debate on affordable housing, because it gives me the opportunity to point out the very different records of Labour and my party in both national and local government in supplying affordable homes in Worcester.

Affordable housing is one of the most pressing and important issues for me, as the MP for Worcester. It is the single most commonly raised concern at my surgeries. Although Worcester has seen nothing like the price inflation that has been seen in the south-east, the price of housing is a major worry for young people, whether they are students and apprentices setting out to rent or young professionals looking to buy their first home.

In our beautiful county town, a city of about 100,000 people, there is rightly pressure to build affordable homes on brownfield rather than greenfield sites, both to protect the stunning Worcestershire countryside, which is such an asset to our county, and to defend the vital floodplains on which we rely each year to keep the River Severn out of homes and businesses. I was pleased to hear in a recent meeting with the Environment Agency that it rates Worcester City Council as one of the best councils in the area at using the planning system to protect its floodplains. Given that we see winter floods almost every year, that is essential.

For as long as anyone can remember, Worcester has been bombarded by Labour leaflets telling people that Labour is the party of affordable housing. I remember fighting local election campaigns as long ago as 2001 in which every Labour leaflet was adorned with messages about affordable housing. In 2003, the Liberal Democrats went into coalition with Labour on the council, with the explicit aim of delivering more affordable houses. If Labour had any track record of success in this area, the leaflets would be understandable. Knowing the importance of affordable housing, I made it my mission to explore how much Labour administrations in the city had delivered.

The figures from Worcester City Council tell a stark story of Labour neglect. From 1997 to 2000, a period in which Worcester had a Labour MP, a Labour-led council
and—oh joy of joys—that things-can-only-get-better Labour Government in Westminster, the council built fewer than 20 affordable homes per year. Very few of these homes, and none after 1997-98, were for affordable ownership, and the abysmal record of Labour when they had complete political control of Worcester was of just 22, then 11, then 19 affordable homes delivered—these figures in a city of 100,000 people.

Unsurprisingly, Labour was turfed out of control of Worcester in 2000 and a Conservative administration took control. What happened to affordable housing delivery when those nasty Tories took over? It rose 47% in the first year, more than doubled in the second year and then ran all the way from 2002 to 2012 at an average of 112 homes per year—five times as many as Labour had delivered. “Ah, yes,” said the Labour party, “but things slowed down after we lost power in 2010,” and yes, they did. Labour left us with the lowest rate of house building since the 1920s. It took years for the housing market to recover from the great recession that began in 2008, but in Worcester we kept on building affordable homes.

In 2012-13 the council delivered a remarkable 117 units of affordable housing, 79% of all new homes delivered in the city that year, under a Conservative administration.

Mr Bacon: I joined the Conservative party in Worcester in 1978. Will my hon. Friend accept that it comes as no surprise to me that things are now better—under the Conservatives?

Mr Walker: I am delighted with my hon. Friend’s intervention, although he may be less delighted to hear that the year he joined the Conservative party in Worcester was the year I was born.

What happened when Labour and the Liberal Democrats took control? Affordable housing delivery slumped, falling from 117 to 76, a decline of more than 30% in a single year. Worse still, the fall in delivery of housing meant a slowdown in receipts from the new homes bonus, a welcome financial incentive introduced by the coalition Government to support delivery of affordable housing. Not only did Labour’s chaotic year in control mean a more acute housing shortage, but it also meant damage to the city’s capital receipts.

Fortunately, the voters of Worcester, seeing the record of both Labour and the Liberal Democrats—who, alas, are absent from this debate—elected more Conservative councillors in 2014, and those mean old Tories took back control of the council once again. The result: an immediate recovery in the number of new affordable homes. The delivery of affordable homes in Worcester in the last year is the highest on record since 1997, and out of 460 new homes delivered in the city, 260 are rated as affordable. In 2015, new homes bonus income for the city rose to £5 million. The lesson here is stark: Labour always promise affordable homes, but only the Conservatives actually deliver them.

I know very well that there is still a great deal more demand, and the city’s own estimates suggest that this year’s record delivery is only the baseline for what is needed. In debates on building affordable homes it is often as if the only choice is to deliver them and concrete over our green fields or to give up on providing them altogether. That is simply not true. In fact, whereas a fifth of homes delivered in Labour’s one year of control were delivered on greenfield sites around Worcester, that figure has fallen, even as delivery of homes has increased, to only around 7.5% in the current year. Looking ahead, about 90% of the homes planned for in Worcester’s land supply can be delivered on brownfield sites, and I hope that figure continues to increase.

There is much the Government can do to further support the delivery of affordable homes in brownfield sites, and I am pleased to hear about the new brownfield fund. I hope the Government will look into more mechanisms to support renting above the shop and city centre living, which I believe can both help our high streets and address the desperate need for affordable homes.

I welcome the Government policies on Help to Buy. I have seen that for myself on the streets of Worcester, meeting people who have been able to buy their own home for the first time who would not otherwise have been able to do so. I particularly welcome the Help to Buy ISA. I also welcome the Government’s efforts to crack down on rogue landlords, going further than Labour ever did in their 13 years in office to deal with this very serious issue.

Today’s motion is typical of the relentless negativity we see from today’s Labour party. It says nothing about the aspiration of working families to live in homes they can own, nor the steps that have been taken, greater than under 13 years of Labour, to regulate rogue landlords. I am very proud that in Worcester, under a Conservative Government and with a Conservative council, we are delivering more affordable homes than ever.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): Order. Before I call the next speaker, I am going to lower the limit to four minutes with immediate effect.

5.59 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I am grateful for the opportunity to speak in this debate on housing; it is the single biggest area of concern to my constituents. Whatever measure we take, this Government have failed to deliver the homes we need in the areas where they are needed and at the pace which is required to address a housing crisis unprecedented since the second world war. If their own measure of success is home ownership, the Government have presided over a decline in the number of homeowner of 205,000 since 2010. If their measure of success is the housing benefit bill, the current Chancellor has seen an increase of £4.3 million in that bill over the past five years, including a doubling of the number of in-work households in receipt of housing benefit.

If the measure of success is as it should be, the level of homelessness, there has been an increase of more than 50% in the number of people sleeping rough since 2010, and an increase in homelessness as a whole of more than a third. If the measure of success is the delivery of affordable homes, we see perhaps the Government’s most catastrophic failure: a decline of more than 20% in the delivery of new homes at genuinely affordable social rents since 2010, and a new definition of affordable rents, which makes a mockery of the term “affordable”. 
In response to that failure, the Government appear to be constructing a new set of policies around an entirely arbitrary dividing line. Let us call it the aspiration threshold. Above that line, which quantifies at a house price of £450,000 in London, or an income of £90,000 with savings of close to £100,000, the Government recognise the aspiration of us all to have a stable home for the long term, to put down roots in our community, and to know that our children can attend the same schools for as long as they need to do so. Below that line, the Government do not recognise the legitimacy of people’s aspirations. They seem to believe that the most that council tenants deserve is five years’ stability at a time. In the private rented sector, it is viewed as entirely acceptable to live with the threat of a no-fault section 21 eviction. For those people, moving their children out of a school where they are settled and away from their friends in search of an affordable home is perceived as an acceptable way to live. For those people who are paying rent so high that they cannot afford to save for a home of their own, the aspiration of home ownership becomes increasingly hard to realise.

I do not understand why the Government are so focused on that arbitrary line. Most people in my constituency want the same thing: an affordable place of their own that is secure, safe, warm and suited to their needs. Most people do not want their aspirations to be achieved at the expense of others. Housing association tenants who would like to buy a home of their own do not want that to be at the expense of a family with two children in a one-bedroom home, whose aspiration to move to a council home big enough for their needs will not be realised if the Government force the council to sell off its larger family homes because they are the homes of highest value. We need to build more homes across all tenures, not one type of home at the expense of another.

The Minister for Housing and Planning came to the Communities and Local Government Committee this morning, and could not give any assurances that the numbers underpinning his proposed radical reform of housing policy add up. Next month, hon. Members will be asked to vote on a set of ideologically driven, uncosted and unproven proposals in the Housing and Planning Bill, which is a pitifully poor response to the biggest housing crisis that this country has faced since the second world war. The Government have a shameful record and are making an inadequate response. I hope that they will listen and introduce a more convincing plan to tackle the crisis.

6.2 pm

Jake Berry (Rossendale and Darwen) (Con): I direct hon. Members to my entry in the Register of Members’ Financial Interests. It is a pleasure to have the opportunity to speak in today’s debate. I agreed with much of what the hon. Member for Westminster North (Ms Buck) said about housing being largely about security. We must accept in this country that the British housing journey has changed. The private rented sector is now larger than the social housing sector and 11 million people live in privately rented homes. To give Members an idea of the growth in that sector, it increased by 69% between 1993 and 2013. More than 1 million families with children live in the private rented sector. I hope that the Minister will turn his attention to those families today.

In the mid-1980s, the age of a first-time buyer was about 25. It is now over 30 and, in some parts of London, over 40. The Housing Act 1988 introduced the assured shorthold tenancy for people who rent on a short-term basis while saving for a deposit to buy a home. It was specifically designed—I went back to Hansard and had a look—for students, professionals and short-term renters. In an age when people are renting for longer and with families, I believe that the assured shorthold tenancy is no longer fit for purpose for people in the private rented sector with families.

As the figures show, being in the private rented sector means that people move more often. People come to my advice surgery and say that they have struggled all year to save perhaps £100 a month towards a deposit to buy a house, only for those savings to be wiped out by the cost of moving, paying agency fees and a new deposit on a private rented home. That is borne out by Shelter’s statistics, which state that 60% of those in the private rented sector have no money left at the end of the month, other than to pay the rent. Santander states that 49% of people in the private rented sector have given up saving for a deposit to buy their own home altogether.

I welcome the Government’s Help to Buy ISA, which is hugely encouraging and helps those in the private rented sector to save up a deposit. Will the Minister update the House on his progress with the family-friendly tenancy? I have sent several written questions to his Department, and I would be interested to know how many family-friendly tenancies have been taken up and what reassurance has been given to lenders. When I worked in the Downing Street policy unit on that policy, lenders were reticent to grant longer tenancies because of their nervousness about seeking possession if they went in as mortgagee in possession. If, as I suspect, the number of family-friendly tenancies taken up is low, is it time for the Government to consider legislating in that area? Given that so many houses in the private rented sector now have their rent paid by housing benefit, it is surely not unreasonable for the Government, who are paying the rent, to ask landlords to offer more security to their tenants.

Finally, let me cover something different. As we approach Christmas we will all be thinking of homelessness, and I want to mention Joanne Atkin and Michelle Brindle in my constituency, who saw Carlos Maradona, a salesman for Sainsbury’s in Darwen. As well as coming to see me, they set up a crowdfunding page, so that everyone in the town could get behind Carlos at Christmas and help him to find a home. I will tweet the link after this debate, but I thought the House might be interested to know that we have already raised £1,400.

Several hon. Members rose—

Mr Speaker: Order. A three-minute limit must now apply to Back-Bench speeches because otherwise a lot of people will not get in.

6.7 pm

Karin Smyth (Bristol South) (Lab): I want to focus on supply and demand in Bristol, where the situation for buyers, and especially renters, is challenging. Information
I have seen shows that property prices in Bristol have risen by between 7% and 9.7% in the past 12 months. Hometrack shows that of the 20 cities it monitors, only London, Cambridge and Oxford recorded a greater percentage increase than Bristol, and the influx of property investors from London and overseas is now a further influence on the Bristol housing sales market. One constituent who phoned my office told me that he was turned down for viewing a property because the estate agent had a queue of interested cash buyers.

The pressure felt by would-be buyers will increase further with the electrification of the London to Bristol line that will reduce travel times by 15 minutes, and effectively put Bristol on the same commuter belt as Oxford. Looking ahead, Halifax estimates that national house prices will rise on average by between 4% and 6%, and in high-demand areas such as Bristol that could be up to 10%. That is possibly good for investors, landlords and those who want to buy to let, but for young people and those looking to get on the housing ladder, it is not a good picture.

Rents have been rising throughout 2015, and they are expected to rise in 2016. This month, a local estate agent in my constituency told our local newspaper:

“If I take our Bedminster branch, there are 15 or 20 enquiries a day for rental properties, and the supply is maybe four or five a week, so the numbers are chilling. I’m pretty sure that the stamp duty rise on second homes will have an effect. It will force people to think twice and it will take a pretty robust person to buy a property to rent out. It is a bad thing for the Government to do because there is a massive shortage of properties to rent in the Bristol area and it will exacerbate the problem.”

Other factors that make the situation even bleaker include average prices of £210,000 and salaries of £22,000—I dispute the assertion by the hon. Member for Peterborough (Mr Jackson) about houses being affordable above a line from the Severn to the Wash. Some 10,000 people in Bristol are waiting for social housing, and thousands of properties are standing empty. Some councils in the south-west are doing good work. A local council in Plymouth has plans for homes, plans for social rent, a plan for empty homes, a charter for private rented housing and a plan for social rented housing. That is a Labour-run council—a small blot of red in the blue that is the south-west of England. Bristol and other local authorities need to learn from each other and share good practice. Also, the Government need to support local authorities that are trying to achieve something. The Government need not only ambition but a better plan.

6.9 pm

James Cartlidge (South Suffolk) (Con): I should like to begin by declaring my interest. I am a controlling director in a mortgage broker and property portal dedicated to shared ownership, and chairman of the all-party group on housing and planning.

When we talk about housing at the moment, there is obviously a focus on new build and on supply, but as I said in my intervention on the Minister, I still think that one of this Government’s most radical changes is the one we are making to buy to let. In the last Labour Opposition day debate on housing, in June, I spoke on buy to let and said that I was looking for three changes from the Government, relating to the rate of stamp duty, to tax relief and to mortgages.

Two of those changes have been delivered, including a measure on stamp duty. I said that it was completely unfair that a first-time buyer should pay the same rate of stamp duty as someone buying their 25th portfolio buy-to-let property or a second home as a holiday home. The Chancellor has had the courage to make that change, which no Labour Chancellor ever made. On tax relief, I said that it was wrong that first-time buyers or other home owners, who no longer have mortgage interest relief at source—MIRAS—should not have tax relief when buy-to-let landlords do so. Again, we are addressing that.

Of course the buy-to-let change is controversial, and we are now experiencing a backlash from The Daily Telegraph and others against it. In the one minute and 44 seconds remaining, I want to remind hon. Members why it is necessary. The Bank of England’s Financial Policy Committee’s minutes show that the rate of credit loss on buy-to-let mortgages in the UK has been about twice that for residential mortgages, despite the fact that 75% of buy-to-let lending remains interest only. In the past year, there has been £28.5 billion of lending with no repayment of the debt. For me, any area of the economy that requires tax breaks and non-repayment of debt to survive is unsustainable. The buy-to-let sector has not been sustainable.

That does not mean that we have something against those who wish to buy a property to let. I accept that some people use such properties as their pension, and some are saying, “It’s my pension. Why are the Government hitting me?” One change that must come out of this proposal is that we have to talk, as a country, about the fundamental issue of pension reform. If we can do that, it will represent an important gain. Luke Johnson has written in The Sunday Times:

“We cannot prosper as a nation of buy-to-let landlords; we must also produce goods and services and export to pay our way in the world.”

That means investment—not just foreign investment but our own investment—as well as a higher savings ratio and a more sustainable economy. I believe that a key part of that will be a more sustainable housing market in which first-time buyers have a reasonable chance of buying the properties which, at the moment, are being taken from them by people who will then rent them out to those same people who want to be first-time buyers. This is a fair move and it is being brought in by this radical Conservative Government.

6.12 pm

Richard Burgon (Leeds East) (Lab): In the brief time available, I want to highlight the problem in Leeds, to illustrate the fact that it is indeed a nationwide problem and not one that affects only London and the south-east.

In Leeds, buying a home is increasingly unaffordable, and that includes starter homes. According to the National Housing Federation’s paper, “Home Truths 2014/15: Yorkshire and Humber”, the current average house price in Leeds is £179,000, which is seven to eight times higher than median earnings in the city, depending on whose figures are used. That makes a mortgage unobtainable for vast swathes of the population.

Projections from the Office for National Statistics and the House of Commons Library have suggested that by 2020, starter homes could cost around £162,000.
in Leeds. If that turned out to be the case, that would be significantly below the cap. However, the average income needed for such a property would be £45,000, and the reality is that gross median income in Leeds is currently around £22,000. Unless median income doubles in the next five years, starter homes will remain unaffordable.

Richard Lewis, Leeds City Council's executive member for regeneration, has said that the council’s ambitions for a new generation of housing are at risk because of “central government’s focus on starter homes above all other types of housing and their attempts to reduce housing mix through extending right to buy and forcing the sale of council homes”.

The right to buy sell-off of council homes is resulting in local authority housing stock being diminished, with very little replacement. Over the past three years, 1,159 Leeds local authority properties have been sold, with only 39 replacement starts—a ratio of 20:1.

Renting is increasingly unaffordable for a wide variety of groups. The Leeds Tenants Federation states that, even in council and housing association properties, some people are spending between 40% and 70% on rent. Many in Leeds are also struggling with private rent. Indeed, the council has previously written to the Communities and Local Government Committee to say of the private rental sector that “rents are now taking a greater proportion of income”.

It said: “There is an increasing issue of affordability across all sectors of the private rental market.”

So there is much to do.

The Conservatives spent the last Parliament blaming Labour, but that will not wash any more. They have their own record now, and on housing, both in Leeds and across the country, it is five years of failure on every front, with unaffordable home ownership, rising rents, deep cuts in investment and the lowest level of house building since the 1920s. There is a lot of work to be done. The blame game has to end, and the work must start and then be finished.

6.15 pm

Kevin Hollinrake (Thirsk and Malton) (Con): It is as true today as it was 30 years ago that more than 80% of people aspire to buy their own home. On the other side of the equation, house builders make their living by providing as many homes as possible. There is no lack of will to build, or a lack of desire to buy. The problems are due to the supply-side issues in the marketplace. Supply is constrained by a planning process that is not fit for purpose. There is a shortage of viable land, as much of it is locked away in public sector land banks, and a major demand side issue, in that house prices are simply out of reach for far too many people.

Fundamentally, the supply-side issue is the one that we most need to resolve. Simplicity is the ultimate sophistication: build more homes and most of the problems of affordability will fall away. We are building more homes. There has been a 56% rise in housing starts since 2010, and the number is now running at 136,000 a year. Planning consents are at a post-recession high of 240,000 a year, which will inevitably lead to more homes being built.

I welcome the provisions of the Housing and Planning Bill and its objective to increase further house building and home ownership. I welcome, too, the brownfield register, permission in principle, the simplicity of starter homes with a 20% discount, and right to buy.

The hon. Member for Kilmarnock and Loudoun (Alan Brown) may be interested to know that we took evidence from Dr Mary Taylor, the chief executive of the Scottish Federation of Housing Associations. She was asked whether, if there had been a one-to-one policy for right to buy, she would have got behind that policy. She said that she might well have had a different view.

One third of all people in relative poverty are there due to housing costs alone. The additional homes created by right to buy, and funded by making greater use of taxpayer-owned assets held by local authorities, will deliver affordable homes to buy, for shared ownership, and to rent. I share the views of my hon. Friend the Member for Rossendale and Darwen (Jake Berry) that we need longer, family-friendly tenancies and client money protection schemes for letting agents.

Earlier, I mentioned the huge swathes of land held in the public sector. The Government have pledged to bring forward enough public sector land to build 150,000 homes over the next five years. I am concerned that this land will be released and that we may need incentives to ensure that surplus, under-utilised land in our public sector is made available for development for our housing associations and the private sector. I offer strong support for this Government’s record on housing, and believe that the new initiatives in the Housing and Planning Bill will help to deliver a housing market that works.

6.18 pm

Jess Phillips (Birmingham, Yardley) (Lab): Successive Governments have failed to build anywhere near enough houses. The Government’s current Housing and Planning Bill at least tries to deal with some of that fallout. However, as with so many of their current policies, we are expecting those with the least resource to pay for our mistakes.

The spare room subsidy was the first assault on the most vulnerable people to right that wrong. I worked with a young woman who, due to violent and persistent domestic abuse, needed to go into hospital to deal with her severe physical and mental health problems. For that period, her child was removed to foster care. When she returned home, she began the process of rebuilding her relations with her daughter. Her daughter remained in foster care to give them both space to recover. The period of time was such that she was considered to be under-occupying her property. She fast built up arrears and debts and was eventually evicted, leaving her with no stable home for her child to return to. That woman lost her home, her health and her daughter, and all she needed was a chance. Was it her fault that houses were not rebuilt when they were sold off? I do not think so, yet she paid the price.

The bedroom tax was an instrument meant to encourage people to move out of properties that could be used for a bigger family, but it does not work like that if there is nowhere for them to go. It just makes money out of those who simply cannot bear it. The blunt-ended policy fails to recognise the realities of people’s lives. Some of the proposed elements of the current Housing and Planning Bill will do exactly the same.
The Government’s intention to end lifetime and successive tenancies is meant, again, to encourage people to free-up much needed properties. That is all well and good, but similar to the problems faced by bedroom tax victims, life does not work like that. When an adult child has a choice to give up their own tenancy and livelihood to move in and care for an elderly mother or father, they have a very tough choice to make and will be unsure of their own future. When a victim of domestic violence is rehoused with her children, who have probably been through enough, will we say, “Sorry gang, you’ll have to move schools pretty much every five years”? Will the Government fund all of the new housing officers that will be needed to ensure that the system works fairly? I wonder whether any of the Ministers have sat in their local housing queue recently. I have; it takes hours to be seen.

I do not want to stand here and moan. I want the Government to do something and have some positive suggestions. If they are going to encourage people to move in and out of social housing more frequently, they need to invest heavily in temporary accommodation. Currently, there is no temporary accommodation. The taxpayer funds bed and breakfast accommodation for families to live in—where used condoms are stuffed into the walls and there are dirty beds—when there is nowhere for them to go. The Government must invest in that. They must also look at models such as the one we have in Birmingham, where we have a social lettings agency with an honest broker, two-year tenancies and help with deposits for tenants coming out of social housing.

The Government should look at those suggestions before they rush into something that will show up in my surgeries in glorious technicolour.

Seema Kennedy (South Ribble) (Con): It is a great pleasure to follow the hon. Member for Birmingham, Yardley (Jess Phillips). I draw hon. Members’ attention to my entry in the Register of Members’ Financial Interests.

Last Friday, I visited a new development in my constituency, Saxon Place in Penwortham. It is a mixture of family homes for rent and for sale under shared ownership. I mention that because I had the great pleasure of serving with many hon. Members on the Housing and Planning Bill Committee. There was a lot of talk about the affordability of starter homes and a lot of the conversation was very London-centric. My point is that, in many parts of the country including Lancashire, the starter and affordable homes really are affordable. On the average income in my constituency, a family could, under the shared ownership scheme, get a deposit of between £2,000 and £5,000 and have an equity stake in that house. I remind hon. Members that the world does not end at Watford Gap.

We agree that most Britons aspire to home ownership, but we have had a problem in getting more houses built. We have a growing population and more and more people live on their own. We need to be flexible about what we build. I was particularly pleased with the measures on automatic planning permission for brownfield sites. I have experience of developing brownfield sites. In the past, remediation works were costly and difficult. The fact is that we are getting better at that and prices are coming down. The provisions will start us on the way to building more homes. As my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake) said, we just need to increase supply. It is not the whole answer, but we absolutely must build more homes.

The important thing about the outline nature of that permission is that it gives reassurance to the developer that he can invest, but leaves the right amount of risk on the business rather than on the taxpayer. If we were to change the outline permission to make it more detailed, winding up in red tape, it would slow down the process, and there would be far too much onus on the taxpayer rather than on the developer. I also greatly welcome the Government’s pledge to bring forward more public sector land to build more homes.

The Bill is forward looking. We are tackling rogue landlords, and I welcome the investment in garden cities. We need more homes and the Government are determined to deliver them. The Bill will go a great way to doing that.

Kirsten Oswald (East Renfrewshire) (SNP): It is evident that there are Members in the Chamber, such as the hon. Member for Rossendale and Darwen (Jake Berry), who are strong supporters of English votes for English laws and who question why Scottish Members are speaking on a matter that should be fully devolved to the Scottish Parliament. I point out that Scotland is specifically mentioned in the motion we are debating today. The fact is that housing is an area where the headline statement of devolution is seriously undermined by a haphazard split of responsibilities between this place and the devolved Administrations. As a result, many decisions taken in this place can have serious implications for the delivery of housing policy in Scotland, and for the real issues and concerns of so many people.

The UK Government have stated that they want to transform generation rent into generation buy. It is certainly no bad thing to buy a home, but it must be financially sustainable, it must be right for one’s circumstances and it must not be at the expense of future housing stock. The UK Government must focus on alternatives, too. We have heard concern from Members on both sides of the House about homelessness, which is a very real and very destructive issue. I gently point out that we should concern ourselves with this issue all year and not just at Christmas.

The UK Parliament has lost its focus on the quality and quantity of housing. I entirely agree with my hon. Friend the Member for Kilmarnock and Loudoun (Alan Brown) that this can be traced back to the Housing Act 1980, when the Thatcher Government introduced right to buy. The policy has been popular with beneficiaries, but it has had serious side-effects on the quality of housing in the social rented sector and in entrenching deprivations in the areas of social rented housing that have not been sold off.

This Conservative Government are now going further than Mrs Thatcher. Owner-occupation is seen as the normal tenure for all households, regardless of income. This is exactly the approach that led to the American sub-prime scandal. Dame Kate Barker described the policy as “people who are just on the cusp of being able to buy” being nudged over the edge. It did not end well.
The Government’s thinking is that the social rented sector is a temporary stop-gap, where tenants should not regard their residence as a permanent home. They seem keen to import the deeply damaging and socially divisive concept of welfare housing. These policies are a smash and grab raid by the Chancellor on the assets of the social rented sector. Forcing councils to sell their best assets strengthens the social segregation that scars too many parts of this country and the forced sale of housing association properties represents the abandonment of those forced to wait for years for a decent home. Even The Daily Telegraph described the policy as “dumb, economically illiterate...morally wrong...and close to absurd”.

The contrast between this shambles and the action being taken by the Scottish Government could not be starker. Instead of viewing housing as a weapon in a political game, the Scottish Government act on the basis that decent, accessible and affordable housing is central to the delivery of many other policy objectives. If we in Scotland had built houses at English rates since 2007, we would have 42,000 fewer homes. In fact, the Scottish Government have committed to something the UK Government no longer do: build both social and affordable housing.

6.27 pm

Chris Philp (Croydon South) (Con): I draw attention to my entry in the Register of Members’ Financial Interests. I would like to start by replying to some of the points the shadow housing Minister, the right hon. Member for Wentworth and Dearne (John Healey), made at the beginning of the debate about the respective track records of this Government and the previous Government. In particular, I would like to draw attention to the number of housing starts across the country as a whole in the past year, which was 165,000, compared to the right hon. Gentleman’s last year as Housing Minister when the figure was just 124,000—a 33% increase by the current Government, which is an extremely impressive record.

The hon. Member for Sunderland Central (Julie Elliott), who I see is in her place, drew attention to affordable housing. I am similarly pleased to report to the House that, according to House of Commons Library figures, last year 67,000 affordable houses were delivered compared to just 58,000 in the last year of the previous Labour Government. I think there is a record to be proud of.

I was privileged to serve on the Housing and Planning Public Bill Committee for 17 sittings with the hon. Member for City of Durham (Dr Blackman-Woods), but not, I regret, the right hon. Member for Wentworth and Dearne, who did not grace us with his presence. I was disappointed by the lack of new ideas in his speech earlier. I thought we might have heard more from a shadow housing Minister, but not, I regret, the right hon. Member for Wentworth and Dearne. I was disappointed by the lack of new ideas in his speech earlier. I thought we might have heard more from a shadow housing Minister.

There is a great deal to welcome in the Bill, not least the idea that every single local authority must have a local plan by 2017; the local development orders to give outlying planning consent on brownfield sites, which my hon. Friend the Member for South Ribble (Seema Kennedy) mentioned a few moments ago; and the London Land Commission bringing forward public sector land.

The GLA has done that successfully: 98% of its land is being brought forward. I suggest to the Minister that the London Land Commission be given more powers to take hold of the surplus public sector land identified and make sure that organisations such as the NHS, Network Rail and Transport for London do not shilly-shally or delay.

I have one or two other suggestions. Parts of the planning process can be cumbersome, with reports on things such as bats and newts—

James Cartlidge: Ken Livingstone.

Chris Philp: Yes, indeed.

If there is any way of lightening the process, it would be welcome. Similarly, many developers would be happy to pay higher planning fees in exchange for guaranteed faster decision making, perhaps with the extra fees being refunded if the service level was not met. I hope the Minister will take those constructive ideas in the spirit they are intended.

In summary, having sat on the Bill Committee for 17 sittings, I am absolutely confident it will increase the supply of new homes and promote homeownership, and I strongly welcome it.

6.30 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): In 1892, Mr Pooter, from “The Diary of a Nobody”, was the archetypal suburban London Mr Average, but on current figures he could not afford today to live where he did. In 2009, The Spectator said his home would be worth £1 million and that his clerk’s salary would be £40,000. In Ealing, a typical suburb, the figures are astronomical and are placing an average suburb out of reach for the average Joe and Josephine, for whom suburbia was intended. Last year, average rents were £1,400. According to this year’s Land Registry figures, a terraced house in W5 now costs £781,000.

The Government’s housing record is one of abject failure, on homelessness, homeownership, house building, rents and, crucially, supply. Shelter, an objective charity, says that channelling existing public resources to build homes that only those on high incomes can afford will result in 180,000 affordable and low-rent homes not being built or sold. That is as a result of the changes in the Housing and Planning Bill. The goalposts have been moved several times. In respect of rents, “affordable” can now mean up to 80% of market rents, which is just not realistic.

These subsidised starter homes have been trumpeted, but they are a non-starter for people in my constituency. In Ealing, average earnings are about £34,500. If someone wanted a job at just a one-bedroom starter home in W13, they would have to earn £73,142. In W4, it is even worse: £90,501. At first sight, the 1% rent reduction looks good, but it will have massive unintended consequences. I went recently to the reopening of the YMCA foyer in 1892, Mr Pooter, from “The Diary of a Nobody”, was the archetypal suburban London Mr Average, but on current figures he could not afford today to live where he did. In 2009, The Spectator said his home would be worth £1 million and that his clerk’s salary would be £40,000. In Ealing, a typical suburb, the figures are astronomical and are placing an average suburb out of reach for the average Joe and Josephine, for whom suburbia was intended. Last year, average rents were £1,400. According to this year’s Land Registry figures, a terraced house in W5 now costs £781,000.

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There is so much I could say about the mandatory “pay to stay” policy. The figure of £40,000 means two incomes of £20,000, which is not a princely sum in

[Kirsten Oswald]
London. It is an attack on aspiration, which Conservatives keep talking about. Our capital city is being hollowed out, as we pay ever more for housing yet become ever more insecure at the same time. The Spectator says that Holloway is now becoming banker land. I fear that not just Mr Pooter but many others on average and modest incomes are being forced out of London, which is being left to bankers, oligarchs and off-plan buyers, whose playground our capital is becoming.

6.33 pm

Mike Wood (Dudley South) (Con): I welcome the Opposition's choice of motion, but I was disappointed by the shadow Secretary of State's lack of humility when he moved it, given his own underwhelming record in government.

As the shadow Secretary of State correctly said, housing is a top-four issue. I am sure it is towards the top of most of our postbags. The challenges of housing, rent and affordability are among the major challenges we face, and they deserve better than the rehashed diatribe we heard at the start of the debate. What we are seeing from this Government is the largest land building programme in decades, which will help to address the fundamental problem behind both the availability and affordability of housing.

As my hon. Friend the Member for South Norfolk (Mr Bacon) correctly said, the elephant in the room is the issue of supply. Why is there this market failure that we do not see in other areas of the economy? Part of the answer is regulatory failure. The Government cannot control all the levers that affect supply, but it is right for them to do what they can to eradicate some of the barriers to that market entry.

There are two elements at the core of addressing supply. The first is action to bring brownfield land back into productive use for housing. That is why I am so pleased that the Government are introducing this assumption of planning consent for developments on brownfield land. Devolution deals around the country are important, too. The devolution deal reached in my west midlands region is a combined authority with the powers of investment to bring brownfield land, back into use so that it can be made part of the land supply for our housing market. That is good for the environment—using brownfield instead of green spaces—good for housing and good for the economy.

The second area that needs to be addressed to increase supply is preventing the planning system from becoming a bottleneck to the availability of housing. The Government's action to move away from the regional spatial strategy towards local plans as well as introducing planning in principle is absolutely vital and will hopefully mean that we have the supply to match this record house building programme.

6.37 pm

Andy Slaughter (Hammersmith) (Lab): Members who picked up the Metro this morning on the tube will have seen that Hammersmith features in this week's property pages. They will have found out that the average price of property there is just over £1 million, although they managed to find a one-bedroom basement flat for £425,000, which would be just within the starter home bracket, requiring an income of only just over £100,000 to snatch that up. The more typical development—the new development with no social housing given permission by the previous Conservative council—sees a two-bedroom flat in Fulham going for £1.2 million or a three-bedroom flat in the Queen's Wharf or Sovereign Court for £2.2 million.

That is why owner-occupancy has dropped from over 40% to just over 30%. Local people cannot afford to buy those; they are bought by foreign investors from United Arab Emirates, Malaysia or wherever, and are either left empty or rented out, which is why the private sector has gone up from 30% to 40%, but all properties are unaffordable. I am afraid that I have to include in that list of unaffordable properties the 85% of council right to buys, which are now rented out at market rates, and mainly to local authorities that are now paying three or four times what it would cost to live in council accommodation. We know what the Housing Minister thinks about this because he recently said that “if people want to live and work in and around London, it's actually making a judgment call about what you can afford”—in other words, “on yer bike”.

One type of housing is affordable—30% of the accommodation in my constituency is still social housing. Most Governments in the past, irrespective of party, would have regarded that as an asset, but not this Government. What are they doing? They are selling off housing association homes so that they in turn can be turned into buy to let at market rates, and they are selling 50% of the remaining 12,000 council stock in order to subsidise that sale.

When voters voted to get rid of the Conservative council that was selling off empty council properties—it sold off 300 and was warehousing and emptying blocks of council flats and constructing zero social homes in new developments—they thought that they had got rid of that. Now, however, we have a Government who are bringing it all back at the national level through the Housing and Planning Bill. There will be no social homes built in the future—nothing that is affordable to my constituents.

I am pleased that my hon. Friend the Member for Westminster North (Ms Buck) is sitting next to me. Her speech hit the nail on the head when it comes to the most disgusting thing this Government are doing—removing security from people who live in council homes and telling them that they will have temporary housing as a form of charity rather than a permanent home in which to bring up their families.

The Government have reversed their position on “pay to stay” for housing associations, which is welcome, but they should do the same for everyone. They should let families on modest incomes continue to live in secure homes in London and around the country, and end this appalling business of removing security of tenure from council tenants.

6.39 pm

Huw Merriman (Bexhill and Battle) (Con): We are simply not building enough to keep up with both the demand and the challenges that are faced by many of my constituents who want to buy homes of their own. Government initiatives are radical and welcome, but I would advocate further action, and I hope that the Government will consider some of the following proposals.
First, there is a need to build on green spaces. Nearly 80% of my constituency is designated as “area of outstanding natural beauty”. There is a shortage of land afforded for local employment, but where there is such land, it is on brownfield sites. If the tens of thousands of houses that my district councils intend to build are allocated to brownfield employment sites, where will our current and next generations of homeowners work?

In one of my parishes, the village petitioned the district council to allow a small housing complex to be built on a green field just outside the building boundary. As a result of the campaign for building to be allowed on that green site, Etchingham now has a new school, a new village hall, and new affordable housing—all of it courtesy of that bold move. I should like the Government to make it easier to allow parish and town councils to make such decisions. When a district council has a plan, parishes and towns are required to conform to it; if they do not do so, their own local plans will not be approved by the district council. I should like to free parishes and towns from the shackles of district plan compliance. If they want to designate a site, then let them do so, and let them override district plans for their own purposes if that is within the planning laws.

Secondly, there is a need to deliver more infrastructure. Although the argument that more housing is required is being won, there is a real fear that communities will not have schools, doctors and other essential public services until the housing has been completed. If authorities could deliver infrastructure at the same time as building began, the public might embrace the building of more housing, and might even ask for more housing than had been scoped if, say, a new secondary school would be built with a few hundred more houses. I should like local authorities to be given the power to borrow money against the receipts from new homes bonuses, although, of course, that would work only if the new homes bonus scheme were extended for as long as the plans.

Thirdly, consent needs to be turned into new homes. The amount of land where planning consent has been granted but work has not begun continues to cause concern. The lack of building not only adds to the problem of a shortage of housing numbers, but also deprives local authorities of the ability to collect receipts from section funding or community infrastructure levies. I would support a policy that required developers to pay a first instalment of section 106 moneys within 12 months of the granting of planning consent, rather than on the completion of developments. Such a policy would not only incentivise house building and increase stock, but would permit local authorities to deliver vital infrastructure in parallel with house building.

The need to tackle our housing shortage is a huge priority. It is a national tragedy that more is not being done, but I support the Government on what is being done.

Mr Speaker: I call Mr Zeichner to speak for two minutes.

6.43 pm

Daniel Zeichner (Cambridge) (Lab): I am grateful to you, Mr Speaker. My city of Cambridge is in the grip of a housing crisis, and I have 110 seconds in which to speak.

An email that I received from a constituent recently encapsulates the problem. She wrote:

“I live, work and pay my council tax in Cambridge. Housing in Cambridge is almost as expensive as London these days. I was very excited to hear about the help to buy ISA—but Cambridge should have the same threshold as London of £450,000. Looking at rightmove right now, it is disheartening that there are only 4 properties that would meet our criteria of 3 bedrooms and the Government’s criteria of maximum £250,000 within a 5 mile radius of Cambridge…How are we supposed to buy, afford and raise a family in Cambridge?”

There are only four of those properties—four!

Perhaps the Minister will be able to answer my constituent’s question, but I personally doubt it, because I do not think that the Government have a clue about the real problems that face young people in Britain today. If young people such as my constituent cannot afford to buy, they have to rent, and do we hear anything from the Government about helping renters? I do not think so. If they were really listening, they would know that when house prices become unaffordable in areas like mine, the nature of the private rented market changes. Young families who would once have bought are staying longer in the rented sector, but the legislation has not kept up; the Government have not kept up.

Let me skip the points I was going to make about the attack on social housing and conclude by saying a little about the impact on business. My right hon. Friend the Member for Wentworth and Dearne (John Healey) visited my constituency recently and even he, experienced on these issues as he is, was shocked by the consistency of the message from employers. In every sector, be it the thriving life sciences and tech sector, research and our universities or major public sector employers such as the NHS, the message is clear: we cannot recruit and we cannot retain staff while housing remains so unaffordable. This is therefore not just about housing; it is about social justice and inter-generational justice. At the start of my speech I quoted the question from my constituent and I urge the Minister to answer it:

“how are we supposed to buy, afford and raise a family in Cambridge?”

Teresa Pearce (Erith and Thamesmead) (Lab): In a wide-ranging debate, we have heard contributions from Members in all parts of the House, including the hon. Members for Wimbledon (Stephen Hammond), for South Ribble (Seema Kennedy), for Croydon South (Chris Philp), for Dudley South (Mike Wood), for Thurrock and Milton (Kevin Hollinrake) and for East Renfrewshire (Kirsten Oswald); my hon. Friends the Member for Ealing Central and Acton (Dr Huq) and for Hammersmith (Andy Slaughter); the hon. Member for Bexhill and Battle (Huw Merriman); and my hon. Friend the Member for Cambridge (Daniel Zeichner). My hon. Friend the Member for Birmingham, Yardley (Jess Phillips) made a passionate speech about the human cost of the housing crisis, and my hon. Friend the Member for Sunderland Central (Julie Elliott) also spoke with passion about the shortage of social housing. Most interestingly, the hon. Member for South Norfolk (Mr Bacon) spoke of not only his well-known interest in self-build, but his less-known interest in the Deputy Speaker’s shoes.

Clearly, the housing crisis is one of the greatest challenges to face our country in recent times, and Members from across this Chamber know the impact
that housing has on their constituents’ lives. The hon. Member for Worcester (Mr Walker) spoke of his casework, which mirrors mine. My advice surgeries are full of people suffering as a result of the housing crisis, and my inbox and telephone line are jammed with their cases. Rent costs are rising, and there are poor standards in the private rented sector. We have ever-increasing homelessness across the country, both in terms of statutory homeless and rough sleeping. The Government are seemingly committed to seeing the end of the social housing sector as we know it. Fewer homes are being built than at any time since the 1920s and we have a generation of young people priced out of the property market. For five years, the Government have had the chance to tackle this housing crisis head on, but they failed.

It has never been more important to tackle the housing crisis, because housing affects everything—it affects our whole lives. Insecure housing affects our whole society. It affects health, education and productivity. Without a secure roof over our heads, we face uncertainty, instability and doubt. Stable homes make stable communities, and without safe, stable and affordable housing we face pressure across our whole society and across our public services. It affects our schools and our children’s education, with unsettled classes affected by churn and individual children falling behind as they move school again and again. It affects public health and our doctors, who struggle to co-ordinate health awareness campaigns as a result of instability in the housing sector, as residents constantly move between practices. It affects our communities, where many are unable to set down roots, commit to a local area, and join local organisations, sports teams and religious groups. That point was made by my hon. Friend the Member for Westminster North (Ms Buck).

The Government claimed that they would build more affordable homes, but the “affordable rent” is not affordable to many people. House of Commons Library research shows that in London it would swallow up 84% of the earnings of a family on an average income and it requires a salary of up to £74,000. This does not just affect London; the contributions we heard from my hon. Friends the Members for Bristol South (Karin Smyth) and for Leeds East (Richard Burgon) showed us that this is a national crisis, not just a London one.

Many of those who cannot afford to buy have to live in the private rented sector, where the Government have failed to increase security and improve standards, and have overseen rents reaching an all-time high. Once the private rented sector was mainly for students and young professionals, but now it is families and the vulnerable who live in the sector. That was spoken about with concern and compassion by the hon. Member for Rossendale and Darwen (Jake Berry). Some 9 million people now rent privately. Almost half of those who rent are over 35. They want the same security and stability that they would have if they owned their home, but they face insecure assured shorthold tenancies, and a Government refusing to encourage long-term tenancies and to tackle rising up-front letting agent fees. While these people pay more, the Government are failing to act to improve standards in the sector. Although the majority of properties in the private rented sector are well maintained and of good quality, there are sadly too many landlords who let properties that are not fit for human habitation. Indeed, the Government’s own statistics say that 16% of private rented sector dwellings are failing the minimum safety standard. When my hon. Friend the Member for Westminster North introduced a private Member’s Bill to make sure that homes were fit for human habitation, it was talked out by Conservative Members, who argued that it would put a huge burden on landlords.

Chris Philp: Will the hon. Lady give way?

Teresa Pearce: I am afraid we are very short of time, so I cannot.

My hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) also touched on the rising housing benefit bill, which is now £4.4 billion higher than in 2010. The Housing and Planning Bill included an all-out attack on social housing. On the last day of the Committee, the Government added a last-minute amendment to end secure tenancies for social tenants without any consultation or impact assessment.

I would like the Minister to respond to two questions. If home ownership is the only way forward, where are people who cannot get a mortgage meant to live? Can he confirm that starter homes will be for first-time buyers and will not be available to cash buyers?

The Housing and Planning Bill will lead to a loss of affordable homes to rent and buy, but more than anything it is a missed opportunity to tackle the housing crisis head on, to provide greater security, stability and safety to tenants in the private rented sector, to offer a genuine hand-up to those who are trying to get on the property ladder and to build more social housing. We have seen a comprehensive spending review and an autumn statement that have failed to provide for a programme of affordable house building and have attacked many tenants on low incomes due to cuts in housing benefits.

For five years the Conservatives have had the chance to tackle the housing crisis. They have failed. They have their own track record, and it is one of five years of failure. They should and will be judged on it.

6.51 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): I thank all Members for taking part in this lively debate. Before I respond to the speeches made by hon. Members, the House will appreciate a reminder of what has been achieved since 2010. Back then, the housing market was broken. We inherited a planning system that was dysfunctional, and levels of house building that were tumbling. The economy and public finances were on the brink of collapse. Enormous progress has been made since. Almost 900,000 new homes have been delivered in England since 2010. In the last Parliament the number of first-time buyers doubled, the number of new homes we built doubled and public support for new house building doubled, and since 2010 we have helped more than 270,000 households buy a home.

We have provided more than 270,000 affordable homes for rent, with almost one third of those in London. We are the first Government since the 1980s to finish their term with a larger stock of affordable homes. A reformed planning system gives far greater weight to the views and needs of local communities, but in this Parliament we want to go much further. The Government’s investment is being doubled to £20 billion in the next five years.
[Mr Marcus Jones]

It will support the largest housing programme by any Government since the 1970s. Our ambition is to deliver 1 million more homes and double the number of first-time buyers.

My hon. Friends the Members for South Norfolk (Mr Bacon), for Wimbledon (Stephen Hammond), for Worcester (Mr Walker), for Rossendale and Darwen (Jake Berry), for South Suffolk (James Cartlidge), for Thirsk and Malton (Kevin Hollinrake), for South Ribble (Seema Kennedy), for Croydon South (Chris Philp), for Dudley South (Mike Wood) and for Bexhill and Battle (Huw Merriman) all made fabulous and important contributions. My hon. Friend the Member for South Norfolk explained the importance of self-build and praised the measures in the Housing and Planning Bill to promote it. My hon. Friend the Member for Wimbledon pointed out that council house building is now at its highest level for 23 years, knocking down the myth promoted by the Labour party.

It was good to hear my hon. Friend the Member for Worcester point out that the Conservatives in local government, not Labour, are providing affordable houses in Worcester. I was also pleased to hear his welcome for our crackdown on rogue landlords. My hon. Friend the Member for Rossendale and Darwen stated the importance of first-time buyers and the Help to Buy ISA that the Government are introducing. My hon. Friend the Member for South Suffolk mentioned the measures that the Chancellor is taking to make things fairer for first-time buyers. My hon. Friend the Member for Thirsk and Malton made a great point about the importance of the additional housing that will be provided by the right-to-buy receipts, and my hon. Friends the Members for South Ribble and for Dudley South made encouraging comments about planning in principle on brownfield sites and the difference that it will make in their constituencies. My hon. Friend the Member for Croydon South mentioned the London Land Commission and the potential for public sector land to be brought forward for development. My hon. Friend the Member for Bexhill and Battle was a strong advocate of neighbourhood planning.

That brings me to the points made by Opposition Members. I shall start where my hon. Friend the Minister for Housing and Planning left off. He mentioned “Back to the Future” to describe Labour’s approach and he was right. Labour still has a past which it harks back to, but it has very little of a future to look forward to if today’s debate is anything to go by. Speaking from the Front Bench, the right hon. Member for Wentworth and Dearne (John Healey) and the hon. Member for Erith and Thamesmead (Terese Pearce) spent 40 minutes in total on their opening and winding-up speeches, and did not put forward one idea for tackling one of the biggest issues facing the country. It was all soundbites, empty rhetoric and ideology rather than pragmatism to help people get into their own home. For some reason Opposition Members seem very happy to own homes themselves, but when it comes to other people having the chance to own their home, they do not seem to want it. We want people to have the opportunity to own their home, which 86% of people want.

There were eight speeches from Labour Back-Bench Members that were extremely consistent with those from their Front Bench. In those eight speeches not one idea was suggested to try to deal with the issues that the country faces. There was one notable exception. The hon. Member for Birmingham, Yardley (Jess Phillips) made several constructive comments and proposed a number of ideas that we will look at in the context of the debate.

Britain has come a long way over the past five years, a journey that has taken us from the brink of bankruptcy to being the fastest-growing advanced economy in the world. Confidence has returned and living standards are rising. More people are buying homes and house building is on the rise. But we must go further, and this Government are under no illusion about the scale of the progress that is required. In the past five years we have pulled house building up from the record lows of the previous decade, and in the next five years we intend to push it up further to levels not sustained since the 1980s. The challenges that we face today have been many decades in the making.

Our focus moves us from rescue to reform. We must address the deep structural weaknesses in the way that this country plans and builds for the future. A better housing market will be vital for raising the productivity of our country and rebalancing the economy. Above all, it will ensure that Britain is a country of opportunity, where everyone who works hard can realise their dream of home ownership—the housing association tenant, the young family who want to settle down, and the retired couple who want to build their own house. They all voted for a better housing market and that is what this Government are determined to deliver.

Question put.

The House divided: Ayes 205, Noes 297.

Division No. 150] [6.58 pm

AYES

Abbott, Ms Diane
Alexander, Heidi
Ali, Rushanara
Allen, Mr Graham
Ashworth, Jonathan
Bailey, Mr Adrian
Barron, rh Mr Andrew
Beckett, rh Margaret
Berger, Luciana
Blackman-Woods, Dr Roberta
Blenkinsop, Tom
Blomfield, Paul
Bradshaw, rh Mr Ben
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Mr Alan
Campbell, Mr Ronnie
Champion, Sarah
Chapman, Jenny
Coaker, Vernon
Coffey, Ann
Cooper, rh Yvette
Corbyn, rh Jeremy
Cox, Jo
Coyle, Neil

Crawsby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
De Piero, Gloria
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Efford, Clive
Elliot, Julie
Elliot, Tom
Elman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Field, rh Frank
Fitzpatrick, Jim
Fiello, Robert
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Fovargue, Yvonne
Mrs Mitchell has been ordered by the courts in California to return home to the United Kingdom with her child to allow her family to have the chance to meet this little boy for the first time. I therefore present the petition on behalf of 154 residents of South Staffordshire.

The petition of residents of the UK, Gavin Williamson (South Staffordshire) (Con): My constituent Sian Mitchell moved to the United States last year, following her engagement and marriage to an American citizen. Sadly, shortly after the birth of her son earlier this year, her marriage fell apart. Her multi-millionaire husband, Mr Angus Mitchell, has taken out court orders preventing Sian from taking her child out of the State of California until proceedings have been resolved, making it as difficult as possible for her to bring up her son in the way she wishes. Sian is away from her family and relies on their emotional support during this extremely difficult time. She is desperate to return home to the United Kingdom with her child to allow her family to have the chance to meet this little boy for the first time. I therefore present the petition on behalf of 154 residents of South Staffordshire.

The petition states:

The petition of residents of the UK, declares that Mrs Sian Mitchell moved to the United States of America where she married a US citizen with whom she has a son; further that divorce proceedings are currently in motion and Mrs Mitchell has been ordered by the courts in California to return home to the United Kingdom with her child to allow her family to have the chance to meet this little boy for the first time. I therefore present the petition on behalf of 154 residents of South Staffordshire.

Question accordingly negatived.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)).

PETROLEUM

That the draft Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015, which were laid before this House on 16 July, be approved.—(Guy Opperman.)

The Deputy Speaker’s opinion as to the decision of the Question being challenged, the Division was deferred until tomorrow (Standing Order No. 41A).

Motion made, and Question put forthwith (Standing Order No. 118(6)).

DEFENCE

That the draft Armed Forces (Service Complaints Miscellaneous Provisions) Regulations 2015, which were laid before this House on 28 October, be approved.—(Guy Opperman.)

Question agreed to.

Motion made, and Question put forthwith (Standing Order No. 118(6)).

CAPITAL GAINS TAX

That the draft Taxation of Regulatory Capital Securities (Amendment) Regulations 2015, which were laid before this House on 23 November, be approved.—(Guy Opperman.)

Question agreed to.

PETITION

Divorce proceedings of a UK citizen abroad

7.12 pm

Gavin Williamson (South Staffordshire) (Con): My constituent Sian Mitchell moved to the United States of America where she married a US citizen with whom she has a son; further that divorce proceedings are currently in motion and Mrs Mitchell has been ordered by the courts in California to return home to the United Kingdom with her child to allow her family to have the chance to meet this little boy for the first time. I therefore present the petition on behalf of 154 residents of South Staffordshire.
remain in the State with her son until proceedings have been resolved; and further that the petitioners believe that the Foreign and Commonwealth Office and the Government should offer as much support and assistance to her as possible so she can return to the United Kingdom.

The petitioners therefore request that the House of Commons urges the Foreign and Commonwealth Office and the Government to make representations to the US Government and the State of California to press the issue and get a resolution to the problem at the earliest possible stage so that Mrs Mitchell can return to the United Kingdom with her son as soon as possible.

And the petitioners remain, etc.

**Transgender Prisoners**

*Motion made, and Question proposed, That this House do now adjourn.— (Guy Opperman.)*

7.14 pm  

**Cat Smith** (Lancaster and Fleetwood) (Lab): I am pleased to have secured my first Adjournment debate on the issue of transgender prisoners. It is not a topic that I knew much about before my election in May, but in my seven months in this House it has certainly gained my attention.

As someone who was interested in equalities issues before entering the House, I was keen to be elected to the Women and Equalities Committee. The Committee’s first inquiry into transgender equality is expected to be published early next year and we have taken evidence on trans people in the prison system. It was at that evidence session that I first became aware of the issue that is before us in this debate. It struck me that trans people face barriers and complications at pretty much every point in their lives, but there is a particular problem in our prison system. The description that was put to me last week was that “getting involved in transgender issues is like a reverse onion, the more you look to peel off layers, the bigger it gets!”

Research suggests that trans people are over-represented in the criminal justice system. The proportion of trans people in the prison system may be twice the proportion in the general population. Many of the offences for which trans people are incarcerated apparently involve obtaining money for privately funded gender reassignment surgery. That is an insight into the lengths to which some trans people feel they have to go to live life in their acquired gender. Other possible reasons for the over-representation of trans people in the criminal justice system include the involvement of sections of the trans community in sex working and substance misuse. However, throughout my involvement in this issue, it has been a constant struggle to find any reliable data.

The recent cases, which have been much discussed in the media, have focused attention on the policies of the National Offender Management Service towards transgender prisoners in England and Wales.

**Angela Crawley** (Lanark and Hamilton East) (SNP): I thank the hon. Lady for calling this important debate. As a former colleague on the Women and Equalities Committee, I know that she is a great champion of trans issues. The Scottish Prison Service has worked closely with the Scottish Transgender Alliance to produce guidance on gender identity and gender reassignment to ensure that prisoners are placed in the estate that reflects their gender identity, regardless of whether they have a gender recognition certificate. Will she join me in calling for the UK Government to follow the Scottish example?

**Cat Smith**: The hon. Lady has pre-empted the next part of my speech. There are huge differences in the placement of transgender prisoners between the Scottish prison estate and the English and Welsh prison estate. The policy guidelines for England and Wales state that prisoners should normally be located in the prison estate of their gender, as recognised by UK law. For transgender prisoners, that is normally decided by the
gender stated on their gender recognition certificate. There is some flexibility to allow transgender prisoners who do not have a GRC to be located in the estate of their acquired gender, where a case conference and multidisciplinary risk assessment determine that it is appropriate.

Iain Stewart (Milton Keynes South) (Con): I congratulate the hon. Lady on securing this important and sensitive debate. Joanne Latham was found hanged in her cell at HMP Woodhill in my constituency. She was at the very early stages of changing gender and, therefore, would probably not have been covered by the regulations. Does her case not highlight the need for a case conference to be convened at an earlier point in the person’s journey?

Cat Smith: The hon. Gentleman makes a pertinent point and highlights the difficulties. A great number of people who have transitioned gender do not have a gender recognition certificate, so this does not just affect those who are at the beginning of their transition. Many trans people do not seek a gender recognition certificate for a great number of reasons, including financial reasons such as access to pensions. That puts them at risk, were they to enter the prison estate in England and Wales, of not being assigned to the prison estate of their acquired gender.

I welcome the Government’s review of the policy guidelines for England and Wales. The scope of the review was broadened recently to ensure that the care and management of transgender prisoners are fit for purpose.

Rebecca Long Bailey (Salford and Eccles) (Lab): There is a clear danger when trans people are placed in all-male prisons, as has been highlighted in this debate. In the light of that, does my hon. Friend agree that, as well as issuing the much-needed guidance, the Government should impose a legal responsibility on prison governors to ensure that there is safe housing for trans people, no matter what stage of the reassignment process they are at?

Cat Smith: All prisoners should be safe on the prison estate. As a state, we have a responsibility to keep all prisoners safe.

Jim Shannon (Strangford) (DUP): I asked beforehand whether the hon. Lady on security this important and sensitive debate. Joanne Latham was found hanged in her cell at HMP Woodhill in my constituency. She was at the very early stages of changing gender and, therefore, would probably not have been covered by the regulations. Does her case not highlight the need for a case conference to be convened at an earlier point in the person’s journey?

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Cat Smith: All prisoners should be safe on the prison estate. As a state, we have a responsibility to keep all prisoners safe.
Despite being successful on 29 October at county court in obtaining a judgment in her favour that the Ministry of Justice has responsibility for providing access to private medication and treatment outside of prison, and that that is a decision for the prison governor following a multidisciplinary meeting, this is yet to be facilitated, even though she contacted his office on 10 December 2015. While she continues to be denied the right to surgery and to be moved to a female prison establishment, she remains extremely vulnerable and at a very high risk of harm. Examples of her self-harm have included injecting bleach into her testicles and attempting self-surgery to remove her scrotum.

I will now make my last quote from this prisoner’s letter to me:

“I hope you can help me and get me out of this hell of a prison that’s not fit for transgender people or cares for them.”

I can reassure the House that her constituency MP is taking her case very seriously and doing her best to assist this prisoner.

Interestingly, NOMS has agreed that when she is released from custody, it will support her continuing supervision in the community in a female “approved premises”. There is no consistency in this case, and her story seems typical of that of many trans prisoners. Journalist and LGBT campaigner Jane Fae told the BBC:

“My serious concern is this is blowing the lid off something that is going on—that for a very long time trans prisoners have not been treated well within the system, that the rules that exist are being overridden... And this is leading to a massive, massive amount of depression and potentially, in some cases, suicidal feelings.”

Jenny Chapman (Darlington) (Lab): I am sorry to have to agree with my hon. Friend and to point out that, at the moment, once every four days, somebody takes their own life in our prisons.

Cat Smith: I thank the hon. Gentleman for that helpful intervention.

Will the Minister confirm exactly when she estimates that the review that I mentioned will conclude? In answer to my urgent question last month, and in response to my hon. Friend the Member for Ilford North (Wes Streeting), the prisons Minister confirmed that, although the Government do not currently hold data centrally on the number of transgender people in prisons, they will start publishing them in future, and that they plan to introduce a self-assessment declaration at pre-sentence report stage. Does the Minister have a timetable for the introduction of those measures? Could she let us know what steps the Government are taking while the review is under way to ensure that recent tragedies are not repeated?

I want to finish with a brief point about the prison estate in general. We know that the right conditions need to be in place to allow prisoners the space to rehabilitate themselves and play a role in society. The outgoing prisons inspector’s latest report revealed that our prisons are in the worst state for 10 years. Overcrowding is up. Violence, against staff and prisoners, has increased, and self-harm and suicides are also up.

My noble Friend Lord Falconer has warned: “Violent, under-staffed prisons will never be able to rehabilitate prisoners, challenge re-offending behaviour or protect victims of crime.” That is especially true for trans prisoners.

7.28 pm

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): I congratulate the hon. Member for Lancaster and Fleetwood (Cat Smith) on securing the debate. She made some powerful and important observations in her speech, and I will be more than happy to look into any individual cases if she would be kind enough to forward them to me.

As the hon. Lady will understand, the care and management of transgender people in prison is not only a complex but a sensitive issue, which the Government and I take very seriously. As she knows, I hold not only a role in the Ministry of Justice, but the Women and Equalities portfolio. The subject therefore affects me in both roles.

We are committed to incorporating equality and diversity into everything we do and ensuring that we treat all offenders with decency and respect. Current policy and guidance on the care and management of prisoners who live or propose to live in a gender other than the one assigned at birth are set out in Prison Service Instruction 07/2011. The instruction states that all prisoners are normally placed according to their legally recognised gender. Legal gender is determined by the individual’s birth certificate or gender recognition certificate, if they have one. When someone has obtained a gender recognition certificate, they are entitled to a new birth certificate in their acquired gender. The guidelines allow some room for discretion, and senior prison staff will review the circumstances of each case in consultation with medical and other experts, in order to protect the physical and emotional wellbeing of the person concerned, along with the safety and wellbeing of other prisoners.

Martin John Docherty (West Dunbartonshire) (SNP): I am grateful to the hon. Lady for giving way because I am very conscious of the time. Reflecting what happens in Scotland might affect the debate, in terms of the additional access to care within a prison framework, such as access to items that may be necessary to relieve gender dysphoria and facilitate gender expression such as chest binders and prosthetics. That may add to what the hon. Lady is discussing.
The prison estate, and the intervention and support it provides to all offenders, is highly complex. Offenders are more likely to suffer poor mental health, to have issues with substance misuse, or perhaps to have suffered domestic abuse or sexual violence than the general population. All those considerations must be taken into account when we decide on the most appropriate place for an offender to receive the right care and rehabilitation.

As the House will appreciate, the circumstances of individual transgender prisoners vary widely. It is therefore right that NOMS should take a case-by-case approach that is informed by advice from the relevant professionals. Under current arrangements, prisons must produce a management care plan that outlines how the individual will be managed safely and decently within the prison environment. That plan will have oversight from psychologists, healthcare professionals, and prison staff.

Where a lack of clarity about the most appropriate location for a prisoner is associated with their gender identity, the instruction states that a multi-agency case conference must be convened. That will determine the best way forward consistent with the policy, taking into account the individual’s protection and wellbeing, as well as that of other prisoners, and any other risk factors that are of paramount importance.

As the hon. Lady will know, we have received a number of representations that express concern that the current system may not sufficiently address the needs of transgender prisoners. As has already been announced, NOMS is undertaking a review of the relevant prison service instruction to ensure that it is fit for purpose. That must provide an appropriate balance between respecting the needs of the individual, and the responsibility to manage risk and safeguard the wellbeing of all prisoners.

Barry Gardiner (Brent North) (Lab): In cases where the care management plan has obviously failed, what action has been taken against those responsible?

Caroline Dinenage: If the hon. Gentleman will bear with me I will come to that point soon, and I will be more than happy to communicate with him after the debate if I do not cover everything.

Last week I announced during Justice questions that that review will now be widened to consider what improvements we can make across prisons, probation services and youth justice services. The review will develop recommendations for revised guidelines that cover the future shape of prison and probation services for transgender prisoners and offenders in the community. It will be co-ordinated by a senior official from the Ministry of Justice, who will engage with relevant stakeholders—including from the trans community—to ensure that we provide staff in prisons and the probation service with the best possible guidance.

Angela Crawley: Has any consideration been given to those who identify as non-binary or non-gendered in that review and guidance?

Caroline Dinenage: The hon. Lady makes an excellent point. The terms of reference for the review have been published, and that refers back to the point made by the hon. Member for Lancaster and Fleetwood about the evidence learned from experience in Scotland. The review will ask for evidence and submissions in the new year, and we want that to be an open and engaging process. Everything and anything will be taken into consideration at that point.

We want to ensure that we provide staff in prisons and probation with the best possible guidance. NOMS, the Youth Justice Board, the national health service and the Government Equalities Office have already started to provide the professional and operational expertise necessary to get this right. In addition, Peter Dawson and Dr Jay Stewart will act as independent advisers to the review. Peter Dawson is deputy director of the Prison Reform Trust and has served as deputy governor of HMP Brixton and governor of HMP Downview and HMP High Down. Dr Jay Stewart is a director of Gendered Intelligence, an organisation that aims to increase the understanding of gender diversity.

An aspect of the review to which the Government have given a firm commitment is defining how we can properly record the number of transgender prisoners and offenders in the community. There are a number of sensitivities associated with this, of which the hon. Lady, who has served on the Select Committee, will be aware. The Gender Recognition Act 2004 places constraints on the recording of information about individuals who have applied for or been issued with a gender recognition certificate. Individual prisons are of course aware of those prisoners in their care who live or propose to live in the gender other than the one assigned at birth, in order properly to provide a care management plan for them that is consistent with the policy guidelines.

NOMS is currently looking at ways to facilitate the recording of information relating to transgender status through the introduction of an equality self-declaration form—to which the hon. Lady referred—to be completed by all defendants as part of their pre-sentence report. As well as obtaining other equality-related information, the use of such a form as standard would enable us to monitor the amount of self-declared transgender individuals who have received a custodial or community sentence. The resourcing and operational impact of introducing the form is being looked at right now, and I hope we will have more news on that shortly.

There has recently been considerable media interest in a number of individual cases, the reporting of which has, sadly, been rather wide of the mark in some parts. As the House will appreciate, operational issues relating to the effective management of risk and the protection of offenders mean that it would not be appropriate for me to comment on individual cases. A key issue is the privacy of individual offenders and their families. An individual’s history of offending constitutes “sensitive personal data” for the purpose of the Data Protection Act 1988, as can information on their possible transgender status. Such information can therefore be released only when it is fair and lawful to do so. The threshold is high and requires a strong countervailing public interest for the information to be disclosed. Factors relevant to that assessment will include whether the individual has given their consent for the information to be released.

In addition, under section 22 of the Gender Recognition Act 2004, it is a criminal offence for someone who has acquired information in an official capacity—including civil servants, holders of public office and employers—to...
disclose information about a person’s application for a gender recognition certificate or where the certificate has been issued that discloses the person’s previous gender.

Section 22 of the Gender Recognition Act also defines any information relating to a person’s application for a gender recognition certificate or to a successful applicant’s gender history as “protected information”. In most instances, it is a strict liability offence to disclose protected information to any other person if the information has been acquired in an official capacity. The exemptions to when it is an offence to disclose protected information listed in section 22 are very tightly drawn to avoid abuse and protect individual privacy. If the hon. Lady has examples of where that has not been upheld, I would be keen to know about it.

My hon. Friend the Member for Milton Keynes South (Iain Stewart) raised the death of his constituent. I have explained why there are limits to what I can say about individual cases. None the less, I wish to place it on public record that both myself in a personal capacity and the Government consider each self-inflicted death in custody a tragedy. We are committed to reducing the number of deaths in prisons, and every death is the subject of investigations by the police and the independent Prisons and Probation Ombudsman, as well as a coroner’s inquest. The safety and well-being of all prisoners in our care is of the highest priority.

I am mindful of the wide-ranging evidence put to the Women and Equalities Committee inquiry into transgender equality. It has taken some fascinating and really valuable evidence and I very much look forward to hearing its recommendations in due course.

I wish to reassure the hon. Lady of my utmost commitment to the care and management of transgender prisoners. The planned review will allow us the opportunity to focus on their needs and their well-being against the backdrop of social reform, and as part of our wider investment in the rehabilitation of all prisoners in our care.

I thank the hon. Lady for giving us the opportunity to debate this very important subject and look forward to discussing it further with her in due course.

Question put and agreed to.

7.41 pm

House adjourned.
Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—
Palestinian Territories

1. **John Howell** (Henley) (Con): How her Department monitors outcomes of its spending in the Palestinian territories.

Justine Greening: The Secretary of State for International Development (Justine Greening): I would first like to thank my right hon. Friend the Member for Welwyn Hatfield (Grant Shapps) for all the work he did during his time in the Department, and to welcome the new Under-Secretary of State for International Development, my hon. Friend the Member for Ruislip, Northwood and Pinner (Mr Hurd) who I know will continue in the footsteps of my right hon. Friend the Member for Welwyn Hatfield.

The Department for International Development provides assistance and support to poor and vulnerable Palestinians, as well as supporting state building and economic development. Our operational plan for the Occupied Palestinian Territories contains a results framework that is monitored quarterly.

John Howell: I draw the House’s attention to my entry in the Register of Members’ Financial Interests.

The Prime Minister has been clear that Palestinian incitement will not be tolerated. As many as 25 Palestinian Authority schools are named after Palestinian terrorists, including Dalal Mughrabi, who killed 37 Israeli citizens. Will the Secretary of State assure me that no British aid goes towards such schools or to support the glorification of terrorism?

Justine Greening: The Prime Minister and I have been very clear that the UK deplores incitement on both sides of the Israeli-Palestinian conflict. We monitor any allegations of incitement closely and raise instances with both the Palestinian and the Israeli authorities. The UK’s direct financial assistance to the Palestinian Authority, which provides civil service salaries, goes only to approved individuals through a World Bank trust fund that has an independent audit.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): Palestinian refugees from Syria are suffering enormously—both those within Syria and those who have fled the country. What more can we do and what more can DFID do to ensure that the vital work of the United Nations Relief and Works Agency has secure funding for the long term?

Justine Greening: I had the chance to meet the head of UNRWA only last week with the Minister of State, Department for International Development, my right hon. Friend the Member for New Forest West (Mr Swayne), and we discussed the need to ensure that its funding is sustained. UNRWA does critical work, and in the context of the need to improve the international response to more protracted crises, we can learn a great deal from its work with Palestinian refugees.

Richard Burden (Birmingham, Northfield) (Lab): Surely the Secretary of State will be aware of the guidance on the Foreign Office website, which warns UK companies thinking of investing in the Occupied Palestinian Territories of the “legal and economic risks” if they engage in “financial transactions, investments, purchases, procurements and other economic activities in Israeli settlements or benefiting Israeli settlements” because of the illegal nature of those settlements and their being an obstacle to peace. Does the right hon. Lady therefore agree that it is perfectly reasonable for that advice to be given in that form, and that it is perfectly reasonable for both public and private institutions to pay due regard to that advice when they make their own investment and procurement decisions?

Justine Greening: They should do that; that is good Foreign Office advice. We have been very clear that we deplore illegal settlements, because they take us further away from a two-state solution and peace in that part of the world, when we need to be taking what could be final steps and final chances to reach a two-state solution.

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): We welcome the hon. Member for Ruislip, Northwood and Pinner (Mr Hurd) to his new Front-Bench position, and on this side we will claim the right hon. Member for Welwyn Hatfield (Grant Shapps) as our first scalp.

Given the worsening situation in the Occupied Palestinian Territories, how does the Secretary of State justify the decreasing funding to organisations such as UNRWA?

Justine Greening: I do not recognise that statement. The United Kingdom has played a leading role in making sure that we get support to vulnerable Palestinians, not only in Gaza but on the west bank. For example, the Materials Monitoring Unit has helped to support the Gaza reconstruction mechanism. I am sure that the hon. Lady is aware of all that, and it would be helpful to have her support for it.
Gaza: Youth Unemployment

2. Simon Danczuk (Rochdale) (Lab): What information her Department holds on the level of youth unemployment in Gaza; and if she will make a statement.

The Minister of State, Department for International Development (Mr Desmond Swayne): Gaza has the highest unemployment in the world. The World Bank estimates that youth unemployment had reached 60% by the end of 2014. Extensive restrictions inhibit employment. The UK continues to promote economic development and private sector-led growth.

Simon Danczuk: Gaza still faces restrictions on access to 35% of its agricultural land and 85% of its fishable waters, and Gazans are rarely allowed to travel outside their territory. Until such restrictions are removed, DFID will continue to work with one hand tied behind its back. Does the Minister not agree that the real problem is the blockade of Gaza?

Mr Swayne: As I said, the restrictions inhibit employment, but we will not give up. We have a programme for economic development, and it is making progress—slow and frustrating progress, but progress none the less.

Mr David Winnick (Walsall North) (Lab): May I make it absolutely clear that supporting the Palestinian people has nothing whatever to do with anti-Semitism? I wanted to clarify that at the outset.

Does the Minister not agree that the appalling situation in Gaza—and he has given us the figures—shows the need for the developed democracies to do far more? What hope can there be for the Palestinian people when they are faced with so little hope of obtaining jobs and having a decent life? Should we not be far more concerned with the Palestinian tragedy than we are?

Mr Swayne: I agree with the hon. Gentleman. We do everything that we can diplomatically to raise the sights of the world community, and we will continue to do so.

Bob Blackman (Harrow East) (Con): Does my hon. Friend not agree that the ill-considered, short-sighted campaign for boycotts and disinvestment is actually leading to more unemployment among the Palestinian people?

Mr Swayne: The problem faced by Gaza is restrictions, and the extension of restriction by any means is a block to peace.

Start-up Businesses

3. Mr Barry Sheerman (Huddersfield) (Lab/Co-op): What steps she is taking to encourage the availability of low-cost credit for start-up businesses in developing countries.

The Parliamentary Under-Secretary of State for International Development (Mr Nick Hurd): May I place on record my personal respect for the work done by my predecessor and friend the right hon. Member for Welwyn Hatfield (Grant Shapps), not least his kick-starting of the Energy Africa campaign?

As the hon. Gentleman knows, small and medium-sized enterprises will play a critical role in creating and sustaining much-needed jobs in poor countries. We have a range of programmes that focus on providing support and finance for microbusinesses, SMEs and, I am delighted to say, social enterprises.

Mr Sheerman: I know the Minister to be an innovator—he has that reputation—but will he consider carefully one way in which the United Kingdom can help? The UK is now the leading financial technology and crowdfunding centre of the world, and crowdfunding can deliver real opportunities to, in particular, women in the developing world to control their lives, finance start-ups, and do well in life. Will the Minister talk to other people, including the Chancellor of the Exchequer, with the aim of getting some real movement behind this?

Mr Hurd: I completely agree with the hon. Gentleman, who is a long-term, passionate supporter of the power of the crowd. If we get the regulation and the technology right, the arrangements will be very sustainable. The hon. Gentleman may not know this, but we have a manifesto commitment to develop crowdfunding, and that is exactly what we are doing. We are backing the Global Village Energy Partnership, which will support 10 to 15 crowdfunding platforms in the energy sector in sub-Saharan Africa, and that is just the start.

Mr Ranil Jayawardena (North East Hampshire) (Con): Does the Minister agree that businesses that support the conservation of endangered species should be promoted, and will he meet the all-party parliamentary group on endangered species to discuss that?

Mr Hurd: Yes.

Mr Speaker: I am deeply grateful.

Patrick Grady (Glasgow North) (SNP): My party also welcomes the new Minister to his post. He has said that he will ensure that small local enterprises can flourish in developing countries, but what reassurances can he give us that funds intended for those purposes do not make their way into the hands of larger conglomerates or multinational companies when it comes to, for example, the building of schools or the provision of education?

Mr Hurd: What is important to us is the creation of jobs. Those jobs will be created by a range of companies, and we will work with them to create a better economic environment in the countries in which we work. However, we know that 90% of the jobs will come from the private sector, and we know that most of the sustainable jobs will come from small and medium-sized organisations. We therefore give those organisations priority in respect of a number of the programmes that we are developing.

Fiona Bruce (Congleton) (Con): How will DFID’s work with women and girls drive economic development in poorer countries?

Mr Hurd: As my hon. Friend will know, that issue is enormously important to the Department and the Secretary of State. Inclusive growth and support for women and girls as part of economic development is a central pillar
of our strategic framework for the future. We expect our support over the next seven years to help to mobilise finance for more than 200,000 SMEs, at least a quarter of which will be headed by women.

Mary Creagh (Wakefield) (Lab): Small businesses in Rwanda and Burundi face credit costs of up to 20%. I know that DFID’s TradeMark East Africa project is trying to deal with that, but small businesses in Burundi now face an upsurge in ethnic violence, with foreign fighters coming in from Rwanda. May I urge the Minister, as he undertakes the bilateral aid review, to look again at our decision to leave Burundi in 2011 and to look carefully at the potential need to go back in there and have a presence on the ground?

Mr Hurd: I share the hon. Lady’s concern about the situation. We do not have a bilateral programme there, but we do a lot in terms of humanitarian support. I take on board fully her remark about the costs of capital to small organisations. I refer to my earlier answer: technology can help us to reduce such costs.

Burma

4. James Berry (Kingston and Surbiton) (Con): What plans has she to provide support for economic development in Burma in response to the recent election result in that country.

Justine Greening: I congratulate the people of Burma on their historic elections, which were supported by British-funded trained observers. The elections are an important step towards greater democracy. The UK will support inclusive growth in Burma. We will support improvements to the business climate, including the financial sector. We will help to increase agricultural productivity, diversify livelihoods and encourage more private sector investment in infrastructure.

James Berry: In the wake of Aung San Suu Kyi’s amazing victory, will my right hon. Friend expand on what her Department is doing to increase the participation of women in Burma’s economy, which has been dominated for far too long by men and the military?

Justine Greening: My hon. Friend is absolutely right. Women face specific barriers to participation in Burma’s predominantly rural economy, and in access to finance, land skills and credit, so we are targeting those issues through programmes that have helped, for example, to provide affordable credit for over 140,000 women. We are also looking at how we can help women to move into other sectors, such as garments manufacture, where often conditions and pay are better.

Mr Gregory Campbell (East Londonderry) (DUP): In assisting the Burmese nation and the new regime with international development, will the Secretary of State ensure that that regime is aware of the ongoing persecution of minorities in Burma, which needs to be dealt with as the new nation state takes shape?

Justine Greening: We will of course raise those issues. We know from so many other parts of the world that the Governments that are successful are the inclusive Governments with respect to minorities. One of the pieces of work that will be under way will be to double our support for a governance project that is taking place in the Burmese Parliament. That has seen our House of Commons Clerk go there in recent years. We will be doubling the number of Clerks there to help to ensure that the Burmese democracy can flourish, as ours has.

Gaza: Water and Sanitation

5. Alex Cunningham (Stockton North) (Lab): What assessment has she made of the quality and availability of water and sanitation facilities in Gaza.

Alex Cunningham: It is a terrible situation. Twenty-six per cent of all diseases in Gaza, ranging from respiratory and gastric to skin and eye diseases, are directly associated with the poor water supply. Clean water is limited to 70 litres per person a day and that figure will fall drastically over the coming years. According to the UN, the underground coastal aquifer will become unusable by 2016. What can be done about that, or is it just a case of lifting the Israeli blockade and getting on with life?

Mr Swayne: We are currently spending some €600,000 on a project to assist with desalination. Funds are available through our climate change fund for a long-term solution to this problem, but the level of investment and the marshalling of the factors of production will require a long-term peace process to be viable.

Michael Fabricant (Lichfield) (Con): The hon. Member for Stockton North (Alex Cunningham) speaks about the blockade, but surely if they did not embrace Hamas and continually fire rockets into Israel, there would not need to be a blockade in the first place.

Mr Swayne: We work continually with both sides to ease the economic conditions and to bring about a settlement.

Mr Speaker: Natalie McGarry? Not here.

Yemen

7. Stephen Phillips (Sleaford and North Hykeham) (Con): What steps her Department is taking to tackle the humanitarian situation in Yemen.

The Minister of State, Department for International Development (Mr Desmond Swayne): This is one of the world’s worst human crises: 80% of Yemen’s 21 million people are in need of assistance. The UK is playing its part. We have committed £75 million and are the fourth largest donor.

Stephen Phillips: I am grateful to my right hon. Friend for that answer. Will he update the House on what role the UK Government are playing to help bring about a peaceful settlement of the conflict in Yemen?
Mr Swayne: Peace talks began today, and yesterday a ceasefire commenced. I would urge all parties to observe the ceasefire. Her Majesty’s ambassador and DFID are in the margins of the peace conference affording what assistance they can.

Keith Vaz (Leicester East) (Lab): I welcome all the efforts that have been made by the Government, including the ceasefire, but the real problem is getting aid into Yemen. What can we do to raise the blockade?

Mr Swayne: We have invested £1.7 million in the UN vessel investigation mechanism. I hope that that will have a quantum effect on the number of vessels that are able to dock in the ports—60 last month, 55 the month before. It is getting better, but we are far, far short of what is necessary.

Mr David Jones (Clwyd West) (Con): My right hon. Friend will no doubt be aware of the recent report by Save the Children that highlighted the devastating impact of the conflict on medical facilities in Yemen, with some 69 hospitals destroyed or damaged by the end of October. While one wishes the peace talks well, what can the Government do in the interim to ensure the combatants are dissuaded from targeting medical facilities?

Mr Swayne: My right hon. Friend is absolutely right. That report is being scrutinised and investigated. We call on all combatants to observe international law, and my right hon. Friend the Foreign Secretary made this point very forcefully on his recent visit.

Tom Brake (Carshalton and Wallington) (LD): Following that reply, does the Minister agree that there is an overwhelming case for the United Nations Human Rights Council, which in the last year has referenced international humanitarian law 17 times, to call for an investigation into breaches of international humanitarian law in Yemen?

Mr Swayne: We supported the UN Human Rights Council resolution.

Mike Kane (Wythenshawe and Sale East) (Lab): The conflict in Yemen has seen 6,000 dead and 30,000 injured. The World Health Organisation says health services are on the brink of collapse. As it was world universal health coverage day yesterday, will the Minister today commit to help rebuild Yemen’s crippled system?

Mr Swayne: We have already committed £75 million to this, the worst crisis in the world, and I do give that commitment. We are already planning for the reconstruction of Yemen.

Ms Tasmina Ahmed Sheikh (Ochil and South Perthshire) (SNP): What discussions has the Minister had with the Foreign Office about concerning reports from Amnesty International and others that British-made weapons sold to Saudi Arabia are being used in the conflict, in breach of human rights laws?

Mr Swayne: The UK has the toughest standards for the export of weapons. The hon. Lady should be aware that the coalition is acting in support of the legitimate Government of Yemen after an illegal coup by an armed—[Interruption]—force.
Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): How many Syrian refugees will the Government have resettled in this country by Christmas?

Justine Greening: The Prime Minister will be giving an update on that shortly, but I think we can be proud of the role that the United Kingdom has played in leading the humanitarian response to the Syrian crisis, and of all the support we have provided, right from day one, to the refugees affected by the crisis.

T4. [902742] Michael Tomlinson (Mid Dorset and North Poole) (Con): What steps can the Secretary of State take to assist Syrians displaced in neighbouring countries such as Jordan, especially over the coming winter months?

Justine Greening: In this financial year, we have provided nearly £13 million to 11 partners who are helping to prepare for and respond to the onset of winter across Syria, Lebanon and Jordan. That is going to help to provide warm clothing, blankets, fuel and cash to vulnerable families.

T3. [902741] Karin Smyth (Bristol South) (Lab): Two million Syrian children live in areas that are beyond the area of humanitarian assistance. In the light of the recent strikes, what action is the Secretary of State taking to try to reach those desperate children?

Justine Greening: We are constantly working with United Nations agencies and non-governmental organisations to try to improve our access within Syria. We estimate that there are probably around 500,000 people, including children, that we cannot reach, but we will try our level best to ensure that we maintain our existing network and to reach into those areas as the fighting stops.

T8. [902746] James Morris (Halesowen and Rowley Regis) (Con): Does the Secretary of State agree that her Department has a vital role to play in delivering on the UK Government’s commitments that were signed at the climate change conference in Paris last week?

Justine Greening: Absolutely. In fact, DFID is scaling up our renewable energy work in Africa. We are expanding the provision of climate risk insurance in vulnerable countries, and we are also supporting increased investment in low-carbon technology and clean energy research.

T6. [902744] Jo Cox (Batley and Spen) (Lab): Given the increasing loss of life in Syria, Iraq and the Central African Republic and the escalating situation in Burundi, does the Secretary of State agree that the Government would benefit from applying a mass atrocity prevention lens in order better to focus their policy?

Justine Greening: The hon. Lady might be aware that, in our recently published aid strategy, we committed to investing around 50% of our DFID investment in so-called fragile and conflict states, precisely because we need to recognise that this is not just a matter of dealing with conflict after it has happened, and that we need to work to prevent it and to deal with fragility prior to issues taking place and causing huge distress.

Byron Davies (Gower) (Con): How much has my right hon. Friend’s Department spent in the past two years on humanitarian assistance in Syria and in the neighbouring countries that are receiving Syrian refugees?

Justine Greening: Over the course of the entire conflict, we have provided around £1.1 billion. That is our biggest-ever response to a humanitarian crisis. About half of that has been provided inside Syria, and around half has been used to support people in the region. There are now 4.4 million refugees outside Syria. It is vital that this work should continue, and we will continue to lead it.

T7. [902745] Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Following the report produced by the University of Sussex for the Department, what does the Minister consider to be the main risks posed to most favoured nation low-income countries from the Transatlantic Trade and Investment Partnership?

Justine Greening: Not only is our aid policy helping to improve the prospects and the lives of millions of people in poverty around the world, but it is in our national interest. I have just talked about how what we are doing is important for UK security and international security, but it is also important in terms of prosperity. The international rules that the hon. Gentleman talks about can be a key way of enabling prosperity through allowing freer trade, which can help developing countries to trade their way out of aid dependence.

Pauline Latham (Mid Derbyshire) (Con): What is DFID doing to stop the problem with malaria in the north of Uganda, which I am going to visit over the new year? I know that DFID is working hard there, but will she tell the House specifically what it is doing?

Justine Greening: We have a range of programmes, including in Uganda, that have helped with the cheap intervention of providing bed nets. We have seen over the past 15 years that the number of deaths from malaria has fallen by two thirds, which is important because some countries spend 40% of their health budget purely on responding to malaria.

Mr Speaker: Last but not least, Deidre Brock.

T9. [902747] Deidre Brock (Edinburgh North and Leith) (SNP): Is the Secretary of State aware of the recent arrest in Malawi of two men for having consensual sex? Will the Government make urgent representations to the Malawian Government, echoing the calls of the US ambassador, calling on them to live up to their international human rights obligations and ensure that these charges are dropped?

Justine Greening: We will be making representations, and the hon. Lady is absolutely right to flag that up as a key area of human rights that needs to be addressed, wherever it takes place.
The Prime Minister was asked—

Engagements

Q1. Richard Graham (Gloucester) (Con): If he will list his official engagements for Wednesday 16 December.

The Prime Minister (Mr David Cameron): I am sure the whole House will join me in wishing Major Tim Peake well as he begins his six-month stay at the international space station. We all watched his exciting take-off yesterday and as he is the first Briton to visit the international space station it signals a landmark in this country's involvement in space exploration. I am proud that the Government took the decision to fund it, and we wish him the best of luck.

This morning I had meetings with ministerial colleagues and others, and in addition to my duties in this House, I shall have further such meetings later today.

Richard Graham: May I welcome today's fall in unemployment to 5.2%, the lowest level in almost 10 years?

Stalking is a horrible crime. Dr Eleanor Aston, a GP in Gloucester and resident of Cheltenham, was harassed for several years by a stalker who slashed her tyres, hacked her water pipe, cut off her gas supply and put foul items in her letterbox. She and her family suffered dreadfully. The judge, in sentencing, said that if he could have given more than the maximum of five years, he certainly would have done. My hon. Friend the Member for Cheltenham (Alex Chalk) has raised the issue of sentencing guidelines with the Justice Secretary. Will the Prime Minister today give his support for greater flexibility and longer sentencing where it is clear that a stalker is a real menace?

The Prime Minister: First, let me say how much I agree with my hon. Friend that stalking is a dreadful crime. That is why we have introduced two new stalking offences during this Parliament. I will certainly make sure that my hon. Friend the Member for Cheltenham (Alex Chalk) has raised the issue of sentencing guidelines with the Justice Secretary. Will the Prime Minister today give his support for greater flexibility and longer sentencing where it is clear that a stalker is a real menace?

Jeremy Corbyn: There are huge pressures on the NHS, and they are largely due to the pressures on the adult social care system, which is under enormous stress at the moment. Indeed, there have been huge cuts in adult social care because of cuts in local government funding. The NHS chief executive, Simon Stevens, has called for a radical upgrade in prevention and public health. Does the Prime Minister agree that cutting these crucial services is a false economy?

The Prime Minister: We are increasing the money that councils can spend on social care through the 2% council tax precept. The right hon. Gentleman mentioned Simon Stevens, but our NHS plan is Simon Stevens's plan. For the first time, the NHS got together and wrote its plan. It asked for £8 billion, and it asked for the money up front. We committed to that plan, unlike Labour at the last election, and we funded it up front, which is why we see a bigger and better NHS. None of that would have been possible, including the action that we are taking on social care through the better care fund, without our having achieved a growing economy and an increase in jobs.
Jeremy Corbyn: The problem is to do with adult social care. This morning on BBC Radio 4, the NHS Confederation said that “cuts to social care and public health will continue to pile more pressure on hospitals and will worsen deficits in the acute sector.” What was announced on social care in the autumn statement falls well short of what is needed. The Health Foundation estimates that there will be a funding shortfall of £6 billion by 2020. How will the Government meet that shortfall?

The Prime Minister: I am glad that the right hon. Gentleman listens to the “Today” programme. Perhaps he might even bother to go on it one of these days. A bit of transparency and sunlight would be very welcome. If he wants to swap quotations, this is what the chairman of the Local Government Association says: “The LGA has long called for further flexibility in the setting of council tax… Today’s announcement on council tax will go some way to allowing a number of councils to raise the money needed…The £1.5 billion increase in the Better Care Fund announced today is good news”.

It is this Government who funded the NHS; Labour did not. It is this Government who set up the better care fund; Labour opposed it. It is this Government who have the strong and growing economy. I note that we are on question four and there is still no welcome for the unemployment figures.

Jeremy Corbyn: The issue of adult social care and cuts in local government spending is very much the responsibility of central Government. Will the Prime Minister confirm that NHS trusts are forecasting a deficit of £2.2 billion this year? I understand—and he, as part of the Oxford anti-austerity movement, will be concerned about this—that his own local healthcare trust is predicting a £1.7 million deficit. There is a problem of NHS funding. Has he forgotten the simple maxim that prevention is cheaper and better than cure?

The Prime Minister: How can the right hon. Gentleman possibly complain about NHS funding when his party did not commit to fund the Stevens plan? We are spending £19 billion more on the NHS—money that would not be available if we had listened to the Labour party. Now he says that social care is a responsibility of Government; everything is a responsibility of Government, but in fact, local councils decide how much to spend on social care, and with the better care fund, they have more to spend. But I challenge him again: how do we pay for the NHS? We pay for it by having more growth, more jobs, more people having a livelihood. Is he going to welcome that at Christmas time, or does he not care about the reduction in unemployment?

Jeremy Corbyn: I have a question from Abby, who wants to train to be a midwife, and she says: “I am 28 years old. This year I left my successful career to go back into university to re-train as a Midwife. I already have a debt of £25,000 from my first degree.

Well over half of my cohort have studied a first degree in another subject and many of my fellow colleagues have children and partners and elderly parents and mortgages.

Many people will be put off by the lack of financial support and massive debts.”

In the spirit of Christmas, will the Prime Minister have a word with his friend the Chancellor, who is sitting next to him—it can be done very quickly—to reverse the cuts in the nurse bursary scheme, so that we do get people like Abby training to be midwives, which will help all of us in the future?

The Prime Minister: First of all, I want Abby to train as a midwife, and I can guarantee that the funding will be there for her training, because there are thousands more midwives operating in the NHS today than when I became Prime Minister. Now the right hon. Gentleman mentions the question of nurse bursaries. The truth is that two out of three people who want to become nurses cannot do so because of the constraints on the system, and our new system will mean many more doctors and many more nurses. Since I became Prime Minister, we have already got 10,000 more doctors in the NHS and 4,500 more nurses. But all of this is happening because the economy is growing, the deficit is falling, unemployment is coming down, you can fill up a tank of gas at £1 a litre and wages are going up. Britain is getting stronger as we go into Christmas, because our economy is getting stronger, too.

Q5. [902727] Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): Yesterday, colleagues from both sides of the House formed a new all-party group on the armed forces covenant, which aims to scrutinise and support the fulfilment of the Government’s pledges to service personnel and their families. Will the Prime Minister join me in praising the incredible dedication of our armed forces and their families, especially those in my constituency at RAF Boulmer, at this festive time, when many are separated from their loved ones? Will he reaffirm his personal commitment to the House to delivering his armed forces covenant in practice and in full?

The Prime Minister: I thank my hon. Friend for her question; she is absolutely right. As all of us get ready hopefully to spend time with our families this Christmas, there will be many in our brave armed services who cannot because they are serving abroad or at home, so we wish them the very best as Christmas comes. On the military covenant, one of the things of which I am proudest in the last five years is that we put that into law, adding to it every year by giving veterans priority in healthcare, increasing funding for veterans’ mental health services and prioritising school places for children. Every year we have made progress on the armed forces covenant, and every year I stand at this Dispatch Box we will continue to do so.

Angus Robertson (Moray) (SNP): The Prime Minister will shortly meet the Heads of State and of Government of the European Union. Will he heed the advice of former Prime Minister John Major and stop “flirting” with leaving the European Union, which would, in his words, be “very dangerous and against our national interests”?

The Prime Minister: What I will be doing is getting the best deal for Britain. That is what we should be doing. This Government were the first to cut the EU budget, the first to veto a treaty, the first to bring back substantial powers to Britain. We have a great record on Europe and we will get a good deal for the British people.
Angus Robertson: We were reminded this week that there is a very strong majority in Scotland to remain within the European Union, and the Prime Minister has failed—[Interruption.] I know his side does not like to hear it, but the Prime Minister has failed to give any guarantees that Scotland will not be forced out of the EU by the rest of the UK. Does he have any idea of the consequences of taking Scotland out of the EU against the wishes of voters in Scotland?

The Prime Minister: This is a United Kingdom and this is a United Kingdom issue. Why is the right hon. Gentleman so frightened of listening to the people and holding this historic referendum, passed through both Houses of Parliament in the past week? I say get a good deal for Britain and then trust the people.

Q6. [902728] Karl McCartney (Lincoln) (Con): The Prime Minister has previously visited RAF Waddington in my constituency and I am sure he will, like me, wish all the service personnel and their families well as they carry out operations during the Christmas period. Given that the United Kingdom is now conducting airstrikes over Syria as well as over Iraq, and in the light of the Leytonstone attack, why is our country still not at the highest level of threat?

The Prime Minister: First, let me join my hon. Friend in praising those at RAF Waddington who work round the clock to keep us safe in our country and are doing such vital work. As he will know, the threat level in this country is set not by politicians but by the joint terrorism analysis centre, JTAC, which currently sets it at “severe”, the second highest level. I can confirm what I said to the House on 26 November: the UK is already in the top tier of countries that Daesh is targeting. I can also confirm that that part of my statement was cleared in advance by the Chairman of the Joint Intelligence Committee. The threat level today is “severe”, which means that a terrorist attack is highly likely; that has been the case since August. The highest level is “critical”, which means that an attack is believed to be imminent. Were we to go to that level, it would be for JTAC to advise, not for Ministers.

Q7. [902729] Mark Pawsey (Rugby) (Con): By the time the House next meets for questions, many people will have started their new year’s resolutions. For many, one resolution will be to give up smoking. Given that Public Health England recently stated that e-cigarettes are 95% safer than tobacco and half the population is unaware of that fact, will the Prime Minister join me in highlighting the role that e-cigarettes can play in helping people give up tobacco for good?

The Prime Minister: C eritably, speaking as someone who has been through this battle a number of times, eventually relatively successfully, lots of people find different ways of doing it, and clearly for some people e-cigarettes are successful. We need to be guided by the experts, and we should look at the report from Public Health England, but it is promising that over 1 million people are estimated to have used e-cigarettes to help them quit or have replaced smoking with e-cigarettes completely. We should be making it clear that this is a very legitimate path for many people to improve their health and therefore the health of the nation.

Q3. [902725] Callum McCaig (Aberdeen South) (SNP): During the referendum the Prime Minister pledged to deliver carbon capture and storage at Peterhead, something he reiterated in the Tory party manifesto, yet on the eve of the Paris climate talks he pulled the plug. Which does he see as the greatest betrayal—that of Scotland, that of his manifesto, or that of the entire planet?

The Prime Minister: Of course the greatest success is the Paris climate change talks. I want to take this opportunity to pay tribute to the Secretary of State for Energy and Climate Change, who was one of the key negotiators who helped to deliver this global goal, which is so much better than what happened at Copenhagen and better even than what happened at Kyoto.

Let me answer the hon. Gentleman. Gentleman directly on carbon capture and storage. In government you have to make tough choices. You have to make decisions about technology that works and technology that is not working. We are spending the money on innovation, on energy storage, on small nuclear reactors, and on other things such as energy heat systems for local communities that will make a difference. To govern is to choose, and we made the right choice.

Q10. [902732] Nigel Adams (Selby and Ainsty) (Con): This Friday sadly sees the closure of Britain’s last deep coal mine at Kellingley in my constituency. Will my right hon. Friend the Prime Minister join me in thanking the hundreds of workers who will be working their last shift this Friday, and praise the thousands of workers whose bravery and hard graft over the past 50 years has helped warm our homes, power our factories, and keep our lights on?

The Prime Minister: My hon. Friend speaks very strongly for his constituents. I am very happy to join him in thanking people who have worked so hard at that mine and elsewhere. Obviously it is a difficult time.
As part of the closure process, the Government have put in nearly £18 million to ensure that the workers receive the same package as the miners at recently closed Thoresby. That finance has allowed the mine—

Q12. [902734] Mr Ranil Jayawardena (North East Hampshire) (Con): Is my right hon. Friend aware that thanks to the Chancellor’s protection of the police budget, 108 more police officers are being recruited to protect the people of Hampshire? While there is more to do in tackling crime in more rural areas, does he agree that this is an important step in prioritising the frontline, and that the Home Office and the Hampshire constabulary have made real progress in making our police more effective, more efficient, and more resilient?

The Prime Minister: I am delighted to join my hon. Friend in saying that it was the right decision to make sure we have this extra funding for the police. By the end of the spending settlement, it is actually an increase of £900 million in cash terms by 2019-20. I am delighted that there will be more officers on the streets in Hampshire. I come back to the same point: you cannot fund the police unless you have a growing economy and stable tax revenues. We are making our police more effective, more efficient, and more resilient.

Q8. [902730] Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): In his farewell speech, the outgoing director of the British Museum said:

“The British Museum is perhaps the noblest dream that parliament has ever dreamt. Parliament decided to make a place where the collection would be free to all native or foreign, where every citizen would have the right to information and where all inquiry would be outside political control.”

The British Museum said:

“We must take action...to keep fossil fuels in the ground”.

That is their policy. They have also got a policy, by the way, of reopenng coal mines, so presumably what they are going to do is dig a big hole in the ground and sit there and do nothing. What a metaphor for the right hon. Gentleman’s leadership of his party!

Q4. [902726] Alison Thewliss (Glasgow Central) (SNP): The Prime Minister promised during the election campaign that he would not restrict child benefits to two children. Since then, he has not only reneged on that but, as a result, brought in the rape clause for women in order for women to receive child benefits. Since July, I have asked a number of his Ministers a number of times, and nobody has been able to tell me how this will work. Will he now drop the two-child policy and the rape clause?

The Prime Minister: First of all, we have made it absolutely clear, and let me make it clear again, that there is no question of someone who is raped and has a child losing their child tax credits or their child benefit—no question at all. But is it right for future claimants on universal credit to get payments for their first two children? I think that it is.

Q13. [902735] Fiona Bruce (Congleton) (Con): According to Oxfam, the UK has donated a generous 229% of its fair share of aid in support of Syrian refugees—the highest percentage of the G8—yet worldwide only 44% of what is needed by those refugees has been donated. Does the Prime Minister agree that it is critical that other countries step up to the plate, as the UK has more than done, and will he update the House on progress in support of Syrian refugees?

The Prime Minister: I very much agree with my hon. Friend. Britain is doing its moral duty in terms of funding the refugees and the refugee camps. We are going to hold a conference in February, bringing the world together to make sure there is more funding in future. That is going to be absolutely vital. In terms of the number of refugees that we have resettled, I made a promise that we would resettle 1,000 by Christmas and I can confirm today that we have met that commitment. The charter flights that arrived yesterday at Stansted and Belfast mean that over 1,000 have been settled. Another charter flight is coming today. The Government have provided funding so that all those refugees get housing, healthcare and education.

I thank all the local authorities and all those who have worked so hard, including the Under-Secretary of State for Refugees, my hon. Friend the Member for Watford (Richard Harrington), who has led the process so ably. I said that Britain would do its duty, and with those 1,000 we have made a very good start.

Q9. [902731] Mr Douglas Carswell (Clacton) (UKIP): Three years ago, the Prime Minister could not have been any clearer: his EU renegotiation would mean returning control over social and employment law. Is he still seeking that?

The Prime Minister: I always find it hard to satisfy the hon. Gentleman: he joined the Conservative party when we were not committed to a referendum and he left the Conservative party after we committed to a
refereendum, so I am not surprised that he is giving his new boss as much trouble as he used to give me. With that, I wish them both a very festive Christmas.

Q15. [9027537] Oliver Dowden (Hertsmere) (Con): The triumphant “Star Wars” saga began life at Elstree studios in my constituency, which continues to produce hits such as “The King’s Speech” and “Suffragette”—[Interruption.]

Mr Speaker: Order. The hon. Gentleman is banging on very eloquently about “Star Wars” and I want to hear him.

Oliver Dowden: Will the Prime Minister join me in pledging support for our thriving British film industry, which makes such a valuable social, cultural and economic contribution in Hertsmere and across the United Kingdom?

The Prime Minister: My hon. Friend raises an important point. This film is not only very exciting for children—I have to say that quite a lot of parents are looking forward to it, too—but it was made in Britain, with many British actors and some brilliant British technicians, showing the strength of the British film industry. I would say this, but it is also backed by the British Government and British taxpayers with the excellent resources we provide. As I have worked with my hon. Friend for so many years and in so many different ways, I know that he will never join the dark side.

Q11. [902733] Marion Fellows (Motherwell and Wishaw) (SNP): Despite the ongoing efforts of the Scottish steel taskforce, my constituents at the Dalzell steel plant and the neighbouring Clydebridge works are starting to receive redundancy notices. Given the urgency of the situation, will the Prime Minister put pressure on the EU now to reach a quicker decision on permitting the energy intensive industries compensation scheme? If such permission is granted, will he also commit to implementing the scheme as soon as possible to provide a much needed breathing space for our steel sector and to give some hope to my constituents this Christmas?

The Prime Minister: The hon. Lady is absolutely right to raise this. We are working as hard as we can in Europe to try to get the energy intensive industries plan cleared. I can confirm to her that as soon as it is cleared, the money will be available for Scottish steelmaking companies. We expect this to be in place no later than April 2017, but it should be much earlier than that, and we are working round the clock to try to get that done.

Nicola Blackwood (Oxford West and Abingdon) (Con): The tragic stabbing in Abingdon Poundland last week has shocked local residents. I am sure the whole House will want to join me in sending our condolences to the family of father of two Justin Skrebowski, who was killed in the attack, and to honour the bravery of those who overpowered the attacker with no thought of the risk to themselves. In the light of this attack, does the Prime Minister agree that it is now time for the Government and retailers to work together to make it more difficult for offenders to get hold of offensive weapons in the first place?

The Prime Minister: As my hon. Friend’s constituency neighbour, I was very shocked by what happened in Abingdon, and my heart goes out to the family of those who have suffered. She is right to ask the question about offensive weapons and how available they are, and I am very happy to look at that. Given that attack and the, although unrelated, Leytonstone attack, it is right to look at the resources that our police have in terms of their equipment—there is a very different usage pattern for Tasers, for instance, across the country—and this is something that the Home Secretary, the Metropolitan police and I are discussing.

Q14. [902736] Danny Kinahan (South Antrim) (UUP): There is nothing I believe in more passionately than the Union. With Scottish nationalism, English votes for English laws, various powerhouses and city deals, and the creation of numerous other measures that may threaten the Union, what is the Prime Minister’s vision of that Union and holding the four countries together? Will he come to speak to the all-party group on the Union at some stage, and even more important, will he help with the campaign throughout the Union because we are better together?

The Prime Minister: Like the hon. Gentleman, I am passionate about our United Kingdom. I believe we can make it stronger by accepting that it is a partnership of nations, and a partnership of nations where we should treat each other with respect. [Interruption.] I do not want to listen to SNP Members: they do not want a partnership; they want a separation. Actually, one of the things that is so strong about the United Kingdom—I think other countries, frankly, are quite envious of this—is that we have demonstrated that you can have multiple identities: you can be proud of being an Ulsterman and a Brit; you can be proud of being a Hindu and a Scot; you can be proud of being both Welsh and British. We have solved one of the problems that the rest of the world is grappling with, and that is why we should keep our United Kingdom together.

Sir Gerald Howarth (Aldershot) (Con): As we approach the festival—[Interruption.]

Mr Speaker: Order. There was some noticeably eccentric gesticulation taking place, Mr MacNeil, but you should desist. Calm yourself, man. Go and celebrate if you wish, but we must hear the hon. Gentleman—and he will be heard.

Sir Gerald Howarth: As we approach the festival marking the birth of Jesus Christ, may I invite the Prime Minister to send a message of support to the millions of fellow Christians around the world who are suffering persecution? May I also invite him once again to remind the British people that we are a country fashioned by our Christian heritage, and which has resulted in our giving refuge to so many of other faiths over so many centuries, but that we will not tolerate those who abuse our freedom to try to inflict their alien and violent fashions upon us, particularly in the name of Islam?

The Prime Minister: I join my hon. Friend in saying that we should do everything we can to defend and protect the right of Christians to practise their faith the
world over. That is an important part of our foreign policy. Let me commend Justin Welby, the Archbishop of Canterbury, for the excellent work he does in that regard.

Yes, Britain is a Christian country. I believe that the fact that we have an established faith and that we understand the place of faith in our national life makes us a more tolerant nation and better able to accommodate other faith groups in our country. That is why, as I said earlier, we should be proud that this is one of the most successful multi-ethnic, multi-faith, multi-religion democracies anywhere in the world. That is not in conflict with our status as a predominantly Christian country; that status is one of the reasons why we have done it.

Mr Speaker: Last but not least, I call Sue Hayman.

Sue Hayman (Workington) (Lab): I know that the Prime Minister is aware of the flooding that has taken place in my constituency and the damage to the town of Cockermouth. I had a call from a constituent this morning who said that insurance companies are refusing to help my constituents until they have paid the excess in full. Does he agree that that is absolutely outrageous? Some of the excesses are up to £10,000. What can be done to ensure that insurance companies fulfil their obligations to my constituents?

The Prime Minister: The hon. Lady is absolutely right to raise that matter. First, the Minister for Government Policy, my right hon. Friend the Member for West Dorset (Mr Letwin), has had meetings with the insurance companies to make sure that that sort of practice does not happen. Secondly, we have announced that we are putting money into the community funds that will form hardship funds that will potentially help people who do not have insurance. The third vital thing is the establishment of Flood Re, which will mean that, in future, all homes are able to get that insurance. That was a decision made by the last Government and we are putting it in place.

Hannah Bardell (Livingston) (SNP): On a point of order, Mr Speaker.

Mr Speaker: We will come to points of order, but we have an urgent question and a statement. Thereafter, I will be happy to entertain points of order from the hon. Lady and others.
Victims of Contaminated Blood: Support

12.37 pm

Diana Johnson (Kingston upon Hull North) (Lab) (Urgent Question): To ask the Minister responsible for public health to make a statement on Government plans to reform the support for victims of contaminated blood.

The Parliamentary Under-Secretary of State for Health (Jane Ellison): I recognise that I committed in earlier debates to consulting on proposals to reform the current payment schemes before the end of the year. Despite our best efforts to meet that commitment, we are unfortunately not ready to publish the consultation before the recess. However, I confirm today that it will be published in January.

The delay will, I know, be disappointing for many who were anticipating the consultation before the end of the year. I apologise for the delay, in particular to Members of the House who have been campaigning tirelessly for a resolution on behalf of their constituents and to those who are directly affected, who continue to wait patiently for our proposals.

In the Westminster Hall debate in September, I explained that any consultation would happen within the context of the spending review and that payments for the reformed scheme would come from the Department of Health budget. The House will know that the outcome of the spending review was communicated to us only a few weeks ago.

The infected blood tragedy and reform of the payment schemes remain a priority for us. We are assessing what can be allocated above and beyond the additional £25 million to which we have already committed. That, of course, is in addition to the existing baseline spend on the payment schemes, which will remain.

Over my two years as public health Minister, I have heard regularly from those affected by this tragedy. Every week, I read a large number of letters, both to me and to the Prime Minister, from campaign groups, individuals and their families, all of whom have been affected by the tragedy in different ways. While considering our proposals for consultation, I want to ensure that all those views are reflected and that I do not miss the thoughts of those with the quieter voices.

We are currently working towards publication of the consultation, and, as part of that, we arranged an independently facilitated event with representatives of some of the leading campaign groups. The report from that event is available through those groups.

I have worked to keep Members of the House updated—youth know how seriously I take my duties in that regard. Mr Speaker—and last month I invited members of the all-party group on haemophilia and contaminated blood to a meeting to discuss this issue. I told colleagues that my intention was to consult as soon as possible, but I said that that could be in January, given the timing of our proposals for consultation, and, as part of that, we arranged an independently facilitated event with representatives of some of the leading campaign groups. The report from that event is available through those groups.

I have four questions for the Minister. First, she proposes a consultation that will run for 12 weeks and that she will need to assess before launching a new scheme. Will she explain how that is feasible before the start of the next financial year? Secondly, she claimed that it will be the first full public consultation, but the APPG ran a full consultation—with the same consultees—earlier this year. Can she assure me that she has considered the APPG report and all the evidence presented in it? Thirdly, as she said, the Government delayed making a statement until after the comprehensive spending review, in order to determine the total “financial envelope” available. I understand that the Department of Health currently pays out about £14 million a year, with a total future financial commitment of £455 million. Will the Minister tell the House how much more is now available following the comprehensive spending review?

Fourthly, lump-sum payments were a key issue raised in response to the APPG inquiry, but it now appears that those are off the agenda. That is a major disappointment because lump-sum payments would allow those affected to make real choices about their own lives—something they have been denied for far too long. Will the Minister support a separate request to the Treasury to use funds equivalent to the £230 million raised from the sale of Plasma Resources UK to fund lump-sum payments to those who have been affected?

Jane Ellison: I thank the hon. Lady for her response. Of course I understand the disappointment that we are not able to consult before the end of the year, but I informed her and her colleagues who came to the meeting on, I think, 5 November, that it was unlikely that we would be able to do so. That was recorded in the note made at the meeting, and published through the all-party group. I have tried to keep colleagues informed, and only last night I spoke to a number of campaigners about this issue, including the hon. Member for Foyle (Mark Durkan) and my hon. Friend the Member for Colne Valley (Jason McCartney), and informed them personally about the delay. I would, of course, have informed the hon. Lady today or tomorrow, along with the other Members who attended that meeting. I have done my best to keep people informed.
I understand the hon. Lady’s point about the consultation. I will consider the issue she raises, but I have always been clear that the transition to a new scheme must be done in a way that does not compromise the safety of payments to people in schemes—again, we discussed that at the meeting in early November. I therefore see no problem with consulting and then moving towards a transition, because that transition will be a gradual process anyway for some people. I want to ensure a safe transfer from the current scheme to any reformed scheme, and I do not see a real problem in that regard.

This will be the first full consultation by the Government, and the hon. Lady is right to say that the all-party group—and others, including my right hon. Friend. Friend the Member for North East Bedfordshire (Alistair Burt)—garnered many views. All views, including those put to the all-party group in its very good report, can be reiterated as part of the response to the consultation.

I made a statement on the issue of money in my response to the urgent question. I understand the point the hon. Lady makes on lump sum payments, but it would not be appropriate for me to comment at this time. I can talk about that more when I make an oral statement at the time we launch the consultation. She reiterated in her questions the principle of individual choice and treating people as individuals. Many Members have stressed to me the importance of that principle. We will very much recognise it in what we bring forward in the new year.

Jason McCartney (Colne Valley) (Con): I congratulate the hon. Member for Kingston upon Hull North (Diana Johnson), with whom I co-chaired the all-party group on haemophilia and contaminated blood in the previous Parliament, on securing the urgent question. May I, too, press the Minister to please use the valuable data in the all-party group’s report? It has real testimony from the victims on how the trusts and funds—whether the Macfarlane Trust, the Skipton Fund, the Eileen Trust or the Caxton Fund—just are not delivering the day-to-day support the victims need. Will she come back to the House as soon as possible in January and not on the last day, so we do not have to secure another urgent question?

Jane Ellison: My hon. Friend, who has campaigned long and hard on this issue, is right to reiterate the importance of the views given in that report. I confirm that they have already informed our thinking about how we go forward, as indeed have the views of many colleagues on all sides of the House expressed over many months and years. I can assure him that the report will be considered. I have previously committed, and I reiterate the commitment today, to conducting a root and branch reform of the current schemes.

Andrew Gwynne (Denton and Reddish) (Lab): Thank you, Mr Speaker, for granting this urgent question. I pay tribute to all the Members of this House who have been a strong voice for the victims of contaminated blood, but in particular to my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) who has been tireless in her pursuit of answers.

This scandal saw thousands of people die and thousands of families destroyed through the negligence of public bodies. Over the years, the response of Governments of all colours just has not been good enough. It is a real shame that we are here yet again wondering why action has not been taken. I do not think anyone doubts the sincerity of the commitment that the Prime Minister made back in April, but does the Minister understand the disappointment that people have felt in recent months as promises to publish arrangements and to make statements have been broken repeatedly? Does she accept that that has only raised false hope among a community that already feels very betrayed?

Given the further delay that the Minister has announced today, what guarantees do we have that the January consultation date will be met? What redress—other than an urgent question through you, Mr Speaker—will there be if it is not? A consultation is fine, but will she say when any new scheme will be implemented? It is important that any new arrangements are properly scrutinised, so will she commit to a debate in Government time to allow that to happen? Finally, does the public health Minister appreciate that the longer this goes on, the longer we leave in place a system that is not working and leaves victims without adequate support?

No amount of money can ever fully make up for what happened, but we owe those still living with the consequences the dignity of a full, final, fair and lasting settlement. This injustice has gone on for far too long. The time for action is now.

Jane Ellison: As I have already said, I of course regret the delay. This is a very complex area. I appreciate the tone with which the shadow public health Minister responded, because, as he said, Governments of all colours have not turned to this issue. We have turned to the issue and we are addressing it in a great deal of detail. It is a complex area. There is a very diverse range of affected groups impacted by this tragedy and we must get the consultation on reform right for all of them. I have been clear, in my response to the urgent question, that we have been considering the funding issue. We are, of course, aware of potential litigation in relation to the scheme as it stands. I cannot comment further on that, but the House will appreciate that that adds a level of complexity to dealing with this matter.

I am always extremely happy to come to the House to explain. The scheduling of debates in Government time is not a matter for me, but it goes without saying not only that I would be delighted to debate the matter but that I am happy to talk to colleagues, including shadow Front-Bench colleagues, privately or otherwise, about this matter. That commitment remains.

Chloe Smith (Norwich North) (Con): I echo the spirit of these exchanges; we need to do this job fast and well. May I highlight the tragic circumstances of some of those affected, including a constituent of mine who has sadly got more ill as we have been debating the fine details of the scheme? There is no more time to lose.

Jane Ellison: That point is well made and very much on my mind. When I can say more about the shape of our proposed reformed scheme, I hope my hon. Friend will see that we have tried to respond to her concerns and those of many other right. hon. and hon. Members.

Dr Philippa Whitford (Central Ayrshire) (SNP): The Penrose inquiry was held in Scotland—there has not been a UK inquiry—and, in response, the Prime Minister
made his statement about the £25 million transitional payment. These people are awaiting a final settlement and compensation for what the NHS did to them, but their suffering goes on. We were told that the transitional payment would be made this financial year to help people get to that settlement. The consultation is on the final arrangement, but we need some action now and people need access to the new hep C drugs. The Scottish Government have written about support for fuel payments, but we need the transitional money now. It should not be kicked into the long grass.

Jane Ellison: This certainly has not been kicked into the long grass. As I have told the House, it is my intention to consult in January. I have said before, but it is worth repeating, that although we are working to establish a fair resolution, liability has not been established in the majority of cases, so it is not appropriate to talk about compensation payments, particularly on the scale that some campaigners and colleagues envisage. I have been open about that for many months. The hon. Lady is right to make the point about treatments, and all those things will be considered. I can confirm to the House that, although the £25 million was allocated to be spent in this financial year, it will be carried forward. The money that the Prime Minister announced in March was to support the transition of the scheme, which we envisaged beginning next spring, following the consultation. The money will support that, and it will be carried forward.

Craig Mackinlay (South Thanet) (Con): I congratulate the hon. Member for Kingston upon Hull North (Diana Johnson) on securing the urgent question. I speak today on behalf of a constituent, a Mr Steve Dymond, who has hepatitis C as a result of contaminated blood products. Although he is in remission, a normal life for him is impossible. I know that new drugs and treatments are available. Will the Minister assure me that those advanced new treatments will be available to all sufferers without restrictions? I hope that, despite this delay, the closure we need will be delivered very shortly. This is a big subject in my part of Kent. It is trailed massively in the Kent on Sunday, which covers it regularly. We need closure and those affected need certainty in their lives. Can the Minister assure me of that?

Jane Ellison: I have corresponded directly with Mr Dymond’s partner, so I know the level of suffering he endures. On the new treatments, the drug landscape on hepatitis C infection, which is very different from even a couple of years ago, is uppermost in my mind as I consider how to reform the scheme and support those who suffer.

Sir Gerald Kaufman (Manchester, Gorton) (Lab): This announcement comes after the shambles of a meeting at the Department last month, when hon. Members from both sides of the House arrived for a stated time, only to be told, after waiting, that the meeting was over. We then received an apology from an official promising further information that was never supplied. Does the hon. Lady understand what being a Minister entails? It means being in charge and only making promises that can be kept. This has been a travesty, but it would not matter so much were it not for the sick people, including those in my constituency, who are living lives of hell and were looking to the Government, after the promises were made, for some kind of alleviation during their lifetimes. They have not got it.

Jane Ellison: I slightly regret the right hon. Gentleman’s tone, and I am totally mystified by his point about the meeting. A meeting was organised with the all-party group and his colleague the hon. Member for Kingston upon Hull North. I think the meeting might have been moved once, at the request of the all-party group, but the details and arrangements for the meeting with me were circulated by that group, and six right. hon. and hon. Members attended the meeting. I am sorry if there was some confusion, but I do not think it was on the part of me or my officials. A number of colleagues came to the meeting. We had a very useful discussion and I have sought to update others since.

The right hon. Gentleman is right that we need to move towards a conclusion, but it is also a matter of record that he was, at times, a member of the last Labour Government, who, for 13 years, did not move forward on this matter.

Nadhim Zahawi (Stratford-on-Avon) (Con): The Minister will be aware of my frustration in dealing, on behalf of a constituent, with the Macfarlane Trust, which she knows, from the weight of evidence in the consultation, is not fit for purpose. Will she confirm that any full and final settlement will not be administered by that trust?

Jane Ellison: I am well aware of the shortcomings of some of the schemes identified by colleagues and those affected by this tragedy, and I have obviously read the details from the all-party group and other Members’ communications. I have confirmed before that reducing the number of schemes will be part of the consultation on reforming the schemes, so my hon. Friend’s point is well made. For the record, though, I should add that I had a meeting recently with the staff of the schemes—the people who man the phones and deal on a day-to-day, week-to-week basis with sufferers—and I am clear that they, as distinct from the people who head up the trusts, are working hard to offer a service to people in difficult circumstances.

Norman Lamb (North Norfolk) (LD): Is this not one of those situations where there is an absolute moral obligation on the Government to act and end the uncertainty and delay? Is the Minister reassured that the spending review gives her the ability to bring a lasting and fair settlement, and will she do everything she can to ensure it is in place by the start of the next financial year?

Jane Ellison: I am happy to assure my former colleague in the Department that the Secretary of State and my departmental colleagues take this matter extremely seriously. It is a matter on which we are seeking to move forward. It will be for those who respond to the consultation on the reformed scheme to give their views, but we are seeking to move towards a reformed scheme that responds to the criticisms of the existing schemes and offers sustainability for people who have suffered for so long. I hope I can satisfy the right hon. Gentleman in that regard, although I will be able to say more in the new year, when we publish the scheme details.
Mr Peter Bone (Wellingborough) (Con): Going back to the issue of medication, my constituents want to know the answer to this question: available drugs that have not yet been approved by NICE but that can be prescribed are not being prescribed locally on financial grounds. Is that not wholly unacceptable?

Jane Ellison: My officials have been giving considerable thought to how to do that. A number of people are members of the existing schemes, so we have a means to communicate with them, but it is clear from experience of following up previous inquiries’ recommendations—for example, the one recommendation of the Penrose inquiry—that we make exhaustive efforts to inform everybody. In particular, we will want to inform people who have had a lump sum payment but are not members of the current scheme. We will make exhaustive efforts to inform people by every means possible. Members of the existing schemes, so we have a means to think to how to do that. A number of people are concerned that their constituents are not aware of what is out there or do not feel they are getting the support they need to access treatment in line with the NICE guidance, we can offer advice to Members on how to make sure that happens. However, I am well aware of the general point he makes.

Catherine West (Hornsey and Wood Green) (Lab): Will the Minister clarify whether individuals affected by this terrible scandal will receive individualised letters? How will they know that this consultation is opening next month?

Jane Ellison: My officials are working closely with their opposite numbers in all the devolved Administrations. As we move towards publication of the consultation, I will look to communicate directly with my opposite numbers in the devolved Administrations and pick up all these points.

Kevin Foster (Torbay) (Con): I know from her statement that the Minister will appreciate the frustration that my constituents, some of whom have been waiting for an outcome for some decades, will feel at another delay. Given her comments on the carrying over of transitional funding, will she give me a clear idea of when she expects the new system to be in place?

Ms Margaret Ritchie (South Down) (SDLP): The Minister wrote to me on 6 November and stated:

“...as it had been committed in an Adjournment debate on 9 September. I am deeply disappointed today that neither that scheme nor that consultation is in place. My constituent, Brian Carberry from Downpatrick in South Down, whom my Adjournment debate was about, has told me in the last few weeks that he now has a form of cancer, with four tumours identified, as a result of the connection with contaminated blood. Will the Minister give me and the House an undertaking today that a full and final settlement will be in place before the end of this financial year.

Jane Ellison: I have already made my comments about the timing of the consultation, and I cannot add to what I said in response to the hon. Member for Kingston upon Hull North (Diana Johnson), who put the urgent question. I have often spoken to the hon. Member for South Down (Ms Ritchie) about this and I responded to her Adjournment debate. I think that the language she uses is applicable to circumstances before this exchange. I have already explained the issue of compensation and the principles that we shall try to apply to the reformed scheme. I cannot really add to the comments I made in my response to the hon. Member for Kingston upon Hull North.
Andy Slaughter (Hammersmith) (Lab): Let me challenge the Minister on the phrase “quieter voices”, which I have heard her use several times. It seems to be a code for addressing the important but less costly issues of treatment and reform of the current scheme rather than a full and final settlement to what Lord Winston rightly called the “worst treatment disaster in the history of the NHS”.

We have a moral duty here, so simply saying “the Chancellor will not give me the money” will not wash.

Jane Ellison: Again, I have said here today and previously in Westminster Hall what I believe the position to be with compensation. I accept that the hon. Gentleman has a different view and we had an exchange when he contributed to the discussion in November. I think it would be wrong to dismiss the idea of listening to quieter voices, which I have had the opportunity to do over the last couple of years, and as a result it has become clear that a number of people want a number of different things from a reformed scheme. It will not be possible to do everything that everyone wants. We are going to try to respond as best we can with a scheme that is sustainable, fair to all and responds to many of the points made here today.

Alison Thewliss (Glasgow Central) (SNP): I thank the hon. Member for Kingston upon Hull North (Diana Johnson) for tabling the urgent question. Only this Friday a constituent raised a number of issues about this very topic at my surgery and she will be most disappointed at this further delay. If the Minister has not done so already, will she take up the issue of continuing assessments by the Department for Work and Pensions? My constituent feels it is extremely strenuous that she has to continue to prove her case to qualify for benefits. She also found—that she cannot be unique in the country—that the NHS treatment she received was not the most sensitive, and she would like to see some guidance issued for healthcare professionals.

Jane Ellison: I thank the hon. Lady for those comments and I will reflect on them. The DWP matters are outside the remit of the Department of Health, but I will take on board the general issues she raises and refer them to colleagues. As I have said, we continue to work with the devolved Administrations on NHS matters; if her constituent is being treated in Scotland, it is a devolved matter for the Scottish NHS.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): I appreciate the contrite tone of this question, but this is so very disappointing. My affected constituent simply wants to be able to buy a home and provide security to his family, but that is not available to him at present. Can I tell my constituent that next year a new scheme will be in place and that he will be eligible to receive support from it?

Jane Ellison: It is clearly my intention to have a reformed scheme in place next year. I do not know the circumstances of his constituent, so I cannot make that individual commitment. I have said that we want to move to a reformed scheme next year. I understand the frustration of Opposition Members, but, as the hon. Member for Denton and Reddish (Andrew Gwynne) acknowledged, Governments of all shades and descriptions have not stood up to tackle this issue. We are going to try to do something; it will not satisfy everyone, but I hope we will be able to come forward with a scheme that will respond to many people’s concerns.

Chris Stephens (Glasgow South West) (SNP): I, too, thank the hon. Member for Kingston upon Hull North (Diana Johnson) for raising this question. The Minister will recall a meeting I attended on 5 November, in which two main issues were discussed. The first was the setting up of a contingency fund, rather than having to rely on the spending review every year. Will the Minister confirm that she has written to the Treasury about that? Secondly, will the consultation consider the issue of family members who have lost loved ones as a result of contaminated blood?

Jane Ellison: I covered the issue of funding in my response. The hon. Gentleman attended the meeting, at which a number of matters were discussed. I do not think I can add much to what I have already said. This is a priority for the Department of Health, and we are seeking to identify the amount of money, on top of the transitional £25 million and the baseline spend on the current scheme, that we can use to support the reformed scheme.

Mike Kane (Wythenshawe and Sale East) (Lab): Six thousand infected, 2,000 dead, a 30-year struggle—this delay is just one part of the continuing nightmare that victims face. Can the Minister tell my constituents Fred Bates and Peter Mossman when the nightmare will come to an end?

Jane Ellison: I cannot right the wrongs of 30 years; I can only try to do what I can in the circumstances, and with the money that we will allocate. We will present plans for a reformed scheme, and I invite the hon. Gentleman and his constituents to respond to them. In developing those plans, I must look to the future, and ask what we can do to support people with a reformed scheme. In particular, I must ask how we can respond to some of the ways in which the circumstances in which we address this terrible, difficult tragedy have changed, and ensure that our response reflects those new circumstances.

Mark Durkan (Foyle) (SDLP): The Minister may recall that when the all-party group met her in early November we warned her that any slippage would be greeted as slipperiness by people who had suffered delays for too long. Does she appreciate that people will worry about the possibility that the extra time has been taken to ensure that the consultation is more controlled and options are sealed off? Will she also address the underlying question that people want to ask? Why, if liability could be admitted by the Irish health service on the basis that the risk was known, can liability not be admitted by the NHS, and why cannot compensation be forthcoming?

Jane Ellison: Payments made by the Republic of Ireland are a matter for the Republic, and they were made in response to circumstances in Ireland relating to the use of blood products. We have covered that before, in debates.
Of course I understand the hon. Gentleman’s frustration—I spoke to him informally last night to alert him to the fact that there was some delay—but I reiterate that it is better for us to produce a scheme into which we have had a chance to put more effort and a little more detail than, for the sake of a few weeks, to rush out something that would not give people any real sense of what was being consulted on. Although the delay is frustrating, as I have acknowledged a number of times, I think that it will give rise to a better and more meaningful consultation.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): The victims are clearly identified, and a final settlement is well overdue. Weeks ago, in the Chamber, I asked the Government whether they would provide additional support for victims during the coming winter. It may be mild here, but it is not mild everywhere, and many of them are suffering from fuel poverty. It is Christmas. Given the ever-stretching time that it is taking to resolve this matter, will the Minister commit herself to providing the additional support? The Scottish Government have already asked her to do so, but will she make that commitment now?

Jane Ellison: The matter has been raised with me by Shona Robison, the Scottish Health Secretary, and I intend to respond to her in the next few days. The Northern Ireland and Wales Administrations are still considering the matter, and have not fed anything back to me about Shona Robison’s proposals. I did raise them with the Members who attended the all-party parliamentary group meeting in early November, but there was relatively limited interest at that time.

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): With permission, Mr Speaker, I shall make a statement updating the House on the campaign against Daesh in Iraq and Syria.

Two weeks ago, the House voted for the extension of UK airstrikes against Daesh in Iraq into Daesh’s heartland in Syria. As the Prime Minister and I explained during the debate that preceded the vote, the extension of military strikes is just one part of our strategy to bring stability to Syria and Iraq by defeating Daesh, working towards a political transition in Syria, and supporting humanitarian efforts in the region. It has been welcomed by our international partners, including the United States, France, and other partners in Europe and the Gulf. During that debate, we committed ourselves to giving the House quarterly updates on the progress of our strategy, but, given the high level of interest expressed by Members during the debate, I decided to offer an early first update before the House rises this week.

Let me deal first with the military strand of our strategy. As is well known, the first RAF airstrikes against Daesh in Syria were conducted just a few hours after the vote in the House, successfully targeting oil facilities in eastern Syria which provide Daesh with an important source of illicit income. Since then, RAF aircraft have conducted further strikes against Daesh in Syria, targeting wellheads in the extensive Omar oil field, as well as conducting reconnaissance and surveillance missions. To make that increased tempo of activity possible, a further two RAF Tornados and six Typhoons have been deployed to RAF Akrotiri in Cyprus, bringing the total number of manned aircraft conducting strikes from Akrotiri to 16—in addition to our RAF Reaper unmanned aircraft which are also deployed in the region.

During the debate on 2 December, a number of right hon. and hon. Members expressed concern about the possibility of civilian casualties resulting from British military action. Of course there is a risk involved in any kind of combat strike activity, but I am pleased to inform the House that it continues to be the case that we have had no reports of civilian casualties as a result of UK airstrikes in either Iraq or Syria, and I pay tribute to the precision and professionalism of our RAF pilots in conducting those operations.

In Iraq, Government forces continue to make progress against Daesh. The coalition began operations in Iraq in the autumn of 2014, and since then the strategically significant towns of Tikrit, Baiji and Sinjar have all been retaken. Ramadi, to the west of Baghdad, is now surrounded by Iraqi forces supported by US mentors, and its Daesh occupiers are being steadily squeezed, including by RAF close support operations. Importantly, work is well advanced in the building of a Sunni local police force, supported by local tribal forces, to hold and police the city once it is liberated. In total, RAF Tornados and Reaper drones have flown more than 1,600 missions over Iraq, conducting over 400 strikes.

In Syria, the situation is more complicated. The majority of Russian air strikes continue to target Syrian opposition forces rather than Daesh. In the last two weeks, the Russians have attacked opposition forces
between Homs and Aleppo and in the far north of Syria, and in doing so have allowed Daesh to seek advantage on the ground. Along with our coalition partners, including the United States, we will continue to urge the Russians at every opportunity to focus their fire solely on Daesh. It is unacceptable that Russian action is weakening the opposition, and thus giving advantage to the very Daesh forces against which they claim to be engaged.

Let me now turn to the campaign to disrupt Daesh’s finances and stop the flow of foreign fighters. Experts estimate that the oil assets that have been targeted account for about 40% of Daesh revenues, and tomorrow my right hon. Friend the Chancellor will attend the first ever meeting of Finance Ministers at the Security Council in New York to agree a further strengthening of the UN’s sanctions regime against Daesh. It is, of course, also crucial that countries enforce sanctions strictly with appropriate investigations and prosecutions. To ensure that we have our own house in order, we have begun the review of funding of Islamist extremist activity in the UK which was ordered by my right hon. Friend the Prime Minister, and which will report to him in the spring. We continue to work with Turkey and others to build an increasingly sophisticated network to interdict foreign fighters seeking to enter Syria.

As well as relying on money, Daesh relies heavily on propaganda to attract financial support and new recruits, so we have stepped up our effort to counter its messaging. The UK has created a coalition communications cell which is working to combat and undermine the Daesh “brand”, ensuring that no communications space currently exploited by Daesh is left uncontested. The coalition cell will generate a full range of communications at the pace and scale that will be necessary to highlight Daesh’s cruel and inhumane treatment of individuals under its control, its failures on the battlefield, and its perversion of Islam. The cell has already received staffing and financial contributions from coalition partners, and others have expressed strong support and an intention to contribute.

At the heart of our comprehensive strategy is a recognition that, to defeat Daesh in its heartland, we need a political track to bring an end to the civil war and to have in place a transitional Government in Syria. The world could then, once again, support a legitimate Syrian Government so that the Syrian army, Syrian opposition forces and Kurdish peshmerga could concentrate their efforts against Daesh, liberating their own country from this evil organisation.

Diplomatic efforts to deliver a negotiated end to the civil war and a transitional Government are continuing apace. The International Syria Support Group, bringing together all the major international players, has agreed the need for a ceasefire, humanitarian access and an end to attacks on civilians. In its communiqué of 14 November, the ISSG set out its goals: a transitional Government within six months, a new constitution and new, internationally supervised elections within 18 months. A further meeting of the support group is expected to take place in New York on Friday, which I shall attend. In preparation for that meeting, I met the Foreign Ministers of like-minded members of the ISSG in Paris on Monday, including the US, France, Germany, Saudi Arabia and Turkey.

Separately, in Riyadh last week, Saudi Arabia brought together well over 100 representatives from a wide range of Syrian opposition groups to agree an opposition negotiating commission and a negotiating policy statement ahead of talks between the Syrian opposition and the Syrian regime, convened by the UN, which we hope will begin in January. The conference committed to Syria’s territorial integrity, to the continuity of the Syrian state and to negotiations under the framework of the Geneva communiqué. The participants also committed themselves to a “democratic mechanism through a pluralistic system, representing all spectrums of the Syrian people, men and women, without discrimination or exclusion on a religious, sectarian or ethnic basis, and based on the principles of citizenship, human rights, transparency, and accountability, and the rule of law over everyone.”

Given the diversity of the Syrian opposition, I regard that as a significant achievement and I congratulate Saudi Arabia on it. The UK will continue to provide full support to intra-Syrian negotiations.

In Iraq, we continue to support Prime Minister Haider al-Abadi to deliver the reform and reconciliation needed to unite all Iraq’s communities in the fight against Daesh. I also welcome the recent announcement of the formation of an Islamic military coalition to fight terrorism, bringing together 34 Muslim countries to partner with the rest of the international community. I have discussed that initiative in detail with my Saudi counterpart, Foreign Minister Al-Jubeir. Its clear intention is to create a coalition that is flexible, contributing on a case-by-case basis and defending moderate Islam from the forces of extremism.

On the need for continued humanitarian support and post-conflict stabilisation in both Syria and Iraq, as the Prime Minister outlined to the House again today at Prime Minister’s questions, the end of the civil war in Syria and the defeat of Daesh in both Iraq and Syria will present the international community with an enormous and urgent stabilisation challenge. Building on our humanitarian support during the Syria crisis—we remain the second largest bilateral donor—we have committed a minimum of £1 billion to Syria’s reconstruction in the long term. In February, the Prime Minister will co-host, with Germany, Kuwait, Norway and the UN, an international conference in London, focused on meeting both the UN 2016 appeal to support refugees from the civil war, as well as longer-term financial commitments for Syria and its neighbours.

Since the House took the decision two weeks ago to extend our military effort into Syria, the Government have taken forward, with our coalition partners, our comprehensive strategy to degrade—and ultimately to defeat—Daesh. We are making steady progress in both Iraq and Syria. We are targeting Daesh’s finances through military action and through action with international partners. We are disrupting the flow of foreign fighters. We are fighting Daesh’s ideology and propaganda. We are a leading player in the diplomatic effort to deliver a political settlement to end the Syrian civil war, and we are preparing for the day after that settlement and the defeat of Daesh so that we can ensure the long-term future stability and security of Iraq and Syria.
The fight against Daesh will not be won overnight but, however long it takes, it is in our vital national interest to defeat that terrorist organisation and the direct threat it poses to our national security. Failure is not an option. I commend this statement to the House.

1.25 pm

Diana Johnson (Kingston upon Hull North) (Lab): I begin by passing on the apologies of my right hon. Friend the Member for Leeds Central (Hilary Benn), the shadow Foreign Secretary, who is unable to respond to the statement because he is visiting the Occupied Palestinian Territories and Israel. On behalf of the Opposition, I thank the Foreign Secretary for the courtesy extended to me by his office, for advance sight of his statement and for updating the House before the recess.

The scale of the humanitarian catastrophe stemming from the civil war in Syria is almost too great to comprehend. The death toll is well over 250,000 people. Millions of men, women and children will spend this Christmas as refugees living in tents in Lebanon and Turkey, and in Europe in Greece, Serbia and Calais. Even after all the brutality we have seen over the past four years, the situation continues to deteriorate. This week there were the appalling reports that Daesh will murder children who have Down’s syndrome. The international community has failed the people of Syria and we must now do everything we can to address the situation.

On the military aspect of the UK’s strategy, I note that UK military action up to now has focused, first, on economic infrastructure, particularly oil, which is so key to financing Daesh and, secondly, on alleviating the pressure on Kurdish peshmerga forces operating in Syria. It is notable, however, that the Foreign Secretary did not mention action to support other moderate forces in Syria. Can he update the House on what progress the Government have made in identifying and co-ordinating with such forces?

I note that the Foreign Secretary stated that there had been no civilian casualties resulting from UK military action in Iraq and Syria. Can he outline to the House the steps taken before a strike is authorised to minimise any possible civilian casualties and then after a strike has occurred to ensure any possible civilian casualties are investigated?

I pay tribute to the outstanding bravery and professionalism of the British military personnel who have carried out these early missions. When we all return to our constituencies over the Christmas break, and return to our families, these very brave men and women will be continuing to serve our country in difficult and dangerous circumstances. For this, they deserve our unflinching admiration and respect.

Of course, as the Opposition have consistently argued, military action could only ever be a part of the package of measures needed to defeat Daesh and end the Syrian civil war. The UK’s overriding priority has to be supporting a diplomatic agreement that unites the elements opposed to Daesh within Syria and paves the way for the departure of Assad. The first step to this is an agreement between the Sunni factions opposed to both Assad and Daesh.

I note the progress towards that achieved in Riyadh. There has been a lot of speculation about those talks, so can the Foreign Secretary inform the House how the groups that were invited to attend the talks were selected? Did the UK make representations to the Saudis as to who should be invited? In particular, were key Kurdish groups such as the Syrian Democratic Forces and the Democratic Union party present at the talks?

It was reported that the Salafist group Ahrar al-Sham pulled out of the Riyadh talks last week and was opposed to any peace talks with Assad. It was later reported that it had signed the agreement, so will the Foreign Secretary confirm the correct position? That group has an estimated 20,000 fighters. Will he also confirm whether those 20,000 formed part of the 70,000 figure the Government cited as being moderate forces opposed to Assad and Daesh?

The key test for the Riyadh agreement will be whether it facilitates meaningful peace talks and a ceasefire, as outlined at the second Vienna conference. I am pleased that the Foreign Secretary is optimistic about the possibilities for these talks. Will he confirm whether, following the Riyadh agreement, the Syrian opposition will have a common position and a single representative at these talks, or whether there will be distinct factions represented at the talks?

The original timetable was for a possible cessation of hostilities to coincide with the start of peace talks from 1 January. Does the Foreign Secretary still think this is achievable? Was there a clear commitment to this timetable from all the parties present at the Syria talks in Paris on Monday?

With so many different parties to the Syrian civil war, maintaining a ceasefire will be extremely complex. Have the Government explored the possibility of a UN resolution reinforcing the outline agreement, including the ceasefire, agreed at the second Vienna conference? Can the Government confirm whether they will seek a UN resolution to support any agreement that is reached between Syrian opposition forces and Assad?

Finally, I want to return to the humanitarian response and the millions of refugees in tents this Christmas. In Lebanon, nearly one in four of the population is a recent refugee from Syria. Jordan is hosting more than 1 million Syrian refugees. Around 340,000 refugees have been resettled in Germany. Just this week we saw Canadian Prime Minister Justin Trudeau welcoming the first of 35,000 refugees to be resettled in Canada by next October. And I was pleased to hear in Prime Minister’s questions today that the 1,000 refugees the Government had promised to resettle will be here in the UK by Christmas.

Mr Hammond: I am grateful to the hon. Lady and she is right to highlight yet another recent example of Daesh’s cruelty. I do not think there is anything that this organisation is not capable of.

The hon. Lady asked about the focus of UK military activity. It is important that I emphasise that we do not do this independently as a national contingent. We are operating as part of a coalition. Our aircraft are assigned to CAOC—the combined air operations centre—which tasks them with whatever needs doing at the time, and this can literally be aircraft in the air being diverted to provide close air support to forces on the ground who are engaged in an action.

The hon. Lady asked about UK support for moderate forces. I am slightly confused by her question because the proposition put before this House two weeks ago was clear and narrow: it was about conducting airstrikes
against Daesh in Syria. It was not about intervening in the civil war between the moderate opposition and regime forces. Different Members may have different views about the wisdom of taking such action, but at the moment we are very clear that that is not what the UK is engaged in doing.

I should also just clarify: the hon. Lady said I had said in my statement that there had been no civilian casualties. I cannot, of course, make that statement. What I said was that we have had no reports of civilian casualties arising from UK airstrikes.

The hon. Lady asked what steps we take to minimise the risk of casualties. The RAF has, of course, very strict rules of engagement—among the strictest of any air force in the world. The Defence Secretary explained to the House that he has created structures that give a high degree of direct control over targeting decisions, and we use standard NATO procedures for analysing battle damage and dealing with any allegations of civilian casualties or collateral damage.

I am grateful to the hon. Lady for her acknowledgement of the commitment of our 800 military personnel in theatre and her recognition of the sacrifice that their families in particular will be making this Christmas, spending it without their loved ones who are on active service.

Of course, this military action is part of a comprehensive strategy. I think we all understand in this House that we are not going to resolve this problem by military action alone. The Riyadh talks were an important step forward. It was the Saudi Arabians who brought the opposition together, using their convening power—the convening power of the King of Saudi Arabia as the guardian of the two holy mosques. No one else could have done that. What we have now is a new opposition grouping that includes a large number of representatives of the armed opposition on the ground, and it is a significantly more legitimate body than previous representatives of the opposition, which have tended to represent oppositionists who are outside the country and not directly engaged in the fighting.

In answer to the hon. Lady’s direct question: yes, the UK and other coalition partners provided the Saudis with lists of suggestions about who should be included. Ultimately, who was included in the invitation was their decision.

The hon. Lady asked me about the curious question of Ahrar al-Sham, and she is right to do so because there is a little ambiguity about its position. It attended the conference, it signed the declaration, but it did leave the conference before the end of it. But it has signed the declaration and we take it as bound by the commitments made in that declaration. For clarity, the figure of 70,000 opposition fighters that we have used does not include the Ahrar al-Sham forces. While not extremists like al-Nusra or Daesh, they are clearly not democrats in the sense that Free Syrian Army supporters are, so we do not include them in that figure.

The hon. Lady said I was optimistic about talks. I have to tell her that I am under no illusion that we still have a huge distance to go. We still have a chasm to bridge between ourselves on the one hand and the Russians and the Iranians on the other about the future of Bashar al-Assad, and that will be an issue for many of the oppositionists who are now engaging in this process.

In terms of Syrian opposition unity, the convening power of Saudi Arabia can do a great deal to deliver that. The conference last week was a great step forward, but I do not think anyone should imagine that there will not be disagreements within the Syrian opposition even as they confront the Syrian regime in face-to-face talks, and it will not be a single negotiator; a negotiating panel will be selected.

The hon. Lady asked about the ceasefire. It remains the clear intention of US Secretary of State John Kerry to try to get agreement on Friday in New York to a ceasefire. Frankly, that will be highly challenging, but I commend him for his ambition.

We are also holding this meeting on Friday in New York rather than Vienna specifically to be able to go immediately to the United Nations Security Council if it becomes clear during the morning that it is possible to reach an agreement that the Russians will not veto in the UN Security Council. So there is a possibility—I put it no higher than that—that Friday’s meeting will end with a UN Security Council resolution.

Finally, may I join the hon. Lady in commending the extraordinary effort and sacrifice of the people of Lebanon, Jordan and Turkey in providing refuge to so many of those fleeing the chaos in Syria, and taking this burden unasked and without fanfare not just over the past few months, but for many, many years?

Crispin Blunt (Reigate) (Con): May I join the Opposition in welcoming the Foreign Secretary’s update to the House, and join him in congratulating the Saudi Arabians on success last week in assembling that opposition group?

In relation to Ahrar al-Sham, what progress is there on the Jordanian task of identifying those Islamist groups that are going to stand outside the whole negotiation process between the Syrian Government and opposition forces? There have been long-standing disturbing reports of Turkish action, or inaction, on the Turkish-Syrian border that has served to aid Daesh. Now that the Foreign Secretary has identified Turkey as a like-minded member of the coalition, what reports does he have that action on that border is now firmly not in the interests of Daesh? Finally, turning to Iraq, he referred to the preparation of a Sunni police force for Ramadi; what progress is there on a Sunni national guard force around Anbar and on the national guard Bill in the Iraqi Parliament?

Mr Hammond: On the Jordanian process, and the strand that is attempting to identify who should be considered terrorists, I spoke with my Jordanian counterpart on Monday evening. That work is progressing and all parties have fed in their views on the vast number of different groups. The Jordanians are currently seeking to distinguish those groups that have a significant number of fighters from those that comprise only one or two dozen people, and cross-referencing the views of the different coalition partners. That is work in progress.

On the question of the Turkish-Syrian border, I had a meeting yesterday with the US President’s special envoy, Brett McGurk, the successor to General John Allen,
and we talked about this issue. He told me that there were clear signs on the ground that the Turks were moving to close the border along the 60-odd mile gap that remains open. That is very good news. On the question of the Iraqi national guard, the legislation to create a national guard, which we regard as important, is bogged down in the Iraqi Parliament. It is precisely for that reason that the rather pragmatic approach of creating an armed local police as a ground-holding mechanism in the absence of the ability to create a national guard has been taken.

Alex Salmond (Gordon) (SNP): I thank the Foreign Secretary for giving me early sight of his statement. UK forces in theatre carry the admiration and support of those on these Benches.

I would like the Foreign Secretary to tell us more about three aspects of this issue. First, I welcome the new initiatives on finance and on information and propaganda. He said that the Chancellor would be going to the first ever meeting of Finance Ministers in the Security Council to pursue the Security Council resolutions. Does it not speak volumes that that is the first meeting to tackle the flows of finance, the financial institutions and the arms dealers without whom Daesh could not move a muscle or fire a shot? Will the Foreign Secretary assure the House that, after waiting so long for initiatives in this direction, these will be pursued as vigorously as are other elements of the tactics?

Secondly, the Foreign Secretary announced that a communications cell had been established. Can he tell us how many people—and how much money—have been devoted to intercepting, interrupting and countering Daesh propaganda? Given the extraordinary financial cost of military action, it would be of interest to the House to have that comparison between what is spent militarily and what is spent on countering Daesh’s poisonous propaganda.

Finally, on the subject of civilian casualties, I welcome the fact that the Foreign Secretary said that there had been no reported casualties as a result of UK action in Syria. However, he also knows that the UK-based Syrian Observatory for Human Rights has reported in the last few days that 26 civilian casualties have resulted from the action of the coalition of which we are part, including the reported deaths of seven children and four women. As the bombing moves into urban areas and city centres such as Raqqa, where I understand there has been no bombing by UK forces as yet, will he tell us by what means we will take forward the NATO protocols on investigating reports of civilian casualties, and how that will be reported timely to this House and elsewhere?

Mr Hammond: I thank the right hon. Gentleman, particularly for his comment on the commitment of UK forces to their task. This will be the first meeting of Finance Ministers in the Security Council, and I think that sends a very clear signal about the importance with which we regard the issue. It does not mean that no steps have been taken; many measures have been taken already. Financial sanctions are in place, and a financial flows working group, led by Bahrain, has been operating for a year now, but the fact that Finance Ministers of the key countries in the world are going to New York tomorrow to sit in the forum of the Security Council to pass further sanctions measures is an important symbol of our commitment to shutting down this channel of Daesh’s lifeblood. We regard it as extremely important. We saw, in relation to sanctions on Iran, that getting the financial sanctions right was at least as important as getting the sanctions on flows of physical goods right.

The right hon. Gentleman asked me about the communications cell. The operation of the cell necessarily encroaches into the area of the secret intelligence agencies’ work, so I cannot give him details of the resources available to it or of the number of people deployed in it, but I can tell him that it is already having a visible and measurable effect on Daesh’s communication channels. He also asked me about deaths resulting from coalition action. Of course, any civilian death is deeply regrettable. I was referring to deaths attributable to RAF action, and I believe that while the House will obviously be concerned about civilian deaths more widely, it will be on the question of RAF-caused civilian casualties that hon. Members will want to focus, and I intend to ensure that the House remains updated if the situation changes in respect of any reports of any RAF-caused civilian casualties.

Finally, the right hon. Gentleman asked me about protocols for investigating civilian casualty reports as the campaign moves on. NATO has well-established protocols for investigating any incidents where CIVCAS are estimated to have occurred or where imagery suggests that there could have been collateral damage to civilian buildings, and it routinely publishes the outcome of those investigations.

Mr John Baron (Basildon and Billericay) (Con): Recent discussions with Government officials on a visit to countries in the region confirmed that key questions remain unanswered about the Government’s strategy on combating Daesh, which remains the best-funded terrorist group in history. On the non-military side, why are hard questions not being asked of regional allies about the funding of donations to Daesh from within those countries? When it comes to oil, why are we not asking our regional allies not only to disrupt the flow of stolen oil heading north but to combat the end customers of that oil? Without a market, there can be no cash flow.

Mr Hammond: My hon. Friend is right. We are focusing on all channels of funding to Daesh. He asserts again that it is receiving funding from within the region, and of course I cannot be certain that there are no channels of funding remaining open to Daesh from the region, but I am confident that none of the Governments in the region either contribute to or condone any such funding. On the question of the flow of oil, he well knows that that oil is being sold into a black market, and I am afraid that black markets are an inevitable consequence of any kind of embargo on the sale of goods. We are doing everything we can to interdict and disrupt the flow of oil and indeed to disrupt the flow of the proceeds of the sale of that oil. He will know that the scale of that production is small and that the means of transport are crude and sometimes even primitive, so it is difficult to disrupt that process to the extent that we would like. Bombing the wellheads so that the stuff cannot be produced in the first place is likely to be the most efficient way to do it.

Mr Ben Bradshaw (Exeter) (Lab): Following on from the comments of the right hon. Member for Gordon (Alex Salmond), is not the crucial difference that the
 RAF goes out of its way to avoid civilian casualties, while Daesh goes out of its way to destroy, kill and maim as many innocent civilians as it possibly can? As well as commending the professionalism and dedication of the RAF staff on the mission in the field, will the House also remember their families back home at RAF Marham, and at RAF Lossiemouth in Scotland, who will be without their loved ones this Christmas?

 Mr Hammond: I entirely agree with the right hon. Gentleman; he is absolutely right. The training and doctrine of the RAF and other NATO air forces are built around minimising the risk of civilian casualties. I am afraid that that is not the case with all air forces in the world and it is certainly not the case with Daesh.

 Mr James Gray (North Wiltshire) (Con): I warmly welcome the broad-spectrum initiatives that the Foreign Secretary has announced, all of which are designed to degrade and eventually destroy Daesh. Outstanding among them is the Saudi Arabian initiative relating to an Islamic military coalition, which seems to me to be the basis for a very good ground force for the future. It is quite right that we should not be involved in that in any shape or form, but does my right hon. Friend agree that we have some capabilities to offer, perhaps in the form of command and control, training or other things which would not involve British troops being on the ground in Syria but which could none the less make a useful military contribution to the success of that coalition?

 Mr Hammond: We have ruled out the use of UK combat forces in Syria, and indeed in Iraq, but we have not ruled out the provision of UK capabilities in support of combat forces provided by others. UK command and control, logistics, surveillance, and intelligence gathering and analysis could all provide a very substantial reinforcement to any troops that were deployed on the ground.

 Stella Creasy (Walthamstow) (Lab/Co-op): Yesterday, I met people from the Waltham Forest Council of Mosques to discuss Daesh. They share the concern to tackle the threat it poses, but do have questions about the strategy. The Secretary of State said that failure was not an option, but will he set out for my constituents a bit more about what he means by either failure or success in our operations in Syria?

 Mr Hammond: For me, success is the destruction of Daesh. As I have said many times in this House, I do not delude myself into thinking that destroying Daesh will end the threat of Islamist extremism, but this particular iteration of it as a military force occupying territory has to be ended. The struggle to defeat the perversion of Islam that the Daesh ideology—the extreme Islamist ideology—represents will take much longer. It will be the struggle of a generation, and it is a struggle that must be led by Muslims themselves, reclaiming their religion from the extremists.

 Jason McCartney (Colne Valley) (Con): I very much welcome the Foreign Secretary's briefing and look forward to similar such briefings in the new year. As chairman of the all-party group on Kurdistan, I was wondering what feedback or briefings the Foreign Secretary has had, and what effect there has been on the morale and military capability of Kurdish peshmerga forces following these targeted UK airstrikes on both sides of the Syria-Iraq border.

 Mr Hammond: The Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East (Mr Ellwood), was in Kurdistan yesterday and he reports that our action has boosted morale among Kurdish forces, as we would expect. In particular, what has been happening around Sinjar has considerably boosted morale and the strategic position of Kurdish forces. They are extremely delighted—there is no other word for it—about the decision this House made two weeks ago.

 Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): In his statement, the Secretary of State said, “The majority of Russian air strikes continue to target Syrian opposition forces rather than Daesh.” Is it not clear that Russia’s priority is to protect the Assad regime? Does it remain the position of the British Government that Assad cannot be part of any solution to the Syrian crisis?

 Mr Hammond: I long since gave up using the word “clear” to describe anything about Russian policy, because it is anything but clear—it is always opaque. We simply do not know what the Russian strategy is. We do not know what Russia’s objectives are, and my assessment is that most people in the Russian system do not either; perhaps Mr Putin has in his head an idea about what the end game is. What I do know is that some 75% of Russian airstrikes are being conducted against people whom we believe have to be part of the solution to the Syrian problem, not against Daesh, which we are very clear is the enemy.

 John Redwood (Wokingham) (Con): I welcome the emphasis on a political solution and possible ceasefire in Syria. Given the growing strength of Daesh in Libya, can my right hon. Friend tell us how we might get political progress in Libya? Are there military consequences of that growing concentration?

 Mr Hammond: As they say, I am glad that my right hon. Friend asked me that question, because it just so happens that a signing ceremony is planned for tomorrow in Morocco, at which it is hoped by the UN special representative, Mr Martin Kobler, that a majority of the House of Representatives and a significant number of members of the General National Congress will sign an agreement creating a Government of national accord. If that happens tomorrow, the western countries and the Gulf countries will swing behind that Government of national accord and will look to build their capability as soon and as quickly as possible, so that we can start to work in Libya to contain the threat that Daesh now clearly represents in that country.

 Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): With the escalation of the UK’s role in the conflict, the Department for International Development should form a central part of the planning processes to ensure that the humanitarian situation in Syria does not deteriorate. How will the Government
ensure that coalition military operations do not worsen the conditions faced by civilians in Syria or negatively affect DFID’s capacity to deliver humanitarian assistance?  

Mr Hammond: DFID does do precisely what the hon. Lady has suggested, but of course the lion’s share of DFID work is concentrated on supporting refugees who have left the country. We face issues associated with getting supplies into Syria to support refugees, and one crucial strategic area is the relatively small corridor along the Turkey-Syria border that still remains open to international traffic. Securing that and making sure it remains open is a key objective of coalition forces, for humanitarian reasons.

Sir Gerald Howarth (Aldershot) (Con): May I warmly applaud the new impetus that has been given to the diplomatic approach and say how delighted I am that the UK is playing such a prominent role, led by my right hon. Friend the Foreign Secretary to boot? The role being played by Saudi Arabia is also to be welcomed. In his statement, he set out the details of the strikes by the RAF that have taken place in Iraq, but he did not mention what has happened in Syria. Given that the application of the dual mode Brimstone was such a key difference between us and other coalition partners, can he set out how many strikes have taken place in Syria with the dual mode Brimstone or give us more detail on other strikes that have taken place?

Mr Hammond: As my hon. Friend well knows, those are operational details that I cannot give more detail on. As I said in response to the Opposition spokesman, the UK forces are committed to the combined air operations centre, which tasks aircraft from coalition countries with whatever task is in hand. The analysis of strikes carried out by the coalition is done by CAOC and in due course—in the new year, I believe—it will release those figures.

Mr Graham Allen (Nottingham North) (Lab): Does the Secretary of State ever tune in to the Airwars website? If he does, he will see its estimate of between 660 and 970 civilian casualties in the last 15 months of operation in Iraq and Syria. Will he send an official from the Foreign Office to discuss with people from that website the definition of a “non-combatant”—a civilian—casualty and work that out, so that this House may know the truth about how many civilians are dying in Iraq and Syria as a result of our actions?

Mr Hammond: The hon. Gentleman put a slight caveat in his question in the last few words when he said “as a result of our actions”. Of course he is absolutely right to say that civilians are dying in Iraq—they are dying at the hands of Daesh and they are dying as a result of ongoing conflict across the country. Our commitment is to ensure that civilian casualties arising from the operations of the RAF are minimised or, ideally, avoided altogether, and I am sure that we are doing an excellent job.

Mr Allen: Will you send an official?

Mr Hammond: I do not know the website that the hon. Gentleman is talking about and I cannot commit a Foreign Office official to go to talk to a website. We have to use proper, official definitions of civilian casualties, co-ordinated through CAOC.

Nusrat Ghani (Wealden) (Con): I join my right hon. Friend in welcoming the 34-nation coalition formed by Saudi Arabia to defeat terrorism. Will he urge all middle east states, whether Shi’a or Sunni, to get behind this military Islamic alliance to defeat Daesh, because stability in the region also requires bold but much-needed steps towards a Sunni and Shia reconciliation?

Mr Hammond: I certainly agree with my hon. Friend on that. The Sunni-Shia division in the middle east, which is a relatively new phenomenon to the politics of the region, is unhelpful and, ultimately, destabilising. I am assured by my Saudi Arabian counterpart that the initial 34 nations that have announced their membership of this coalition is not an exclusive list and that other countries are considering joining. I very much hope that further countries will join, giving it the broadest base and the greatest legitimacy possible.

Jo Cox (Batley and Spen) (Lab): I remain deeply concerned about the lack of progress on civilian protection inside Syria, much of which is being perpetrated by the Assad regime. Does the Secretary of State agree that ending Assad’s indiscriminate use of barrel bombs is a key confidence-building measure that should be prioritised alongside efforts towards a formal ceasefire? Should a ceasefire not be delivered on Friday, may I urge him to look again at other measures to protect civilians, including putting in place no-bombing zones. Will he also reconfirm the Government’s unequivocal commitment not to have truck with anyone—including the hon. Member for Uxbridge and South Ruislip (Boris Johnson)—who says that working with Assad’s forces is a compromise that we should be willing to make? That would be not only morally wrong, but counter-productive given that Assad is Daesh’s biggest recruiting sergeant.

Mr Hammond: As I said in my statement, the US Secretary of State aspires to deliver a ceasefire as an outcome of Friday’s meeting, but even he recognises that that is ambitious. We are also very focused on confidence-building measures, which do not go as far as a ceasefire, but are likely to be more readily achievable. They include an end to the use of indiscriminate weapons in civilian areas, an end to the bombing of hospitals and medical facilities and a guarantee of humanitarian access to besieged areas on both sides of the conflict. The hon. Lady asked me whether we would consider alternative methods of protecting the civilian population, with specific emphasis on no-bomb zones. We have looked extensively at that, and much military effort has gone into analysing what is and what is not possible. I am afraid that the analysis is that it will not be something that is practical to deliver in the absence of forces on the ground, and, as she knows, we have no intention of committing forces on the ground.

I want to pick up on the point that the hon. Lady made about Assad. The reason we say that Assad can play no part in the future is not just to do with a sense of moral outrage about what he has done. We all want to end the killing and, despite what has happened in the past, if I thought that that would bring an end to the killing more quickly, I would look at it, but it will not. We will not get a ceasefire, an end to the civil war and all the guns in Syria.
Richard Benyon (Newbury) (Con): Does my right hon. Friend agree that when one sups with Vladimir Putin, one needs a very long spoon? It is very dangerous for some of our European colleagues to say that his involvement in this battle is somehow helpful and that we should reconsider sanctions against him. Will he confirm that that is not the view of the Government?

Mr Hammond: The Government have been clear that anyone who genuinely wants to take part in the fight against Daesh is welcome to join the coalition and to do so, but what the Russians have done so far is, at best, ambiguous. Yes, they have bombed Daesh positions. Although the percentage of Russian airstrikes targeting Daesh has increased since the loss of the Russian aircraft over Sinai—which was almost certainly due to a Daesh-inspired or planned bomb attack—they are still only about 25% of the total of their airstrikes. The remainder are targeted at the moderate opposition, and that is, to put it mildly, deeply unhelpful.

Jim Shannon (Strangford) (DUP): The Minister referred in his statement to a coalition of 70,000 troops to defeat Daesh. The coalition is very diverse, with groups having different goals, ambitions and strategies. Will he update the House on how that coalition army is coming together? Who will lead it? How is its training going, and has it got the crucial equipment?

Mr Hammond: As we covered quite extensively in the debate two weeks ago, this is not a single army; of course it is not. There are diverse groups fighting the opposition. We have identified approximately 70,000 fighters whom we regard as within the pale in the sense that they have objectives with which we can broadly associate and that they are people with whom we are broadly prepared to work. As I set out in my speech closing that debate two weeks ago, the way we envisage this working is through an end to the civil war, thus closing that debate two weeks ago, the way we envisage this working is through an end to the civil war, thus creating a legitimate Government in Syria, which the international community can support with training, intelligence, surveillance, reconnaissance, weapons, ammunition and command and control support. The Syrian army, thus legitimised, will work alongside these various other militias going after Daesh to finish the job of reclaiming the territory of Syria. That is the outcome that we seek.

Nadhim Zahawi (Stratford-on-Avon) (Con): Daesh is on the back foot in Iraq. Sinjar has been liberated and, as we speak, Iraqi forces are fighting street by street in the liberation of Ramadi. There have been some very good and positive outcomes with the return of the Sunnis to Tikrit, but there have been some greater challenges around Diyala, and there is a real need for a strong political push for post-conflict co-ordination in that country. We have a strong ambassador who is respected by all parties. Will the Foreign Secretary commit to us taking a lead on that post-conflict co-ordination in Iraq to safeguard the Sunni return?

Mr Hammond: We have been doing just that. As my hon. Friend says, we have considerable influence in both Baghdad and Irbil. The problem is that some of the steps that need to be taken to create an environment in which the Sunni population in Iraq feels comfortable and as if they are fully fledged citizens of the country are blocked in the Iraqi Parliament. They are being blocked for a variety of reasons, some of which are to do with the basis of power politics rather than issues of high principle.

John Woodcock (Barrow and Furness) (Lab/Co-op): Does the Foreign Secretary agree that Vladimir Putin must choose whether he wants his country to remain a respected member of the UN Security Council, or to continue down the road towards being an international pariah and rogue state? If Russia chooses the latter path, do the UK and coalition partners have the steel to ensure that it does not profit in any way from its flagrant abuses in the region?

Mr Hammond: I want to answer that question carefully. I have said before in this House that, while I deplore many things that the Russians do, I do not believe that Russia is soft on Daesh. Russia and President Putin recognise a threat from Daesh to Russia, which is at least as great as the threat from Daesh to the west. Russia has 13 million Sunni Muslims living inside the borders of the Russian Federation. What we disagree about is methodology. Mr Putin would say, if he were here to answer the question, that he is going about defeating Daesh in the way that he believes will be most effective. We fundamentally disagree with him for the reason that I explained to the hon. Member for Batley and Spen (Jo Cox), which is that unless and until Assad is gone, we will not get a reconciliation in the Syrian civil war and we will not get all Syrians turning their guns on Daesh.

Mr Speaker: The fellow may have some difficulty securing election in a UK constituency by the recognisably democratic methods that we favour, but I know what the Foreign Secretary was saying. I call Mr David Tredinnick.

David Tredinnick (Bosworth) (Con): My right hon. Friend has referred at some length to the challenges presented by Russia, but does he not agree that there are now also huge opportunities? A very good example is the co-operation we saw yesterday with Tim Peake going into space. Does he recall that, 24 years ago, another British cosmonaut, Helen Sharman—she was known as the woman from Mars, because she worked for the Mars confectionary company—went up in space, and the former Member for the Western Isles, Calum MacDonald, and I were there to see it at the Baikonur cosmodrome? Does my right hon. Friend not agree that, overall, it is now in the British national interest to have better relations with Russia, and that if he wants more co-operation at the UN, it would be a good idea to look again at the Russian-Ukrainian situation?

Mr Hammond: Yes, clearly those are two separate situations, and we are not trading them off. Russia must comply with its international obligations in relation to Ukraine. It must remove its troops from the territory and comply with its obligations under the Minsk agreement. It must also decide whether it wants to be part of the international coalition against Daesh, or whether it is pursuing other objectives by its own methods.

Alison McGovern (Wirral South) (Lab): It is right that the Foreign Secretary has come to the House to make his statement today, and it is right that hon.
Members across the House pay tribute to the inspiring commitment of our armed forces and their families; but on the subject of commitment, does he think it a little strange that we keep hearing the Government berate other countries for their lack of commitment on aid for Syria, when our commitment to refugees has been so very poor? Does he think that it would improve our diplomatic commitment if we gave a little more sanctuary to just a few more people?

Mr Hammond: No. As I have said before, we are clear that the best way to support most refugees is by providing the aid that they need for the food programmes, healthcare, shelter and education for their children, to enable them to remain in the region until the conflict is over and then to return to their homes to rebuild their country and be part of Syria’s future. We have said we will accept for resettlement those who are especially vulnerable, as defined by the UN. They are the most vulnerable refugees, requiring extensive support once they arrive here, and we are proud to have resettled 1,000 of them by Christmas.

Helen Whately (Faversham and Mid Kent) (Con): My right hon. Friend has reassured us that President Assad cannot be part of the long-term solution. Will he advise us whether all necessary parties, including the Assad regime, are co-operating with the political process, which is so important alongside military action?

Mr Hammond: The Assad regime has said that it has selected its negotiating team and is ready to meet the Syrian opposition on a no-preconditions basis. Of course that assertion remains to be tested, but the regime has indicated that it is willing to engage in those discussions. As in many things around the conflict, in the end the attendance of the Syrian team at the talks will depend, I am sure, crucially on a phone call from Moscow.

Several hon. Members rose—

Mr Speaker: Order. I was going to call the hon. Member for Hyndburn (Graham Jones), but I wish to be assured that he did not leave the Chamber at any stage.

Graham Jones (Hyndburn) (Lab): I just nipped to the gentleman’s—

Mr Speaker: Very well; I will not inquire further into the hon. Gentleman’s domestic arrangements.

Graham Jones: I am grateful to the Foreign Secretary for a welcome statement. He talks about defeating Daesh and, of course, all the financial implications, but as we see in Afghanistan, ISIS is now recruiting in 24 of the 39 states. It is transferring money clearly from the oilfields of Syria and Iraq to fund that campaign and paying some of its soldiers—the foreign fighters—$600 a month, and it has now got trained divisions in Afghanistan and has declared war on the Taliban. What is the Government’s assessment of the situation in Afghanistan, and what does he think ought to be done to defeat Daesh?

Mr Hammond: Whatever the hon. Gentleman’s issues, after the 11-and-a-half-hour Syria debate, it is not a problem that any of us think you share, Mr Speaker.

I am grateful to the hon. Gentleman for his question. There is evidence of Daesh penetration in many countries, including Afghanistan. What we have to do in Afghanistan is to continue to support the Government, as we and the international coalition have done, to fund the Afghan national police and the Afghan national army to resist the attempt to create a new caliphate, and we will find that happening elsewhere. We need to be clear about this; it will pop up in other countries as well, and we need to be ready to respond to it, wherever it arises.

Stephen Hammond (Wimbledon) (Con): I welcome my right hon. Friend’s statement, particularly the remarks about humanitarian support and his answer on humanitarian corridors. Can he tell the House any more about the ongoing discussions on securing access across Syria for humanitarian support and whether there has been any progress in meeting the resolution?

Mr Hammond: That will be one of the issues on the table on Friday. I mentioned earlier an end to the indiscriminate use of weapons in civilian areas and to the bombing of medical facilities and humanitarian access to besieged areas—the three early confidence-building measures that the UK in particular is promoting and will be promoting at the conference on Friday.

Kirsten Oswald (East Renfrewshire) (SNP): The Prime Minister has been clear in telling us that there have been no civilian casualties as a result of our actions in Iraq or Syria, and the Foreign Secretary has clarified today that there have been no reports of civilian casualties as a result of RAF action, so I was surprised to read yesterday that, when asked how many people had been killed by UK airstrikes, the Ministry of Defence responded, “What do you mean by ‘people’?” Will he clarify what the Ministry of Defence means by “people”?

Mr Hammond: No; that is a question for the Ministry of Defence. Clearly, people will have been killed as a result of airstrikes, but we have no reports of civilian casualties. I cannot, I am afraid, tell the hon. Lady anything further than that.

Henry Smith (Crawley) (Con): I very much commend the update and briefing that my right hon. Friend the Foreign Secretary has given us. I was privileged last month to visit the Kirkuk region and meet the peshmerga, who were extremely grateful for the RAF air support that we have been giving; Daesh has been curtailed in more than a third of the territory that it once held in the region. May I have assurances that we will continue to work directly with the Kurds, both in the autonomous region of Iraq and in Syria, to ensure that we press the fight further to Daesh?

Mr Hammond: As my hon. Friend is well aware from his visit, we are providing direct support, training and mentoring to Kurdish forces in Iraq. At present, we do not carry out that kind of activity with the Kurdish forces in Syria. Frankly, Kurdish forces in Syria have demonstrated their fighting capabilities and the adequacy of their supply lines and training arrangements.

Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab): Is the Foreign Secretary not concerned that the further involvement of tribal groups and others such as the
Muslim Brotherhood and some al-Qaeda groups will lead to further conflict, as we have already seen in Libya? Is not the best way forward to engage with the 34-member group that Saudi Arabia is putting together, with our coalition, to have the people and troops to deal with this problem properly and realistically, rather than by wishful thinking?

Mr Hammond: I do not think that the two are mutually exclusive. It may be possible in the future, once we have established a transitional Government in Syria, to rally diverse opposition forces against Daesh, alongside what is left of the Syrian army—possibly supported by specialist interventions from members of the 34 Muslim nation coalition, special forces, logistics, targeters, military intelligence analysts and so forth. That is probably the most effective model that we can put together.

Wendy Morton (Aldridge-Brownhills) (Con): I welcome my right hon. Friend’s statement to the House today and his ongoing commitment to continue to make such statements. The crisis in Syria has truly become a regional conflict, not just because of the impact of Islamic State, but because of the increasingly concerning refugee crisis. Does he agree that we must continue to support the authorities in Jordan and Lebanon, which have been so greatly impacted by the influx of refugees from Syria?

Mr Hammond: Yes. We are working with all three countries—Jordan, Lebanon and Turkey—but particularly closely with Jordan, in trying to produce an innovative scheme that will allow refugees in Jordan to access the labour market and to support the Jordanian economy in a way that allows them to engage with that programme.

Tom Brake (Carshalton and Wallington) (LD): In parallel with military action against Daesh—I support such action—the UK Government must work harder to support Syrian refugees. Will the Foreign Secretary set out the UK Government’s position on the private sponsorship of vulnerable refugees? Such sponsorship, which is supported by a range of organisations from Churches to the United Nations High Commissioner for Refugees, would allow more vulnerable refugees, beyond the 20,000 already agreed by the Government, to find sanctuary in the UK. Will the UK Government support that?

Mr Hammond: The right hon. Gentleman has asked that question of the Prime Minister. While being clear that we think that our position is right on admitting 20,000 vulnerable refugees, the Prime Minister has said that he will look further at the question of orphaned children, and I will remind him of that commitment.

Seema Kennedy (South Ribble) (Con): I join other Members in welcoming the statement. I welcome the news that Ministers have been urging the UN special envoy to involve Syrian women’s groups in the peace process. Can my right hon. Friend update the House on the response to those representations?

Mr Hammond: I am afraid there is not such great news to report on that front. The gender balance at the Riyadh meeting was disappointing. Given that it was happening around the time that Saudi Arabia itself was taking a historic step forward in women’s participation in its political system, that is disappointing. We have fed back our concern about that, and the UN special representative, as my hon. Friend said, is particularly focused on this issue.

Mark Durkan (Foyle) (SDLP): Should we ponder with some scepticism the apparently ever more pivotal role that is accruing to Saudi Arabia, not just because of the provenance of some of the issues now being faced in this conflict and the Saudi role in Yemen, but because the precepts and principles which the Foreign Secretary quoted that were brokered by Saudi Arabia for the opposition negotiating commission are broken every day for Saudi Arabian citizens? Will the UK Government and others be trying to shepherd the opposition contribution to the negotiations planned for January, or will they leave that shepherding role to Saudi Arabia?

Mr Hammond: As I have already said, we have provided support to the Syrian opposition in logistical terms in trying to prepare its role as a negotiating convention, and we will continue to do so. Nobody should underestimate the power that Saudi Arabia has because of the position of the King of Saudi Arabia as the custodian of the two holy mosques. That creates a unique convening power which allows Saudi Arabia to bring together people who do not particularly want to sit in a room together and force them to engage with each other. Frankly, in a storm we need to work with partners who have the capabilities that we need, and Saudi Arabia has that capability.

Chris Green (Bolton West) (Con): Syria needs political stability so, although we may have to deal with the Assad regime in the short term, does my right hon. Friend agree that the Assad regime cannot be part of the long-term solution, even if other regional partners support his continued dictatorship?

Mr Hammond: Yes, as I have already said, our position is that for both moral and practical purposes we will not get a solution that involves Assad as a long-term part of the political structure in Syria.

Imran Hussain (Bradford East) (Lab): I welcome the early reporting on this subject, which is very important to many in the House. I welcome all the political and diplomatic efforts that the Government are clearly undertaking, and I agree that in those diplomatic efforts the involvement of Saudi Arabia and the rest of the Muslim world is crucial. There are two points that we have to acknowledge, the first being that many of those Muslim countries themselves are under attack from Daesh or other terrorists. Secondly, many Muslims across those countries in the Muslim world do not acknowledge the Daesh ideology as being anywhere near Islam, and we have to stress that point. I urge the Government to continue those conversations, because if Daesh is to be defeated properly, we must defeat not only the body known as Daesh, but the evil ideology. That is where Muslim world co-operation will be necessary. On the important issue of civilian deaths, tens of thousands of civilians lost their lives in Iraq and in Afghanistan. What assurances can the Foreign Secretary give me that the same will not happen in Syria?
Mr Hammond: Hundreds of thousands have lost their lives in Syria and people are continuing to lose their lives in Syria, both as a result of Daesh’s systematic murder and as a result of Assad’s indiscriminate barrel bombing and chemical attacks on civilian populations, so I am afraid I can give the hon. Gentleman no assurance whatsoever that we will not see similar levels of casualties in Syria. The only way we can seek to prevent them is to bring the bloody civil war to an end and then bring the rule of Daesh over a third of Syria’s territory to an end as quickly as possible.

On the first part of his question, the hon. Gentleman is right. This group of 34 countries is, of course, committed to the challenge of defeating Daesh in Iraq and Syria, but it is at its heart a self-help group—34 countries coming together, recognising that any one of them can be attacked by Daesh or Daesh-affiliated groups, and allowing them to call on each other to provide mutual assistance in responding to such an attack. Of course the hon. Gentleman is right that we have to destroy not only the manifestations of this organisation, but the underpinning ideology. That will be a much longer task and I do not expect it to be completed in my lifetime.

Stephen Metcalfe (South Basildon and East Thurrock) (Con): I am pleased that we are finally targeting the oilfields in an attempt to cut off Daesh’s illicit funds, but can my right hon. Friend tell the House why it is only now that we have joined the coalition for airstrikes that we are hitting those oilfields and trying to cut off that source of income? Are there any other places that we should be hitting which form a greater part of our overall strategy?

Mr Hammond: Maybe I missed something in my hon. Friend’s question. The simple answer is that it is because they are in Syria and until 14 days ago we were not authorised to strike at targets in Syria. A crucial part of our argument was that we needed to take the fight to Daesh in Syria—it’s command and control headquarters, its supply lines and its sources of economic support.

Brendan O’Hara (Argyll and Bute) (SNP): In the debate just two weeks ago we were told that Daesh in Raqqa represented the head of the snake, and that Daesh posed a real and imminent threat to the security of the United Kingdom. Given that, can the Foreign Secretary tell us what action has been taken by the RAF to diminish Daesh in Raqqa? If no action has been taken by the RAF in Raqqa, why not?

Mr Hammond: As I made clear earlier, I cannot talk about individual targets and individual attacks. The hon. Gentleman is right. That focus in the debate was on the command and control headquarters in Raqqa and that has to be the target if we are to destroy Daesh, but we have to go about that deliberately. Rushing to strike Daesh in its headquarters is not necessarily the best way to go about the task. I am not a military strategist and I do not think it would be sensible for politicians, least of all in open session, to try to set the military plan. What I do know is that targeting the leadership of Daesh in a heavily populated city such as Raqqa will require extremely careful planning, the acquisition of a great deal of intelligence and surveillance data, and the proper analysis of those data.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I welcome the Foreign Secretary’s continued commitment to a political solution and to further peace talks, but does he agree that it is important to include and involve as wide a range of countries as possible, including Iran, in order to ensure that all parties get round the table in Syria?

Mr Hammond: Yes, and one of the great achievements of the Vienna process is that Iran, along with Saudi Arabia, is engaged, so two countries that have not been conspicuous by their ability to talk each other are now talking to each other across a table in Vienna or this week in New York. That is a positive achievement.

Andy Slaughter (Hammersmith) (Lab): I hear what the Foreign Secretary says about civilian casualties, but the effect of bombing—any bombing—is to maintain the flow of refugees, including into Europe. What are the Government doing to get the UNHCR into camps from Lesbos to Calais? Will they offer refugee status to refugees in those camps whose primary family connection is with Britain?

Mr Hammond: The hon. Gentleman has asked a specific and detailed question. I would be chancing my arm to give him a precise answer. If I may, I will write to him and place a copy of my letter in the Library. I will want to talk to my right hon. Friend the Home Secretary and the International Development Secretary before answering.

Martin John Docherty (West Dunbartonshire) (SNP): This week the Financial Times reported that even in Daesh-controlled Syria and Iraq two certainties of life exist: death and taxes. Given that the collection of the zakat is now reported to equal the sale of oil revenue, what impact are our airstrikes having on Daesh’s continued worrying economic growth, which has been built on the backs of the rural poor of Iraq and Syria?

Mr Hammond: I suspect that those two eternal inevitabilities, death and taxes, are rather more immediately unavoidable in Daesh-controlled territory than they are in most other places. There are some signals—this was set out in the debate two weeks ago—that Daesh is facing some financial stress. Stipends paid to fighters have been cut. There are many reports of fighters being unpaid and payments to fighters being delayed. This is still a very well-funded organisation, but the huge one-off bonanza that it acquired in the early days of its surge into Iraq, where it was capturing hundreds of millions of dollars in cash in banks and simply taking it away, has ended. I think it is facing a little more pressure financially than it was then, and we intend to keep tightening the screw.

Clive Efford (Eltham) (Lab): Will the Secretary of State say more about what is being done in relation to the position of the Iraqi Government on the Sunni community, who are a mainstay of Daesh in that area and are enabling it to run an effective economy and to pay wages to civil servants, soldiers and others because of the technical expertise of many of the people who have gone from Iraq into the area? If we are going to
deal with Daesh in the long run, what pressure can be put on the Iraqi Government to deal with that fundamental problem?

Mr Hammond: We are working very closely with the Iraqi Government, and we are supporting Prime Minister al-Abadi, who remains committed to the programme of outreach to the Sunni community in Iraq but is facing significant challenges in delivering it. His immediate predecessor is opposed, and a significant bloc in Parliament is making it impossible to progress with two key pieces of legislation: on the creation of a national guard, which would see regionally based forces composed of groups that reflected the ethnicity and the confessional allegiance of the regions; and on repealing the de-Ba’athification legislation passed in the immediate aftermath of the collapse of the Saddam Hussein regime, which has driven many capable Iraqis who were associated with the Ba’ath regime into the arms of ISIL. Many of the military brains behind ISIL’s initial success were former Ba’athist military officials from the Iraqi regime.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): If use of the Brimstone missile was such a key part of the Government’s argument for extending the bombing campaign to Syria, does the Secretary of State not think he should inform the House of how many Brimstone missiles have been used in operations over Syria, and will he commit to doing so in future statements?

Mr Hammond: My hon. Friend for the Armed Forces tells me that there is a certain amount of operational information available on the gov.uk website on a daily basis, and the hon. Gentleman may find information there that at least partly answers his question.

Andrew Gwynne (Denton and Reddish) (Lab): In answer to my hon. Friend the Member for Batley and Spen (Jo Cox), the Foreign Secretary set out the complexities of establishing a civilian safe haven on the ground in Syria. Notwithstanding that, given the intensification of the civil war and our own battles against Daesh, will he enter into dialogue with Syria’s neighbours to see whether they or the Islamic military coalition that he described would be willing to provide the ground support that is needed to create that safe haven for civilians?

Mr Hammond: I regularly talk to my Turkish colleagues, in particular. As the hon. Gentleman knows, the Turks have long promoted the idea of creating safe havens in the north along the border with Turkey. However, all such previous proposals have foundered on the question of who will provide the defensive air cover, given the presence of a very sophisticated Syrian air defence system, and now the presence of Russian air-to-air offensive capability in the area.

Peter Grant (Glenrothes) (SNP): The MOD has confirmed that the RAF Typhoons operating in Syria have, on occasion, not only carried air-to-surface missiles for attacking targets on the ground but have been armed with air-to-air missiles designed to shoot down enemy aircraft. The Government have said that the only enemy we have in Syria is Daesh. There is no indication whatsoever that Daesh has any aircraft. Will the Foreign Secretary tell us which specific countries’ aircraft the RAF thinks it might have to shoot down in the skies over Syria?

Mr Hammond: The posture that we adopt to protect our aircraft is a matter of operational security and I cannot comment on it in the House.

Stewart Malcolm McDonald (Glasgow South) (SNP): Following the question from my hon. Friend the Member for Argyll and Bute (Brendan O’Hara), is not the reason we have not attacked Raqqa, the so-called head of the snake, that, as I have said, the snake is instead a hydra? We read in the weekend papers that the Government are now giving serious consideration to stretching their operation against Daesh into Libya, which will inevitably lead to our doing so in other parts of the region and in north Africa. We have a plan to attack Daesh, not a plan to defeat it. When will the Foreign Secretary get round to giving us a proper plan for dealing with the problem in the context in which it actually exists?

Mr Hammond: First, I would say to the hon. Gentleman, do not believe everything you read in the papers, especially at the weekends. As I have said before, this is a complex military task that requires careful planning and careful execution. I am sorry if it does not suit him that we have a debate and 14 days later he has not seen the level of attack in a particular spot that he, as a military strategist, would like to see, but I have to defer to the military strategists in the Ministry of Defence and in the combined air operations centres and let them execute the objectives that this House has clearly endorsed.

Stephen Gethins (North East Fife) (SNP): The Foreign Secretary was right to highlight the importance of Syria’s neighbours, particularly Arab states. I am sure that he will be aware of this comment by the US Defence Secretary:

“Saudi Arabia and the Gulf states joined the air campaign in the early days but have since been preoccupied by the conflict in Yemen.”

Is he concerned by that, and has there been a decrease in sorties by Arab allies?

Mr Hammond: Yes, there has been a decrease in air sorties by Arab allies. Of course, we recognise the challenges of the conflict on their southern border. The hon. Gentleman will be pleased to hear, and I am sure the House will be pleased to hear, that talks are currently going on between the two sides in the Yemeni civil war. A ceasefire of sorts has been in place over the past couple of days, and although there have been violations, I understand that it is broadly holding. We are therefore hopeful that we are seeing the beginning of the end of the military phase of the conflict in Yemen.

Steven Paterson (Stirling) (SNP): In his previous statement the Prime Minister mentioned the memorandum of understanding regarding communication between the coalition and Russia, which is hugely important. We need only look at the shooting down of a Russian jet by Turkey to see how crucial it is that those communications are going on daily at an operational level. The House has heard loud and clear about the difficulties in dealing diplomatically with Russia, and we must continue to
endeavour to be more successful in doing that. How well is the memorandum of understanding working, given that it is for the safety of our troops as well as Russia’s that it is working?

Mr Hammond: This is about de-confliction. It is about ensuring that we are not flying our aircraft in the same bit of airspace where, inadvertently or by accident, they might come into conflict with others. That has been working well. In fact, coalition aircraft and Russian aircraft are generally operating in different areas. Of course, the situation with regard to Turkey is different. The Turkish aircraft in question, which tragically led to the death of a Russian lieutenant colonel, the pilot, were defending Turkish airspace. It was a routine air defence patrol of the type that we fly in the UK, and we would be in the same position if our airspace was threatened or challenged. The de-confliction of airspace for operations between the coalition and Russia is working well, but the conflict—the tension—remains along the border, where Turkish aircraft are flying in their airspace and Russian aircraft are flying in Syrian airspace. We are all extremely keen to see any risks in that area de-escalating, and we are working hard to achieve that.

Patrick Grady (Glasgow North) (SNP): The Foreign Secretary says that a minimum of £1 billion has been put aside for reconstruction. Is that a blank cheque, and, if so, what alternatives is it at the expense of? What needs analysis is that figure based on? What plans exist for spending it, and over what timescale?

Mr Hammond: I do not think it is a blank cheque: it says on the top line, “People of Syria”, and on the next line, “£1 billion”, so it is clearly not a blank cheque. The Prime Minister has made it clear that we are going to remain committed to the Syrian people through this conflict, through the formation of a transitional Government and in the rebuilding of their country after the creation of that transitional Government and the end of the conflict. He made it very clear in the debate two weeks ago that £1 billion is not the limit of our support for the Syrian people; it is a first instalment to which we have committed.

Points of Order

2.40 pm

Several hon. Members rose—

Mr Speaker: A veritable feast of points of order.

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. I am starting to panic. You will recall that on 2 December the Prime Minister, in response to a question asked by my hon. Friend the Member for Westmorland and Lonsdale (Tim Farron), the leader of the Liberal Democrats, said:

“I am very happy to look at that issue again”—

the issue being the 3,000 unaccompanied children—

“to see whether Britain can do more to fulfil our moral responsibilities.”—[Official Report, 2 December 2015; Vol. 603, c. 339.]

The Prime Minister has been silent on the matter ever since. Can you, Mr Speaker, clarify whether the rules of the House require, when matters of moral responsibility are in play, the Prime Minister to return to this Chamber urgently to set out how he intends to fulfil those moral responsibilities?

Mr Speaker: The matter that the right hon. Gentleman raises is certainly important, but I am bound to tell him that it is treated of neither in “Erskine May”, which, of course, is the bible of parliamentary precedent and procedure, nor in Standing Orders. Therefore, although it may seem imperative in the mind of the right hon. Gentleman and, indeed, in that of his leader that the Prime Minister should return to the House to satisfy them on this matter before the Christmas recess, there is no procedural imperative to that effect.

Tom Brake: Shame.

Mr Speaker: The right hon. Gentleman mutters “Shame” from a sedentary position, and I feel sure that it is a matter to which he will return, quite possibly before the Christmas recess. We shall wait to see.

Greg Mulholland (Leeds North West) (LD) rose—

Hannah Bardell (Livingston) (SNP) rose—

Mr Speaker: I think we shall have a change of party for a moment, but we will return to the hon. Member for Leeds North West (Greg Mulholland).

Hannah Bardell: On a point of order, Mr Speaker. This is my first point of order, just in time for Christmas. On a very serious point, it has come to my attention recently that the Department for Work and Pensions plans to operate “business as usual”, as it did for the first time last year, in the run-up to Christmas. That basically means that people will be sanctioned up until and on Christmas eve. How can I hold the Secretary of State to account on this matter and have it dealt with, hopefully positively, so that we do not have a Scrooge-like approach in the run-up to Christmas?

Mr Speaker: I think the hon. Lady has just done it, although there is one further parliamentary day. Of course, the scheduled debates for tomorrow are what they are and I am not at all sure that either of them would facilitate her in that respect, but there are other opportunities on every parliamentary day and she will
have to use her ingenuity, which is not inconsiderable, to see if she can refer to the matter again and extract some sort of ministerial response in the Chamber.

Greg Mulholland rose—

Patrick Grady (Glasgow North) (SNP) rose—

Mr Speaker: I think the hon. Member for Leeds North West is going to think he is always left until last if I do not call him now. Members do develop persecution complexes from time to time. We will come to the hon. Gentleman, who is a hardy fellow and will not mind waiting.

Patrick Grady: On a point of order, Mr Speaker. The last question at today’s Department for International Development Question Time was asked by my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock). It concerned a very serious matter regarding reports that two men from Malawi—Cuthbert Kulemela and Kelvin Gonani—have been arrested in the capital city for having consensual sex together. Essentially, it appears that they have been arrested for being gay. This is probably as much of an issue for the Foreign and Commonwealth Office as it is for DFID, so I am glad that there are FCO Ministers present. I hope the Government will respond in the same way as the Secretary of State for International Development did by condemning the action.

My point of order is that the question asked by my hon. Friend could barely be heard because of the noise that always rises in the prelude to Prime Minister’s questions. What advice can you give to Members, Mr Speaker, about noise levels during Question Time, and what opportunities are there for us to ask the Government to look at rotating the questions and when they are heard?

Mr Speaker: I am very grateful to the hon. Gentleman. The news that he reports on a very serious matter is, frankly, horrifying—it is absolutely horrifying news indeed. Of course, there is a direct locus for the Secretary of State and the Department for International Development in view of our ongoing commitment to Malawi, with which country I know the hon. Gentleman, from his personal experience, is intensely familiar, so, I think probably on behalf of the House, I can empathise with what he has said.

The noise at Question Time is very disturbing. I do often say to the House that we are dealing with extremely important matters. In some cases they are important matters not only from our point of view, but to people elsewhere in the world who are in very much more vulnerable situations than we are, so common courtesy would dictate that there should be a civilised atmosphere and that questions and answers should be heard. The hon. Gentleman knows, to be fair, that it is ordinarily not a calculated insult; it is that colleagues are very excited and animated about the upcoming Prime Minister’s questions and are engaging in often protracted and noisy private conversations. I can only exhort colleagues to remember their responsibilities to each other and to people whose concerns we are discussing.

More widely, the hon. Gentleman makes quite an important point about possible rotation. There is no procedural bar to rotation. If there is a significant body of Members who feel that it is wrong that one Department should have to occupy that very difficult slot for an extended period, they can make representations—I am trying to be helpful to the hon. Gentleman; I cannot solve the problem overnight—to the Leader of the House and, indeed, if I may say so, to the Chair of the Procedure Committee, the hon. Member for Broxbourne (Mr Walker), who is, in my experience, unfailingly helpful to, and courteous in his dealings with, Members of the House.

Greg Mulholland: On a point of order, Mr Speaker. I do not at all mind waiting to seek your advice or to share some very good news. I know that you will be delighted, as will the House, with today’s news that the National Institute for Health and Care Excellence has approved the drug Vimizim for sufferers of Morquio disease. That is life-changing news for the 88 people and their families, and it is the result of a large campaign.

I seek your advice, Mr Speaker, because this is a hugely important matter that has exercised considerable time and a number of questions in this House. Given that there will be no pre-recess Adjournment debate tomorrow, and given the very limited time available for a statement from the Department of Health—which would be very welcome, particularly because it is such good news—I seek your advice on how the issue might be raised in the time remaining to us, considering not only its importance, but the importance of the ultra-rare diseases that have not received this news, such as tuberous sclerosis and Duchenne muscular dystrophy.

Mr Speaker: There are two points in response to the hon. Gentleman’s point of order. First, I am absolutely delighted to hear that excellent news. Although the hon. Gentleman was too modest to draw direct attention to his own work on the subject, I think Members across the whole House know just how indefatigable he has been in his efforts on behalf of those very vulnerable people, so I would like to congratulate him and other Members on their persistence. It is absolutely magnificent news. We are here to serve other people and this is a very good example of where that has been done, not least due to the prodigious efforts of Back Benchers such as himself and a number of his colleagues.

Secondly, there is every opportunity for statements to be made tomorrow. Ministers will have heard what the hon. Gentleman has said. Whether a Minister wishes to come to announce and elaborate on the good news, and potentially to answer queries about other categories of people who might also be helped, I do not know. The hon. Gentleman also knows that, whether or not a statement is offered, there is an opportunity for Members to submit urgent questions. The hon. Gentleman has done it many times himself, sometimes with success. I cannot possibly give a commitment in advance, because we do not deal with the matter in that way. One thing the hon. Gentleman knows is that if he does not extract a commitment by a Minister to make an oral statement tomorrow and he chooses to submit an urgent question, I will see that question and read it in full, and it will be considered and adjudicated on at the morning meeting at 8.45 am tomorrow. I hope that that is helpful to him and, indeed, to other Members of the House.
Mr Ben Bradshaw (Exeter) (Lab): On a point of order, Mr Speaker. In that context, have you received any indication from the Government that a Minister intends to make a statement tomorrow about the outcome of their consultation on cutting the solar feed-in tariff, which I understand they will announce tomorrow. This is a matter of huge public and industrial concern, with 37,000 jobs—87% of the jobs in the solar industry—at risk if the Government do not change their proposals. It would be completely unacceptable for this announcement to be sneaked out on the last sitting Thursday before Christmas when, with a one-line Whip, many Members will not be in Parliament. I hope that you will take up that matter with the Government on our behalf.

Mr Speaker: I am not aware of any intention on the part of a Minister to make a statement on that subject tomorrow, although I must say to the right hon. Gentleman, who is extremely experienced in the House, that the fact that I am not aware of any such intention at this point is itself unexceptional. There is no particular reason why I would have been notified. I have not been notified, but that does not mean that the Government are not planning to make a statement. As the right hon. Gentleman will know, that is little comfort to him. There might be an oral statement or there might not be. It is perfectly possible that there might be a written statement, which I suspect would satisfy him even less.

I cannot do anything about the point we have reached in the timetable. Tomorrow is the last day and some Members may not be present. That is unfortunate, but I can do nothing about it. However, just as I said to the hon. Member for Leeds North West that there is the opportunity of an urgent question for him and for other Members on matters of concern to them, it is perfectly open to the right hon. Gentleman to submit an urgent question. I simply inform colleagues that on a Thursday such applications must be in by 8.15 am. I feel sure that the hon. Gentleman and the right hon. Gentleman are both eager beavers and early birds.

If there are no further points of order—the appetite for connected purposes.

Mr Ben Bradshaw (Exeter) (Lab): On a point of order, Mr Speaker. In that context, have you received any indication from the Government that a Minister intends to make a statement tomorrow about the outcome of their consultation on cutting the solar feed-in tariff, which I understand they will announce tomorrow. This is a matter of huge public and industrial concern, with 37,000 jobs—87% of the jobs in the solar industry—at risk if the Government do not change their proposals. It would be completely unacceptable for this announcement to be sneaked out on the last sitting Thursday before Christmas when, with a one-line Whip, many Members will not be in Parliament. I hope that you will take up that matter with the Government on our behalf.

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If there are no further points of order—the appetite for connected purposes.
that our general elections have become less and less representative. If winning an argument with the British public becomes a different task from that of winning the votes required to form a Government, something has gone terribly wrong. It should be a source of national concern that there have been three general elections in history in which the party with the most votes has actually lost the general election. If that were to happen in the modern day, we would legitimately face a constitutional crisis.

I wish to stress that none of this is a means to dispute the formation of the new Conservative Government. No electoral system would have produced a Labour Government in 2015, because people simply did not trust Labour sufficiently. However, the result of the last election should concern anyone with an interest in democracy, or simply a desire for national unity. In the south-east, the Tories got 51% of the vote, but took 93% of the seats. In the south-west, they got 47% of the vote, but took 94% of the seats. In the north-east, the situation was reversed: Labour took 47% of the vote, but won 90% of the MPs. In Scotland, the SNP won an impressive 50% of the vote, but a thoroughly disproportionate 95% of the seats. The Lib Dems actually got 1 million more votes than the SNP, but are treated as though they got less. Four million people voted for the UK Independence party to get just one MP. That is simply not conducive to a representative Parliament.

As much as I wish the whole country would simply elect Labour MPs like me, if they do not do so, they should—as best we can deliver—get the MPs they did vote for. Moreover, the electoral system should not write off large parts of the country to one party or another, because that forces those parties to behave rationally and devote their scarce resources to areas where they are competitive. That then creates a perpetual cycle of disengagement, rather than the challenging and robust competition of views on which democracy thrives.

Because of the unrepresentative nature of modern elections, the Governments that are formed after them are prone to make poor decisions or to govern inequitably. At times, the British people have given a clear, decisive mandate for change—1905, 1945, 1979 and 1997—but that has not been their verdict at other times, when they have been unwilling or reluctant to hand one party exclusive access to Downing Street. If that is the British people’s verdict, there should be coalition or minority Governments. Using the electoral system to create an artificial mandate for one-party rule is not conducive to good government. The argument that proportional voting unfairly empowers smaller parties does not stand up when one considers that exactly the same charge could be levelled at the recent functioning of first past the post, be that the coalition Government in the last Parliament, the Lib-Lab pact in the 1970s, Sir John Major’s deal with the Democratic Unionist party, or the historical example of the Irish nationalists. The status quo does of course produce absurdities. During the last Parliament, a coalition Government in Westminster were elected under first past the post, and a one-party majority Government were elected in Holyrood under the proportional system that I am proposing we introduce via this Bill.

I know that some people will say to me that they do not wish to change the voting system for fear of seeing more UKIP or other minority parties elected. I share their disdain for some of those parties, but I would say to them that if people vote for those parties, that is surely what they should get. Parties defeat their political opponents by debate and campaigning, not by rigging the rules in their favour. Ultimately, the alienation caused by rigging the rules in their favour will create the resentment that means those minority parties actually win under first past the post, as we saw just over a decade ago when the British National party won substantial numbers of council seats in the north-west.

I may be this Parliament’s pre-eminent Jonny, but I am no Jonny-come-lately to this cause. In fact, I am prepared to admit to the House that, as a young man, I travelled the long journey from Sunderland all the way to Newcastle to hear the late Roy Jenkins address a public meeting as part of his Jenkins commission. However, I believe that the issue has now assumed a much greater urgency. That has been produced not just by the declining vote share of the two major parties, but by the consequences of further constitutional change in Scotland, be it in the form of independence, as the SNP would like, or the much greater devolution that the Unionist parties favour. Such developments have profound implications for the rest of the Union.

I do not believe that the cohesion of England can be maintained by retaining the first-past-the-post electoral system. In all honesty, Labour Members ignored the consequences of devolution for England for far too long, simply because we did not want to admit that, under first past the post, Labour has historically rarely won a majority in England alone. A fairer and more competitive system would be better for everyone, because it would render such narrow calculations redundant and create a one nation political system for a country that sorely needs it.

I am extremely grateful for the cross-party support I have achieved for the Bill, which includes support from hon. Members from political parties, such as the Greens and the Lib Dems, that have positions in favour of a different type of electoral reform, such as the single transferable vote. However, we are as one on the need for change. If there is one thing that my time as a Member of this House has genuinely taught me, it is that the stereotypes of different political parties and the people who represent them in this place are unhelpful and unfair. The basis exists for us all to work together in the national interest and it would be better if we were part of a political system that placed on us an obligation to do so. Therefore, I make a plea today for not just a proportional voting system, but a patriotic voting system, in which all parts of the country and all shades of opinion are treated equally and fairly, and the functioning of which brings the whole country together. I commend the Bill to the House.

3.1 pm

Mr John Spellar (Warley) (Lab): I am slightly surprised to be congratulating my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds)—and he is a friend—on his honesty in admitting that he once sat at the feet of Roy Jenkins. That is not something to which people are normally prepared to admit.
I find it astonishing that, in a month when the Front National in France has made considerable advances, someone in this House should argue for changing the electoral system. I do not want to detain the House for too long, so I will not go into detail about how damaging this proposal would be to effective government; how it would transfer power away from constituents and local parties to party leaders, kitchen Cabinets and bureaucrats; how it would empower fringe parties at the expense of parties that are fit for government; how it would damage the direct link between many MPs and a constituency; and how, interestingly enough, countries that have such systems always have to amend them as those problems start to come through.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): Germany?

Mr Spellar: Germany has changed the system. It has introduced thresholds and it regularly changes the thresholds to deal with exactly the problems I am describing.

The proposal flies in the face of British public opinion, which was made absolutely clear in the referendum by more than two to one. In fact, 68% of people voted no and 32% voted yes. Of the 440 counting areas, only 10 recorded yes votes: the inner-London boroughs of Lambeth, Southwark, Camden, Hackney, Haringey and Islington—all those boroughs that used to feature in national headlines in the days of the loony left councils; Oxford, which has a great university and was described once as the city of lost causes; Cambridge; and Edinburgh Central and Glasgow Kelvin, which I think—SNP colleagues will lost causes; Cambridge; and Edinburgh Central and Glasgow Kelvin, which I think—SNP colleagues will

Howell, John

Howlett, Ben

Huddleston, Nigel

Jackson, Mr Stewart

Jayawardena, Mr Ranil

Jenkin, Mr Bernard

Jenkyns, Andrea

Johnson, Boris

Jones, Graham

Kaufman, rh Sir Gerald

Kawczynski, Daniel

Kennedy, Seema

Knight, rh Sir Greg

Knight, Julian

Lee, Dr Phillip

Liddell-Grainger, Mr Ian

Lilley, rh Mr Peter

Lord, Jonathan

Loughton, Tim

Lucas, Ian C.

Mackinlay, Craig

Main, Mrs Anne

Mak, Mr Alan

Malthouse, Kit

Mann, Scott

Marris, Rob

Matheson, Christian

Mathias, Dr Tania

McCartney, Jason

McCartney, Karl

McDonagh, Siobhain

Mears, Ian

Menzies, Mark

Miliband, Andrew

Mills, Nigel

Morton, Wendy

Mowat, David

Morrison, Dr Andrew

Neill, Robert

Norman, Jesse

Nuttall, Mr David

Paisley, Ian

Philips, Stephen

Philip, Chris

Pow, Rebecca

Pursglove, Tom

Quin, Jeremy

Quince, Will

Redwood, rh John

Rees-Mogg, Mr Jacob

Rimmer, Marie

Robertson, Mr Laurence

Robinson, Mary

Rosindell, Andrew

Sandbach, Antonioine

Scully, Paul

Shannon, Jim

Sharma, Mr Virendra

Shuker, Mr Gavin

Simpson, rh Mr Keith

Skinner, Mr Dennis

Smith, Royston

Spellar, rh Mr John

Spelman, rh Mrs Caroline

Stevenson, John

Stewart, Bob

Stringer, Graham

Stuart, rh Ms Gisel

Stuart, Graham

Syma, Mr Robert

Thomas, Derek

Tohurth, Kelly

Tomlinson, Michael

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2015 DECEMBER 2015
Tracey, Craig  
Trevelyan, Mrs Anne-Marie  
Tugendhat, Tom  
Turner, Mr Andrew  
Twigg, Derek  
Vickers, Martin  
Warburton, David  
Warman, Matt  
Watkinson, Dame Angela  
Whately, Helen  
Wiggin, Bill  
Williams, Craig  
Wood, Mike  
Wragg, William  

Tellers for the Noes:  
Mr Peter Bone and  
Mr Philip Hollobone

Armed Forces Bill

[Relevant documents: Oral evidence taken before the Select Committee on the Armed Forces Bill on 18 November 2015, HC 618, and Proceedings of the Select Committee on the Armed Forces Bill on 24 November 2015.]

Considered in Committee

[Mr Peter Bone in the Chair]

Clause 1

DURATION OF ARMED FORCES ACT 2006

Question proposed, That the clause stand part of the Bill.

3.15 pm

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): It is a pleasure to serve under your chairmanship, Mr Bone.

The primary purpose of the Bill is to provide for the continuation in force of the Armed Forces Act 2006, which would otherwise expire at the end of 2016. Clause 1 provides for continuation of that Act for a year from the date on which the Bill receives Royal Assent. Thereafter it allows further renewal by Order in Council for up to a year at a time, but not beyond the end of 2021.

The 2006 Act provides nearly all the provisions for an armed forces system of command, discipline and justice. Crucially, it confers powers and sets out procedures to enforce the duty of members of the armed forces to obey lawful commands. The central effect of the expiry of the 2006 Act would be to end the powers and provisions to maintain the armed forces as disciplined bodies.

Mr Kevan Jones (North Durham) (Lab): It is a pleasure to serve under your chairmanship, Mr Bone.

I think this is my third Armed Forces Bill, and it is a minnow compared, for example, with the 2006 Act. However, it covers important issues that affect not only the operation of Her Majesty’s armed forces, but the discipline needed to ensure their effectiveness. As the Minister has outlined, it is an important constitutional Bill because it reaffirms the need for a standing Army to protect the freedoms that we have all come to rely on in this country. I look forward to the progress of the Bill and of the amendments in my name.

Kirsten Oswald (East Renfrewshire) (SNP): The SNP fully supports the Bill. We appreciate the requirement that Parliament’s consent is given to maintain an Army, as well as the significant contribution made by members of our armed forces. As such, one of the Bill’s most important functions is to provide the legal basis for the armed forces to continue to exist as a disciplined force, and we must continue to develop and support our armed forces as they undertake their difficult jobs. We support progressive change such as that found in the amendment that calls for a review into compensation for veterans who are suffering from mesothelioma, and that on the publication of statistics on sexual assault and rape. We want robust legislation that is fit for our dedicated armed forces.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.
Clause 2
Commanding officer’s power to require preliminary alcohol and drugs tests

Question proposed, That the clause stand part of the Bill.

Mark Lancaster: Currently, a commanding officer may require a member of the armed forces, or a civilian subject to service discipline, to co-operate with a preliminary test for drugs or alcohol on suspicion of a relevant offence. Clause 2 extends the circumstances in which a commanding officer may require co-operation with such a test. It provides for post-accident preliminary testing without the need for suspicion that the person to be tested may have committed an offence. The new powers to require co-operation with such tests apply only after accidents involving aircraft or ships, or after other serious accidents.

The powers will apply in the event of any maritime or aviation accident and other serious accidents that result in, or have created the risk of death, serious injury to any person, serious damage to any property, or serious environmental harm involving prescribed or other safety critical functions. The results of preliminary tests can be used in support of any type of investigation arising from the accident. The new powers are similar to those provided to the civilian police by the Railways and Transport Safety Act 2003 in relation to aviation and maritime accidents, and the Road Traffic Act 1998 in relation to road traffic accidents, but apply to a wider range of accidents.

Mr Kevan Jones: We support clause 2. As the Minister has outlined, it brings into line the legislation that covers our armed forces and gives commanding officers the tools to investigate accidents in which drugs or alcohol may have played a part.

Kirsten Oswald: It is appropriate to enable commanding officers to require testing for drugs and/or alcohol after incidents associated with personnel carrying out safety critical duties. We support the ability of the commanding officer to deal with these matters. It is for them to consider and to proceed with the most appropriate action in relation to the requirement for testing.

Question put and agreed to.
Clause 2 ordered to stand part of the Bill.

Clause 3
Duty of service policeman following investigation

Question proposed, That the clause stand part of the Bill.

The Temporary Chair (Mr Peter Bone): With this it will be convenient to consider clauses 4 and 5.

Mark Lancaster: Clauses 3 to 5 relate to investigations and charging. They make a number of changes to provisions in part 5 of the 2006 Act, which deal with the process of deciding whether a person is to be charged with a service offence under that Act. The changes simplify the process. For example, currently some cases that cannot be dealt with by the commanding officer must none the less be referred by the investigating service police to the commanding officer and then from the CO to the Director of Service Prosecutions for a decision on the charge and prosecution.

Clause 3 provides that where the service police consider there is sufficient evidence to charge an offence that the commanding officer cannot try summarily, the case must be sent to the Service Prosecuting Authority for a decision on charging. The Director of Service Prosecutions is responsible for decisions on the charge and prosecution in all cases that cannot be dealt with by the commanding officer. However, currently some of those cases have to be referred by the investigating service police to the commanding officer, and then, as I have said, from the commanding officer to the Director of Service Prosecutions. This adds unnecessary delay and bureaucracy to the process, which the clause seeks to remove.

The other main change made by clause 3 intends to deal with the problem that the 2006 Act currently requires some cases to be sent to a commanding officer to deal with, although they are closely connected with a case that must be sent to the director—for example, where separate offences occurred during the same incident. This can result in separate decisions on whether to prosecute, and separate trials. Clause 3 amends the 2006 Act so that the service police will also be able to refer a case to the Director of Service Prosecutions if, after consultation with the director, they consider it appropriate to do so because of a connection with another case that has been referred to the director.

Clause 4 makes a minor technical clarification to the procedure for the referral of linked cases from the commanding officer to the Director of Service Prosecutions. Currently, if the commanding officer is required to transfer a linked case to the director, the transfer is deemed to take place. Under clause 4, the commanding officer will actually have to make the transfer.

Clause 5 provides for the Director of Service Prosecutions to bring charges himself. Currently, where the director decides that a charge should be brought in a case, he cannot bring the charge directly but must direct the suspect’s commanding officer to bring the charge, and the commanding officer must then bring the charge.

The changes have the support of the Director of Service Prosecutions and the Judge Advocate General. No change is proposed to the circumstances in which the commanding officer is under duty to ensure that the service police are aware of an allegation.

The Temporary Chair: We are debating clauses 3, 4 and 5 together if any Member wants to speak on them.

Jim Shannon (Strangford) (DUP): Thank you, Mr Bone, for clarifying the process. I have put this all together, if the Minister could just bear with me.

The Minister referred to investigation and charging in relation to clauses 3 to 5 and I want to ask a question about that. We see a simplification of the process relating to service personnel charged with offences. I assume the Minister is saying that that will be achieved by reducing the number of stages required for the decision to bring charges. Not only will the provision make it easier to bring charges where appropriate, and ensure discipline and order are maintained in our armed forces, it will streamline the process and reduce bureaucracy so that commanding officers are free to get on with their duties essential to the smooth running of all aspects of our armed services. Will the Minister clarify the role of the commanding officer in an investigation?
If the Minister will bear with me, clause 2 related to alcohol and drugs. As we are talking about investigation, I want to comment on that. The new rules on drug and alcohol testing are similar, but not identical, to the provisions under the Railways and Transport Safety Act 2003. The 2003 Act provides for an alcohol and drug testing regime that is applicable to both the maritime and aviation environments, but the armed forces have Crown exemption. Will the Minister clarify this matter in relation to the new rules on drug and alcohol testing and investigations?

The Bill will remedy that and strengthen the approach to alcohol or drug misuse within the armed forces, as well as being more specific about what grounds justify a drug or alcohol test. It will make it easier for those in charge of an investigation to order a drug or alcohol test when needed, which can only make our armed forces safer and more secure, while simplifying the process to make it easier for commanding officers to secure a drug or alcohol test.

The new statutory framework for immunity from prosecution will give the Director of Service Prosecutions and service courts powers that may assist investigators and prosecutors in cases where it may otherwise be difficult to persuade service personnel to co-operate with the service police and to give evidence. The Minister will be aware of a specific case in Northern Ireland where investigations are ongoing. I believe the provisions are a positive development that will improve transparency across our armed forces and improve the security of individuals. Of course, this could be particularly important to Northern Ireland where there have been continuous attempts, through spurious allegations, to drag the names of former soldiers through the mud. We must never let the legitimate forces of law and order be equated with cold-blooded murderous terrorists. I hope that this aspect of the Bill can ensure that the brave service personnel who fought terrorism in Northern Ireland will never be dragged through the courts by those who terrorised our state, or by their sympathisers and supporters.

On investigation and prosecution in relation to this particular issue, what role will the Minister play? I am sure we are keen to put in place a transparent method of investigation and prosecution. There has to be protection for our brave service personnel. Where we can, we should give them immunity, but we must always give them our full and unreserved legal support and aid, should they need it.

I hope that was clear for the Minister. I have raised several issues about investigation that have to be addressed.

The new powers in clause 2 reflect the range of duties undertaken in the military environment—for example, diving, driving and commanding a mechanically propelled vehicle—not covered by road transport legislation. The use of firearms would not be covered either, and neither would other duties considered to be safety critical, such as running adventurous training. So there are some extra duties not covered by other legislation, which is why these provisions go slightly further.

On clause 3 and the question of whether we are effectively reducing the powers of the CO, the change to the procedure followed by the service police after an investigation relates only to cases where the CO does not have jurisdiction over the recommended charge. Such a case could still be referred back to the CO by the Director of Service Prosecutions if an alternative charge within his powers was considered appropriate. The uncertain power of the CO to wait and see and do nothing will be removed, but it is, in any event, vulnerable to attack, particularly given that it applies to serious cases in relation to which the service police have determined there is sufficient evidence to charge an individual with an offence that can be tried only by court martial. The change to the process of charging means that the DSP will have the power to bring a charge, whereas currently only the CO has the power, although he might be directed by the DSP to do it. I realise it sounds complicated, but actually it simplifies the process to avoid having to refer cases to the CO over which he has no power anyway. In more than 90% of cases, the CO will still be involved.

I am sure that the hon. Member for Strangford (Jim Shannon) will remain in his place for the duration of the Committee, so I will deal with the other points he raised when we get to those clauses.

Mark Lancaster: Thank you, Mr Bone, for allowing me to go back, very briefly, to clause 2.

The new powers in clause 2 reflect the range of duties undertaken in the military environment—for example, diving, driving and commanding a mechanically propelled vehicle—not covered by road transport legislation. The use of firearms would not be covered either, and neither would other duties considered to be safety critical, such as running adventurous training. So there are some extra duties not covered by other legislation, which is why these provisions go slightly further.

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I am sure that the hon. Member for Strangford (Jim Shannon) will remain in his place for the duration of the Committee, so I will deal with the other points he raised when we get to those clauses.

Question put and agreed to.
Clause 3 accordingly ordered to stand part of the Bill.
Clauses 4 and 5 ordered to stand part of the Bill.

Clause 6

Period for which sentence of service detention may be suspended

Question proposed, That the clause stand part of the Bill.

Mark Lancaster: The clause increases from 12 to 24 months the maximum period for which the sentence of service detention may be suspended by a court martial. The civilian courts and courts martial can already suspend sentences of imprisonment for up to 24 months, but service detention is a unique military system offering greater rehabilitation arrangements. This measure would provide a court martial with greater flexibility in appropriate circumstances. Guidance on sentencing in a court martial sets out the relevant factors for the award of suspended sentences: whether the offender can retrieve his or her good name without undergoing a committed sentence—for example, if there has been a significant delay between the offence and trial, during which period the offender has performed
his or her duties well and effectively rehabilitated him or herself; whether the offender has shown genuine remorse and voluntarily made reparation for any damage caused; whether the offender is young and inexperienced and it is clear that the offence is an isolated occurrence; whether the offence does not involve serious violence or violence towards a superior officer; and whether the offender is required for more important operational duties.

**Mr Kevan Jones:** Again, I think these are sensible proposals that give courts martial the flexibility to award suspended sentences where appropriate. It is a tidying-up exercise in terms of the 2006 Act.

**Question put and agreed to.**

**Clause 6 accordingly ordered to stand part of the Bill.**

**Clause 7**

**IMMUNITY FROM PROSECUTION**

**Question proposed,** That the clause stand part of the Bill.

**The Temporary Chair (Mr Peter Bone):** With this it will be convenient to discuss clauses 8 to 12 stand part.

**Mark Lancaster:** For the convenience of the Committee, I shall discuss together clauses 7 to 12, which deal with offenders assisting investigations. In overview, clauses 7 and 8 allow the Director of Service Prosecutions, in return for assistance provided by a person to an investigation or prosecution, to enter into an agreement with the person giving them immunity from prosecution or an undertaking that information will not be used against them in proceedings. Clauses 9 to 12 make provision with respect to reduced sentences for those who provide such assistance.

The provisions closely follow those in the Serious Organised Crime and Police Act 2005, which apply to civilian prosecutors and courts. Under these provisions, an immunity notice or restricted use undertaking must be in writing and will normally include conditions, breach of which would lead to the immunity or undertaking being revoked.

The Director of Service Prosecutions will, as a matter of good practice, consult the Attorney General in relation to any offer of immunity. The DSP will engage with the Director of Public Prosecutions and devolved Administrations in the event of concurrent jurisdiction. Immunity notices and restricted use undertakings can be provided only if the DSP considers it appropriate in relation to the investigation or prosecution of a criminal conduct service offence, where the equivalent civilian offence is capable of being tried in the Crown Court, or a disciplinary offence, for which the maximum sentence is more than two years imprisonment.

**Jim Shannon:** I have one quick question for the Minister. He mentioned contacting the devolved Administrations, and I am wondering what credence is given to those Administrations in respect of decisions made by Ministers in the Ministry of Defence. In other words, if there is a disagreement between the devolved Administrations and the Ministry, which takes precedence?

**John Howell (Henley) (Con):** As a member of the Select Committee, let me add that when we looked into these provisions and interviewed the relevant official, I was impressed with two things. The first was the need to refer to the Attorney General. The link between the DSP and the Attorney General is a good one. I have to say that I have forgotten what the second one was, but let the first point stand as the major point I wanted to make.

**Mr Kevan Jones:** With the assurance that the Attorney General will be consulted only in very rare cases—I am not sure that the provisions will need to be used on many occasions—we support the clauses, which bring service law into line with best practice in civilian law.

**Mark Lancaster:** I agree with the hon. Gentleman; it is anticipated that the provisions will be used only on very rare occasions and in the most serious cases. In response to the question asked by the hon. Member for Strangford (Jim Shannon), the process has not yet been tried, but it is hoped that there will not be any conflict between the various jurisdictions. If I may, I shall write to the hon. Gentleman with further detail in due course.

**Question put and agreed to.**

**Clause 7 accordingly ordered to stand part of the Bill.**

**Clauses 8 to 12 ordered to stand part of the Bill.**

**Clause 13**

**AFA 2006: ISLE OF MAN AND BRITISH OVERSEAS TERRITORIES**

**Question proposed,** That the clause stand part of the Bill.

**The Temporary Chair (Mr Peter Bone):** With this it will be convenient to consider the schedule to the Bill.

**Mark Lancaster:** The clause and schedule provide for the Armed Forces Act 2006, as it currently has effect in the United Kingdom, to come into force in the Isle of Man and the British overseas territories, except Gibraltar, although we are consulting the Government of Gibraltar about extending the provisions of the 2006 Act to that territory. I should make clear at this point that, as a matter of UK law, the 2006 Act will continue to apply to service personnel wherever in the world they are serving. We have consulted the Isle of Man and the British overseas territories, and they are content with our approach. We are discussing with Gibraltar whether it would be best to provide for the 2006 Act and the Bill to extend to it as well, and if Gibraltar considers that to be the case, we will introduce an amendment to that effect.

**Jim Shannon:** I welcome the Minister’s commitment to ensuring that the 2006 Act will come into force in the Isle of Man and the British overseas territories, with the exception of Gibraltar, and that there will be the option of extending it to the Channel Islands. We too often forget those from the overseas territories and those who serve there. I am pleased to note that this is a truly British Bill which recognises our devoted armed services throughout the globe. This move is, I believe, long overdue.

I should like to ask the Minister two questions. First, will he give us some idea what is meant by “the option of extending it to the Channel Islands”? Secondly, is he able to give a commitment—I am not sure whether he is—that, as I hope sincerely to be the case, the exemption of Gibraltar is not due to any Spanish intrusion or interference? The sovereignty of Gibraltar is down to its
people, and we should firmly uphold their right to remain British, no matter what actions or words may come from Madrid.

Mr Kevan Jones: We support clause 13 and the accompanying schedule. It makes sense to extend the Act to the overseas territories.

May I ask the Minister what the timescale is for the negotiations with Gibraltar? I realise that the elections there may have interfered with the process. May I also ask what mechanism would operate if Gibraltar accepted that the legislation should extend to it? Would we have to wait for the next Armed Forces Bill to introduce any changes that were necessary?

Mark Lancaster: Let me deal first with the question of Gibraltar. I can tell the hon. Member for Strangford (Jim Shannon) that this has absolutely nothing to do with the Spanish. In 2005 Gibraltar received a new constitution, which gives it wider legislative responsibilities. As I have said, we are discussing with its Government whether it would be best to provide for that through the 2006 Act or through its own legislation.

As the hon. Member for North Durham (Mr Jones) said, there has been a delay. That is simply because, as the House knows, Gibraltar was holding elections, which have now ended. I am keen to conclude the matter with Gibraltar as quickly as possible, and, if it wished to be included in the provisions of the Bill, the intention would be to introduce amendments in the other place at that point.

On the wider impact, the fact that the 2006 Act has not been in force in the British overseas territories—including the Isle of Man—since 2011 has, to our knowledge, created any difficulties. The rationale for extending the Act to those jurisdictions includes ensuring that actions that might be taken by members of our armed forces would be lawful there, not only as a matter of United Kingdom law but as a matter of their own law. For example, service police would have powers of arrest, entry and search in those jurisdictions as well. Equally, the civilian authorities in those jurisdictions can do things that they might not otherwise have powers to do under the law there. Including them in the Act gives them extra powers as well.

All in all, we feel, having consulted, that this is a positive step.

Question put and agreed to.
Clause 13 accordingly ordered to stand part of the Bill.

Clause 14
Powers of Ministry of Defence fire-fighters in an emergency

Question proposed, That the clause stand part of the Bill.

The Temporary Chair (Mr Peter Bone): With this it will be convenient to discuss clause 15 stand part part.

3.45 pm

Mark Lancaster: These clauses give MOD firefighters the same powers to act in emergencies as employees of civilian fire and rescue authorities. Those powers include powers to enter premises by force if necessary, to close roads and to regulate traffic. Clause 14 also makes it an offence to obstruct an MOD firefighter who is acting in an emergency.

Clause 15 gives MOD firefighters the same exemptions from provisions in certain Acts—for example, rules on drivers’ hours—as employees of fire and rescue authorities.

Bob Stewart (Beckenham) (Con): May I ask the Minister for clarification? If an MOD firefighter is on a base and sees a farm, say, a fire, can they go straight to that and deal with it, or do they have to wait for civilian firefighters to come, if it is off the base?

Mark Lancaster: I will come to that, but protocols are in place between MOD firefighters and local fire authorities and there have been occasions when MOD firefighters have supported local authority fire and rescue services. However, it is important that that is done in a combined and controlled way.

The Defence Fire Risk Management Organisation provides fire and rescue operational services and support across defence at airfields, specified domestic establishments and deployed locations in the UK and overseas. DFRMO falls outside the ambit of the primary legislation that governs local fire and rescue authorities in the UK. Contractors providing fire and rescue services for defence are also present at the Atomic Weapons Establishment, QinetiQ, Babcock and Serco. They operate at sites such as Aldermaston, Burghfield and Boscombe Down. DFRMO currently has 320 fire and rescue service contractors, out of a total strength of more than 2,000 personnel. Contractor firefighters, now and in future, should also be able to deal with an emergency in the same way as MOD firefighters. We are not aware of local fire and rescue authorities using or planning to use contractor firefighters. However, there are other private and specialised fire and rescue services at other sites such as ports and airports, power stations, industrial sites and some state properties.

The clauses constitute a simple, sensible change that gives MOD firefighters the same legal protections as their civilian counterparts.

Jim Shannon: The Minister referred to the legal protections that are provided. Is insurance protection provided as well? I am conscious that with firefighters’ extra responsibilities come the possibility of someone being hurt as a result. I would like to check that point.

Kirsten Oswald: We appreciate the work of MOD and other firefighters. It is important that we have in mind some of the concerns that the Fire Brigades Union has raised about the potential unintended consequences of the Bill. It has concerns about the impact of deploying MOD firefighters at fires and other incidents normally dealt with by local authority firefighters. However, there is clearly a need to deal with the issue that is at hand today and to streamline things. That is dealt with by the clause. We agree that it is important that we take the action suggested to close this loophole, as the clause does.

Mr Kevan Jones: Again, this is a practical and sensible measure that closes a loophole that exists at present. Again, I pay tribute to MOD firefighters for the job that they do. I hope that these changes will ensure that they have the full protection of the law.
Clause 16

Meaning of “AFA 2006”

Question proposed, That the clause stand part of the Bill.

The Temporary Chair: With this it will be convenient to discuss the following:
Clause 17 stand part.
Clause 18 stand part.
Government amendment 1.
Clause 19 stand part.
Clause 20 stand part.
Government new clause 1—War pensions committees and armed and reserve forces compensation schemes.
Government amendment 2.

Mark Lancaster: I am delighted to be able to speak to these amendments today. New clause 1 acknowledges the importance that the Government place on the work of the veterans advisory and pensions committees in supporting our armed forces community. The new clause would amend section 25 of the Social Security Act 1989 to allow the Secretary of State to make regulations enabling the VAPCs to provide advice and deal with complaints in relation to the armed forces compensation scheme 2005 and future compensation schemes enacted under the Armed Forces (Pensions and Compensation) Act 2004.

The VAPCs already have certain functions and procedures, as described in section 25 of the 1989 Act and the war pensions committees regulations. This amendment would expand that remit, providing a legislative basis to underpin their broader role and functions. I should, however, say a bit more about the committees.

The committees were first established as the war pensions committees in 1921. Generally, we now refer to them as the veterans advisory and pensions committees. There are 13 such committees whose members I, as Minister responsible for defence personnel and veterans, appoint. There are about 223 members, all unpaid volunteers working within their regional committees to help ex-service personnel and their families, in particular those who are vulnerable. In exercising their statutory functions, the committees carry out a range of activities principally in relation to the war pensions scheme which until 2005 was the main scheme for payment of compensation to members of the armed forces and their spouses and dependants for injuries or death caused by service. These functions include providing local consultation with the MOD on issues concerning war pensioners and war widows or widowers; raising awareness of the war pensions scheme and the veterans welfare service; supporting and monitoring the work of the veterans welfare scheme to ensure the best possible service to war pensioners and war widows and widowers; and helping individuals in representing their difficulties or in making a complaint in relation to the war pensions or war widowers application or review process.

However, there are new armed forces compensation schemes that were not in existence when section 25 was enacted. These include the armed forces compensation scheme and further compensation schemes that have been enacted under the 2004 Act. The new clause, with its proposed amendment to section 25 of the 1989 Act, will enable the committees to be given comparable functions relating to those new schemes too. We want the good work of these committees to continue, helping to enhance the local services delivered by ex-service personnel and their families, giving local support in promoting the armed forces covenant and the development of local community covenants, providing independent opinion on policy changes that may affect veterans, and championing individual cases. New clause 1 proposed by the Government today is for the benefit of our veterans and their families, who deserve the best.

While discussing this new clause, I should also mention amendments 1 and 2, because they make small changes that are consequential to the new clause. Amendment 1 provides that the new clause does not extend to the Isle of Man or the British overseas territories. Section 25 of the 1989 Act, which would be amended by the new clause, extends only to England and Wales, Scotland and Northern Ireland, and this will remain the case. Amendment 2 simply changes the long title of this Bill to include reference to the new provisions for the war pensions committees. These amendments would give the VAPCs, as the war pensions committees are known now, a statutory basis to continue their good work. With the consent of Parliament, our intention would be to make regulations to set out their new statutory functions at the earliest opportunity.

Kirsten Oswald: We welcome all progress in supporting our military veterans, and we are supportive of this measure and how it moves things forward. It is important that we do all we can to uphold our obligations under the military covenant and to consider how we can continually facilitate the development of services for our ex-service personnel and their families.

John Howell: I do not want to intervene on the substance of this debate, but since this is the last grouping of such amendments, it is appropriate to offer my appreciation—I am sure the Minister would agree with me on this—to my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti), who chaired the Select Committee that looked at this Bill in an excellent fashion. The Select Committee showed a tremendous degree of cross-party agreement on the Bill, and I thank the hon. Member for North Durham (Mr Jones) for his involvement. The Bill is a direct result of that process.

Jim Shannon: I commend the comments that the Minister has made on this subject. I am keen to see the full implementation of the military covenant and the council community covenants across the whole of Northern Ireland, from county to county and council to council, with everyone getting involved. I am also keen to hear the Minister’s ideas on how to ensure that that happens in its totality in Northern Ireland.
Mr Kevan Jones: I echo the comments of the hon. Member for Henley (John Howell) about the work of the Chair of the Committee.

The new clauses contain sensible proposals. When I was a Minister, I had the pleasure of meeting many of the individuals involved in the war pensions committees, and the Minister is quite right to pay tribute to the work that they do. They do not get paid for it, but they are committed to ensuring that the veterans get advice and, on occasions, to highlighting issues that might not have been relevant when legislation was being passed but that came to light afterwards, and ensuring that practical action is taken. They provide an important mechanism for supporting veterans. Perhaps I should not say this, but I am sure that the Minister is already aware that many of them have already given advice on other compensation schemes, so it is sensible to make what they are doing legal, in effect. We will be supporting the new clause.

Mark Lancaster: The hon. Member for North Durham (Mr Jones) is right, as he so often is. I am well aware that those people are already offering advice, but it would not be for me to condone from the Dispatch Box any activity that was technically illegal in any shape or form. However, they do fantastic work.

I also echo the comments of other hon. Members who have thanked my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopreski) for his chairmanship of the Committee. We have not quite reached the end of these discussions, however, and I would not want to take it for granted that consensus is breaking out just yet. We still have a few more new clauses and amendments to go, but I hope that we will continue in the vein in which we have started.

In response to the hon. Member for Strangford (Jim Shannon), of course we want to see the military covenant progressed in Northern Ireland in the best possible way. Major progress has been made in recent months, not least when the first two local authorities signed the covenant in the Province. I hope that the hon. Gentleman will agree that these provisions are a major step in the right direction.

Question put and agreed to.

Clause 16 accordingly ordered to stand part of the Bill.

Clauses 17 and 18 ordered to stand part of the Bill.

Clause 19

EXTENT IN THE CHANNEL ISLANDS, ISLE OF MAN AND BRITISH OVERSEAS TERRITORIES

Amendment made: 1, page 17, line 1, after “5(3),” insert—

“(War pensions committees and armed and reserve forces compensation schemes).”—(Mark Lancaster.)

This amendment provides that NC1 does not extend to the Isle of Man or the British overseas territories. Like section 25 of the Social Security Act 1989, NC1 is to extend to England and Wales, Scotland and Northern Ireland (see clause 18).

Clause 19, as amended, ordered to stand part of the Bill.

Clause 20 ordered to stand part of the Bill.

New Clause 1

WAR PENSION COMMITTEES AND ARMED AND RESERVE FORCES COMPENSATION SCHEMES

‘(1) Section 25 of the Social Security Act 1989 (establishment and functions of war pensions committees) is amended as follows.

(2) After subsection (1) insert—

“(1A) The regulations may give the committees functions relating to one or more of the following—

(a) war pensions;
(b) war pensioners;
(c) AFCS benefits;
(d) AFCS benefit recipients.”

(3) In subsection (2)—

(a) omit the words from the beginning to the second “and”,
(b) for “it shall be their function” substitute “it is a function of a committee”,
(c) in paragraph (a), for “connected with war pensions or affecting war pensioners in their area and, where they think” substitute “connected with war pensions or AFCS benefits or affecting people in its area who are war pensioners or AFCS benefit recipients and, where it thinks”,
(d) in paragraph (b), for “to them by persons receiving or claiming war pensions and, if they think” substitute “to it by people receiving or claiming war pensions or AFCS benefits and, if it thinks”,
(e) in paragraph (c)—

(i) for “them” substitute “it”, and
(ii) for “they” substitute “it”, and
(f) in paragraph (d), for “war pensioners in their area” substitute “people in its area who are war pensioners or AFCS benefit recipients”.

(4) After subsection (3) insert—

“(3A) The regulations may provide for the committees to have names specified in the regulations (as well as being known as war pensions committees).”

(5) In subsection (4), before the definition of “war pension” insert—

“AFCS benefit” means a benefit payable under an armed and reserve forces compensation scheme established by order under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

“AFCS benefit recipient” means a person in receipt of an AFCS benefit, in the person’s capacity as such.”—(Mark Lancaster.)

War pensions committees established under section 25 of the Social Security Act 1989 may be given functions by the Secretary of State by regulations. This new clause provides that the functions include functions relating to armed and reserve forces compensation schemes established under the Armed Forces (Pensions and Compensation) Act 2004.

Brought up, read the First and Second time, and added to the Bill.

New Clause 2

VOLUNTARY DISCHARGE OF UNDER-18S

(1) The Armed Forces Act 2006 (c. 52) is amended as follows.

(2) In section 329 (Terms and conditions of enlistment and service), after subsection (3) there is inserted—

“(3A) The regulations shall make provision that any person under the age of 18 shall be entitled to end their service with a regular force by giving not less than 14 days’ notice in writing to their commanding officer, and shall ensure that any person enlisting under the age of 18 is informed of this right when they enlist.”—(Liz Saville Roberts.)
This amendment ensures that those under 18 years of age are to discharge themselves from the Armed Forces should they so wish.
Brought up, and read the First time.

Liz Saville Roberts (Gwynfor Meirionnydd) (PC): I beg to move, that the clause be read a Second time.

The Temporary Chair (Mr Peter Bone): With this it will be convenient to discuss the following:

New clause 3—Enlistment of minors—

(1) The Armed Forces Act 2006 is amended as follows.

(2) In section 328(2) (Enlistment) the words “without the consent of prescribed persons” are omitted.

This amendment ensures that only those above 18 years of age are able to enlist in the Armed Forces.

Liz Saville Roberts: I rise to speak to new clauses 2 and 3, which stand in my name and those of several hon. Members from various parties across the House. First, I wish to say that these are probing provisions and I do not intend to press them to a Division. Although the Bill does not contain provisions on the recruitment age, it is entirely appropriate that we consider this important issue within the context of this Bill. I should state at the outset that I am a great supporter of the work that the women and men who serve in the armed forces do daily, and that their honour and sacrifice knows no bounds; they are a credit to the communities they serve. Before turning to the new clauses, I would like to put on record my respect for the sterling work they do.

4 pm

What I am concerned about, as are others from across the House, given the signatories to the new clauses, is the UK’s continued policy of recruiting children to the armed forces. As politicians, we have a duty of care to those we ask to serve on our behalf. The UK is one of only 19 countries in the world that recruit minors to the armed forces. It is the only member of the UN Security Council, the only member of NATO and the only European country that recruits children, and the policy needs to be changed to bring the UK into the modern world. I note that, to the UK Government’s great shame, even countries such as Zimbabwe, Iran and North Korea do not enlist minors.

While we are rightly saddened and repulsed by examples of child soldier recruitment in far-flung countries, some of which have experienced decades of civil war and economic turmoil and strife, we often forget that the UK’s whistle is not entirely clean when we inspect to see economic turmoil and strife, we often forget that the UK’s whistle is not entirely clean when we inspect to see. While we are often shocked by the sort of language that potential recruits will understand. The MOD under-18s taking part in armed guard duty continues to recommend that the recruitment age for all three services, and ensure that the “Duty of Care” report, which recommended that the Government have still not implemented the recommendations of the Defence Committee’s crucial “Duty of Care” report, which recommended that the recruitment age for all three services, and ensure that the recruitment process of recruitment and enlistment.” The report’s recommendation has been followed by a number of similar calls from national and international bodies. In 2008, the UN Committee on the Rights of the Child asked that the UK “Reconsider its active policy of recruitment of children into the armed forces”. It also recommended that the Government ensure that recruitment “Does not occur in a manner which specifically targets ethnic minorities and children of ‘low-income families;” and that “Parents are included from the outset and during the entire process of recruitment and enlistment.”

This policy has been called into question by the UN Committee on the Rights of the Child and many other respected bodies, including children’s commissioners.

The welfare of young recruits has been in sharp focus since the tragic events at Deepcut barracks, which is in the news again with the announcement of the inquest early next year. Indeed, it is hard to believe that a decade has passed since those tragic events, yet the Government have still not implemented the recommendations of the Defence Committee’s crucial “Duty of Care” report, which recommended that the MOD examine the potential impact of raising to 18 the recruitment age for all three services, and ensure that those under 18 do not undertake armed guard duty. It also recommended a review of material, setting out rights, responsibilities and the nature of commitment in the sort of language that potential recruits will understand.

All four deaths at Deepcut involved a young recruit on guard duty, and two were just 17, yet the practice of under-18s taking part in armed guard duty continues to this day, despite the “Duty of Care” report. The MOD is prioritising operational effectiveness over the rights calling—a vocation—to serve in the armed forces where they do not possess the drive or desire to pursue an otherwise academic route, or have a vocational route into other employment. For them, joining the armed forces provides focus and allows them a route to fulfilment. I am not opposed to children of 16 and 17 years of age being able to demonstrate their interest in the armed forces, or to their joining groups that can help them prepare for a career in the armed forces if that is what they wish to do upon reaching adulthood and the age of consent. What I am opposed to is the recruitment of minors into the armed forces, and the potential for such young people to make binding commitments at an unacceptably early age. I believe the Government should end this anomaly, live up to the standards they claim to demand from others and end the recruitment of minors.

At the very least—this is the thinking behind new clause 2—those under the age of 18 should be freely able to discharge themselves from duty should they so wish and not have to give three months’ notice, during which time they may very well be pressurised to change their minds. Three months is too long a period to have to wait having made that decision. They should also be robustly informed of the right to withdraw with a shorter period of notice—14 days—when they enlist.

The “Duty of Care” report emphasises that the youngest recruits, particularly those under the age of 18, who are legally children, are the ones who presented greatest concern in relation to duty of care. The report’s recommendation has been followed by a number of similar calls from national and international bodies. In 2008, the UN Committee on the Rights of the Child asked that the UK “Reconsider its active policy of recruitment of children into the armed forces”. It also recommended that the Government ensure that recruitment “Does not occur in a manner which specifically targets ethnic minorities and children of ‘low-income families;” and that “Parents are included from the outset and during the entire process of recruitment and enlistment.”

This policy has been called into question by the UN Committee on the Rights of the Child and many other respected bodies, including children’s commissioners.

The welfare of young recruits has been in sharp focus since the tragic events at Deepcut barracks, which is in the news again with the announcement of the inquest early next year. Indeed, it is hard to believe that a decade has passed since those tragic events, yet the Government have still not implemented the recommendations of the Defence Committee’s crucial “Duty of Care” report, which recommended that the MOD examine the potential impact of raising to 18 the recruitment age for all three services, and ensure that those under 18 do not undertake armed guard duty. It also recommended a review of material, setting out rights, responsibilities and the nature of commitment in the sort of language that potential recruits will understand.

All four deaths at Deepcut involved a young recruit on guard duty, and two were just 17, yet the practice of under-18s taking part in armed guard duty continues to this day, despite the “Duty of Care” report. The MOD is prioritising operational effectiveness over the rights
and welfare of young people in its care. It is high time
that the UK moved into line and adhered to international
norms on the military recruitment age.

It is also a matter of concern that the youngest
recruits are most likely to be enlisted into roles that,
when they do come of age, are potentially the most
dangerous. I understand that that is particularly true of
the infantry, which is concerned about bringing in more
recruits. Young people will find themselves committed
to a particularly dangerous role at an early age.

I have deep concerns about the armed forces and, as I
have said, about the infantry’s recruitment practices of
targeting schools while masquerading as educational
visits, as well as frequenting poorer areas where other
economic opportunities are fewer compared with those
in wealthier areas. That is particularly true in areas of
Wales and in my own constituency. However, those are
matters for another time.

Mark Lancaster: Has the hon. Lady visited the Army
Foundation College at Harrogate? If not, may I invite
her to do so?

Liz Saville Roberts: I have not visited the college, but
I would be delighted to do so. My background is in
further education, and I have taught public services
courses where boys and girls—young men and young
women—were actively targeted, so I have some experience
in this matter.

As I have just said, the matters that I have just raised
are perhaps for another time. Today, we are concerned
with the specific need to change the law, so that recruitment
in the armed forces is in line with international and
developed world standards and norms. I urge the
Government to consider the proposed new clauses. If
they are not minded to accept them, perhaps they can
bring forward their own proposals.

Jim Shannon: I rise to endorse the status quo. I am
sorry that I cannot agree with the new clauses proposed
by the hon. Member for Dwyfor Meirionnydd (Liz
Saville Roberts), for whom I have the greatest respect.

Training starts at an early age. It starts with the
cadets for a great many of our young boys and girls who
go on, in the greater spectrum of life, to become the
men and women in uniform. That introduction and
eyarly training at cadet level gives young people a chance
to show their potential and an interest in the armed
forces. It also enables them to go further with the
training if that is what they wish to do. I am keen to see
that training encouraged and retained. I am also conscious,
as I know the Minister is, of the fact that a level of
training needs to be achieved before a person reaches
the age of 18. If we can start from the age of 15 or 16, or
even earlier, we will have young soldiers—male and
female—equipped and trained to the highest standard
and with the necessary experience. With great respect, I
feel that what we have at present is perfectly acceptable.

Conor McGinn (St Helens North) (Lab): The hon.
Member for Dwyfor Meirionnydd (Liz Saville Roberts)
spoke eloquently and sincerely, but I am afraid that I
disagree with her. Many young men and women in my
constituency, St Helens North, join the armed forces for
the benefits of a constructive education, training and
employment, and for those young adults serving their
country drives social mobility.

Recruitment at 16 is fully compliant with the UN
convention on the rights of the child. As the hon. Lady
recognised, soldiers are not deployed until they reach
the age of 18.

I caution against the use of the word “children” and
particularly the term “child soldier”, which is not only
incorrect but somewhat offensive. Indeed, it belittles the
trauma and plight of those children across the world
who are forced into war and soldierly. For all those
reasons, I am afraid that, despite the hon. Lady’s forceful
argument, I cannot support new clauses 2 or 3.

Kirsten Oswald: The hon. Member for Dwyfor
Meirionnydd (Liz Saville Roberts) makes her points
regarding service personnel aged under 18 well. However,
my hon. Friends and I think it important that young
people have the opportunity to have as many career
options and life choices as possible at that stage in
their lives.

I echo the hon. Lady’s words when she said that it is
our responsibility to remember the duty of care for
service personnel young and old. In particular, we have
a duty of care for younger members of our armed
forces. We do not support the new clause, which would
prohibit those who are under 18 from joining the armed
services, and we note that they are not deployed at
that age.

Young people who join the armed services have the
opportunity to change career paths, and it does not
seem unreasonable for them to do so by giving less
notice, so we support the hon. Lady’s suggestion of
their having additional opportunities to change their
career paths if they so wish after a short period of
notice.

Mr Kevan Jones: The hon. Member for Dwyfor
Meirionnydd (Liz Saville Roberts) rightly raises recruitment
to the armed forces at 16, and, as she says, this is not the
first time that the issue has been addressed. It was
discussed when I served on the Committee that considered
the Armed Forces Act 2006. Like my hon. Friend the
Member for St Helens North (Conor McGinn), I think
that it does us no service trying to draw an analogy
between the recruitment of youngsters in the UK at 16
and those who are forced to join up to fight in wars, for
example, in west Africa and other parts of the world.
The contrast could not be starker, and, as my hon.
Friend said, it does no good to our cause of trying to
eradicate the practices that take place in other parts of
the world.

Youngsters recruited from the age of 16 cannot be
deployed until they are 18, and the activities that those
individuals undertake are a force for good. I have visited
Harrogate, and one of my most inspiring days as a
Minister was spent at HMS Raleigh, taking a passing
out parade. When talking to the individuals who had
completed their basic training there, the changes that
had taken place were clear, as was not only their pride
but that of their families who attended the event. Some
of the parents told me afterwards that the changes that
they saw in the short time—10 weeks—that those
individuals had been in the Navy was nothing short of
remarkable.

On the tragic circumstances at Deepcut, I served on
the Defence Committee, along with you, Mr Crausby,
when we did a major investigation into the duty of care.
Not only the last Government but this Government are committed to the changes proposed not only in the Select Committee report but in that of Mr Nicholas Blake QC on the tragic events at Deepcut. Is it right to say that there were problems? Yes, there were problems, and we referred to them in our report. Many of them have been addressed, including guard duty, which was used to occupy people’s time between phase 1 and phase 2 training.

The work that all three services do with the individuals who join up at 16 is certainly important. All three services do remarkable work correcting the problems that some of those individuals have had in the education system. Work such as that done at Harrogate and Catterick with Darlington college, for example, to try to raise literacy rates is not only helpful to the individual, but remarkably successful.

4.15 pm

I see no problem with the recruitment of young people at 16. The involvement of parents has been mentioned. As far as I am aware, they are fully involved in the process before people agree to join the armed forces, and their involvement is ongoing. All three services work closely with parents and guardians. One aspect that we covered in the report by the Defence Committee was the case of young people coming out of care and joining the armed forces. I know that the MOD has put in place clear protocols for dealing with individuals in that situation.

An issue that requires attention, which I struggled with and which I think the Minister will struggle with as well, is early service leavers—people who leave not after basic training, but shortly after joining the armed forces. Such cases raise difficult questions about how the armed forces can help those young people in their transition back to civilian life, and how civilian life can address some of the problems that those young people have, not necessarily as a result of their career in the armed forces, but deep-seated problems that were present before they joined.

Anyone who meets recruits at our basic training facilities cannot fail to be impressed by the transformation of those individuals. We sometimes concentrate on the negative aspects of being a member of our armed forces. I have always been proud to say that in most cases being a member of the armed forces is life changing for those individuals, and has a positive impact on their career choices, their lives in the armed forces and subsequently, when they leave and become Ministers, like the hon. Member for Milton Keynes North (Mark Lancaster).

Mark Lancaster: I am delighted to be joined by my right hon. Friend the Minister for Policing, Crime and Criminal Justice who, I hear, joined the Army at the age of 16 years and two days—[Interruption.] A long time ago, yes.

I recognise that there are a variety of views across the Committee and I am grateful to be able to debate the amendment tabled by the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts). The MOD sees junior entry as offering a range of benefits to the individual, the armed forces and society, providing a valuable vocational training opportunity for those wishing to follow a career in the armed forces. We take our duty of care for entrants under 18 extremely seriously. Close attention has been given to this subject in recent years, especially after the tragic deaths at Deepcut. We have robust, effective and independently verified safeguards in place to ensure that under-18s are cared for properly.

The provision of education and training for 16-year-old school leavers provides a route into the armed forces that complies with Government education policy and provides a significant foundation for emotional, physical and educational development throughout an individual’s career. There is no compulsory recruitment into the armed forces. Our recruiting policy is absolutely clear. No one under the age of 18 can join the armed forces without formal parental consent, which is checked twice during the application process. In addition, parents and guardians are positively encouraged to be engaged with the recruiting staff during the process.

Service personnel under the age of 18 are not deployed on any operation outside the UK except where the operation does not involve personnel becoming engaged in, or exposed to, hostilities. In July 2015, the High Court dismissed a judicial review brought by the organisation Child Soldiers International, alleging that the enlistment of Army recruits aged 16 to 18 was in conflict with the equal treatment directive. All service personnel have a statutory right to claim discharge up to their 18th birthday, and the right of discharge is made clear to all service personnel on joining the armed forces. There is a long-standing legal right of all new recruits, regardless of age, to discharge within their first three to six months, depending on their service, if they decide that the armed forces is not a career for them.

Under armed forces regulations, everyone under the age of 18 serving in the armed forces has a further right to claim discharge up to their 18th birthday. For the first six months of service, this is achieved by giving not less than 14 days’ notice in writing to their commanding officer after an initial period of 28 days’ service. At any other time after six months’ service, those under the age of 18 who wish to leave must give notice in writing to their commanding officer, who must then discharge the under-18 within the next three months. For those who give notice just prior to their 18th birthday, this means that the latest they will be discharged is at 18 years and three months of age. These three months represent a cooling-off period to avoid the unintended consequence of a decision made in the heat of the moment. A shorter period may well be agreed with the commanding officer, but three months provides the under-18 with a period of due reflection and the right to rescind their request for discharge. This process ensures that individuals under the age of 18 have an appropriate period of time to consider their decision to leave, and offers flexibility depending on individual circumstances. Ultimately, all service personnel under the age of 18 have a statutory right to leave the armed forces up until their 18th birthday.

All recruits aged under age 18 receive key skills education in literacy and numeracy, should they need it, and all are enrolled on to apprenticeships. The armed forces remain the UK’s largest apprenticeship provider, equipping young people with valuable and transferable skills for life. Over 95% of all recruits, no matter what their age or prior qualifications, enrol in an apprenticeship each year. The armed forces offer courses in a wide range of skills, such as engineering, information and communications technology, construction, driving, and
animal care. Often, regularly, we ensure that our patients are treated well, and we are very proud of the standards we achieve. We welcome this specialist confirmation that we treat our young recruits well. In the Select Committee, the Chief of the General Staff, Sir Nick Carter, described the process of recruiting young people, treating them in the right way, and providing them with new opportunities as “incredibly positive”. I take pride in the fact that our armed forces provide challenges and constructive education, training and employment opportunities for young people while in service.

I take on board the point made by the hon. Member for North Durham (Mr Jones), and agree with him, about his concerns for early leavers. I am focusing on that area, and I am delighted that it is addressed by the new career transition partnership that was introduced on 1 October.

Liz Saville Roberts: I thank everybody who has taken part in the debate. I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 5

Requirement to Publish Statistics on Sexual Assault and Rape

‘(1) Each service police force must collect and publish annually anonymised statistics on the number of allegations of sexual assault and rape made by and against members of the armed forces.

(2) The Director of Service Prosecutions must collect and publish annually anonymised statistics on the number of cases involving allegations of sexual assault and rape made by and against members of the armed forces, including but not necessarily limited to—

(a) the number of cases referred from the service police forces;
(b) how many of these cases were prosecuted; and
(c) how many convictions were secured.’—(Mr Kevan Jones.)

Brought up, and read the First time.

Mr Kevan Jones: I beg to move, That the clause be read a Second time.

The Temporary Chair (Mr David Crausby): With this it will be convenient to discuss new clause 6—Removal of Commanding Officer’s discretion to investigate allegations of sexual assault—

‘(1) Schedule 2 of the Armed Forces Act 2006 [Schedule 2 offences] is amended as follows.

(2) In sub-paragraph (12)(at), leave out “3, 66, 67 or”.

New clause 7—Civilian investigations and prosecutions relating to murder, sexual assault, and rape—

‘(1) The Armed Forces Act 2006 is amended as follows.

(2) After section 118 [Duty of service policeman to notify CO of referral to DSP] insert—

“118A Civilian investigations and prosecutions relating to murder, sexual assault, and rape

(1) Criminal investigations into allegations of murder, sexual assault, and rape by and against members of the Armed Forces shall be undertaken by the relevant civilian police authorities.

(2) Criminal prosecutions of charges involving murder, sexual assault, and rape by and against members of the Armed Forces shall be undertaken by the Crown Prosecution Service.’”

Mr Jones: It gives me great pleasure to speak to new clauses 5, 6 and 7. I apologise to members of the Select Committee who are here, because they have heard many of these issues discussed before. In the replies that we got in Committee, undertakings were given that some of those issues would be looked at. These are mainly probing amendments, but I will wait to see what the Minister brings forward.

New clause 5 is about the service police gathering statistics on serious sexual assaults and rapes. For the civilian police, there is no statutory obligation to do this, but it is now best practice, and individuals are able to look at trends in different police forces. In Committee, we were told by the hon. Member for Keighley (Kris Hopkins) that the service police already collect such statistics and that they can be obtained through the use of parliamentary questions or freedom of information requests.

I give credit both to the Ministry of Defence and to General Sir Nick Carter, who gave evidence to the Select Committee. I think he is genuinely committed to changing attitudes in the Army, to ensure not only openness and transparency, but, as he has outlined in his introductory leadership guide, zero tolerance of anyone who steps outside of the law. He has also been commended for his efforts not only to recruit more women to the Army, but to ensure that they progress through the armed forces to more senior positions.

Evidence in the 2005 report shows that 39% of servicewomen questioned said that they had faced harassment, and that cannot be right. It also notes that 33% said that they had faced unwelcome attempts to talk about sexual matters or had felt uncomfortable in some conversations. Why is it important to publish such statistics? Clearly, they have already been collated. I know that the Ministry of Defence moves at a snail’s pace and occasionally needs a push to come up with best practice, but I cannot see any reason why the statistics should not be produced annually, given that they are already available. Doing so would enable us to look at trends—that has been important in civilian police forces—and at whether the initiatives to bear down on unacceptable behaviour in all three services are actually having an effect.

Members should not have to ask a parliamentary question or have to make a freedom of information request in order to get that information. I cannot for the life of me understand the reluctance towards making it available, apart from the usual conservatism—with a small “c”—and snail’s pace of the Ministry of Defence. Let us be honest: if the statistics are published annually, I assure anyone who is watching that the sky will not fall in. I think it would send a proper and clear message. It is important that what General Carter and others are saying about advancing and promoting women, and about bearing down on unacceptable behaviour, is scrutinised properly.

New clause 6 relates to the commanding officer, who is in the unique position of being able to decide whether an allegation of sexual assault should be referred to the military police or to the civil police for investigation. The Select Committee had a long discussion about this
issue and I certainly feel that it puts a commanding officer in the position of making judgments when he or she might not be in full cognisance of the facts, so a referral to the police would be a better approach. However, General Carter indicated to the Select Committee that commanding officers are recommended to take legal advice before deciding how to deal with such cases. One way to reach a compromise would be to codify an obligation on commanding officers to take legal advice in all instances before taking such a decision.

4.30 pm

New clause 7 deals with the serious issues not only of violent crime, but of rape. I tabled the new clause to raise the question of whether the military police have the capacity or expertise to deal with serious rape or murder cases. I accept what the Minister said in the Select Committee about the great advances made in training and support for the military police, as well as the techniques available. There has been some movement on things that are done as a matter of course by the civilian police.

We discussed the matter in the Select Committee, but I repeat that some of the cases, especially rape cases, are complex. Civilian forces have developed techniques, such as the use of rape suites for victims. The volume of cases dealt with by civilian forces means that they are more capable not only of supporting victims when they come forward, but of investigating such serious sexual assaults or rape. Thankfully, the number of instances dealt with in the armed forces is low. The Metropolitan police and other large forces clearly deal with a large number of cases, and they have both expertise and officers who have dealt with different types of sexual assault and rape. Such individuals or police forces would be better placed to ensure that a victim in the military received the same high standards and support that we would expect for the victims of such crimes in civilian life.

Jim Shannon: I wish to ask a question about new clause 7. I agree with the shadow Minister, who has very carefully and cautiously outlined the issues. In the past, there have been examples of women who have been abused and raped, which has led to suicide, trauma or depression. These are very important matters. Will the Minister confirm that, as part of an investigation within the existing process, an investigating officer has the power to call any soldiers whatever, male or female, who may have been present when something took place, and that none of them can say, “No, we won’t do that”? I want to make sure that there is a full investigation, and that the person assaulted is given the necessary protection.

Kirsten Oswald: It is vital that all matters relating to allegations of or concerns about serious and complex crimes, including sexual assault, rape and murder, are handled with the utmost seriousness, so it is important that such cases are dealt with by the appropriate authorities and with the benefit of the best legal advice. Commanding officers in our armed forces are men and women of skill, professionalism, grit and integrity, but it may simply not be fair to expect them to possess the same level of specialist investigatory skills as those with a professional background in such skills. We would not expect that of any other group. If the victims and alleged perpetrators are dealt with by specialist authorities, everyone will be aware that such matters are handled, as we would all hope, with the appropriate structure, uniformity of approach, transparency and professional best practice.

The maintenance and publication of statistics on sexual assault and rape are key. It is simply not possible or desirable to make assumptions about the level or severity of allegations, prosecutions or convictions. We can only know such details via robust, consistently formatted and regularly produced statistics that are put in the public domain. We would wish to see improvements in the 2017 survey relating to sexual harassment, compared with 2014.

Releasing such statistics is part of our duty of care towards service personnel. It was interesting and heartening to hear in the Select Committee that some of that happens anyway, but it is not approached in a uniform or consistent manner across all services. Without a uniform approach that has the same definitions, frameworks and publication dates, we cannot reasonably keep this matter under review, which we absolutely should do to ensure that we continue to work towards transparency, clarity and improvement for the benefit of all service personnel.

Mark Lancaster: I am pleased that the hon. Member for North Durham (Mr Jones) has returned to these proposals and I welcome the opportunity to discuss these matters before the Committee.

Allegations of sexual assault and rape should never be treated lightly. It is important to us that members of the armed forces are treated well and that we foster an environment in which people have confidence that unacceptable behaviour is not tolerated and that allegations of such behaviour are dealt with. It is important that we are active in driving that forward.

The hon. Member for North Durham is right to raise the publication of statistics. During the Select Committee consideration of the Bill, my hon. Friend the Member for Keighley (Kris Hopkins) set out the current arrangements in the service justice system for the collection and publication of crime statistics. I will repeat them for the benefit of the Committee.

The service police crime bureau keeps records for all three services of allegations of rape and sexual assault that are made to the service police. That information is released regularly in response to parliamentary questions and freedom of information requests. In the case of the latter, the information is uploaded to the MOD’s online publication scheme, where it can be freely accessed. Let me be clear that I want to explore how we can be more proactive in releasing this information.

The service police crime bureau has been liaising with the Home Office police forces to analyse crime recording practices and rules to identify methods of improving crime recording. As a result, the bureau is working to establish a post of crime registrar, similar to that found in all other police forces, with a remit to scrutinise and audit the recording of crimes on the service police investigation management system. That will lead to further improvements.

The Service Prosecuting Authority records, for each year, the number of cases referred to it, the number of cases in which charges are preferred and the number of cases in which a conviction is secured. The Military
Court Service publishes on the internet, on a regular basis, details of every case that is heard at the court martial, including offences, outcomes and punishments. There is, therefore, a clear picture of the extent of this type of offending within the services, giving a strong indication of the proportion of cases referred from the service police to the Service Prosecuting Authority that were prosecuted and of the conviction rate in such cases.

As General Sir Nick Carter, the Chief of the General Staff, said when giving evidence to the Select Committee on the Bill:

“In terms of publishing facts, figures and statistics, I am very solidly behind trying to do that.”

He said that the legislation goes far enough at the moment, but that we must do more, and I agree. Although I am not convinced that it is necessary or appropriate to set out requirements in legislation for the publication of such data, I am determined to make the data that we publish robust, consistent and accessible. To that end, I am actively considering how best to publish the data as an official statistic.

Turning to new clause 6 on the commanding officer’s discretion to investigate, I reassure the Committee that the armed forces already have procedures in place to ensure that allegations of sexual assault are handled appropriately. The commanding officer’s duties in that respect are clear. The starting point is that if a commanding officer becomes aware of an allegation or evidence that would indicate to a reasonable person that a service offence may have been committed by someone under his command, he must ensure that it is investigated “appropriately”. That is a specific statutory duty under the Armed Forces Act 2006. The commanding officer must therefore refer the matter to the service police if it would be appropriate.

The service police can, and do, act on their own initiative, even if a commanding officer does not think it appropriate to ensure that they are aware of the case. For example, the service police could be approached by a victim or a witness, they could come across an offence while patrolling, or the civilian police could become involved and pass them the case.

Almost all of the large number of sexual offences under part 1 of the Sexual Offences Act 2003, including rape and assault by penetration, are already schedule 2 offences. If a commanding officer becomes aware of an allegation, or of evidence that would indicate to a reasonable person that one of those offences may have been committed by someone under his command, he must report that to the service police. We must consider whether a commanding officer should have any discretion over whether to report an allegation of sexual assault, exposure or voyeurism to the service police, in circumstances where a victim or witness does not report the matter to the service or civilian police, and when the service police are not otherwise aware of it.

Importantly, before a commanding officer takes command, he receives training in how to exercise his powers under the Act, and he has access to legal advice 24 hours a day, seven days a week. As the Chief of the General Staff, Sir Nick Carter, made clear, there is a specific requirement in the manual of service law that a commanding officer is to take legal advice when sexual assault, voyeurism or exposure have been alleged. The manual has been amended to make specific mention of those offences in the section on “deciding how to investigate”, and it states that there should be a presumption that the commanding officer will normally ensure that the service police are aware of an allegation of such an offence.

Crucially, although it will rarely be appropriate for the commanding officer not to refer an allegation of sexual assault to the service police, the offence is so wide that I consider it right for the commanding officer to have some discretion, taking into account the wishes of the victim. I fear that an unintended consequence of the new clause may be to discourage some victims from coming forward, since the matter of reporting to the police will be taken out of their hands. The victim, of course, retains the ability to report directly to the service police. I believe that there is already a robust framework and that it is not necessary to impose on commanding officers a statutory duty—which does not apply to any other employer—to refer every allegation of sexual assault and the other offences covered by the new clause to the service police, regardless of what the victim may want.

New clause 7 deals with civilian investigations into serious offences, and would require all investigations into allegations of murder, rape and sexual assault by and against service personnel to be undertaken by the civilian police, and all prosecutions for such offences to be undertaken by the civilian Crown Prosecution Service. The service police and prosecuting authority have the necessary expertise and independence to investigate effectively and prosecute serious offences, including murder, rape and sexual assault by and against service personnel. The service justice system has been scrutinised by the UK courts, and in Strasbourg, and has been held to be compliant with the European convention on human rights for investigations and prosecutions in the UK and abroad where the civilian police do not have jurisdiction.

The service police have been held by the courts to be structurally, and in practice, independent from the chain of command, and they are trained and able to carry out investigations into the most serious offences at home and abroad. All prospective members of the special investigation branch, which investigates serious crimes, must pass the serious crime investigation course before being selected for that unit. Officers receive specialist training on the handling of sexual offences, investigative techniques, forensic awareness, dealing with witnesses and suspects, the preservation of evidence, and interaction with victims.

Selected members of the service police attend a range of specialist and advanced detective training at the Defence College of Policing and Guarding, or externally with the College of Policing or training providers accredited by that college. At the Service Prosecuting Authority, prosecutors are trained to prosecute serious cases effectively. For example, prosecution of serious sexual offences requires attendance on the CPS rape and serious sexual offences specialist training course, and the SPA ensures that decisions on charging are taken only by prosecutors who have completed that training.

The prosecutors protocol of 2011 between the Director of Public Prosecutions, the Director of Service Prosecutions, and the Defence Secretary, recognises that any offence can be dealt with by the service authorities. The main
principle in deciding who acts is whether the offence has any civilian context, especially a civilian victim. The protocol provides that cases with a civilian context are dealt with by the civilian criminal justice system.

4.45 pm

I should also say something about independence, both of the service police and the Director of Service Prosecutions. This is important, because I want to make clear that there is no room for interference in investigations. The service police have been held by the courts to be structurally, and in practice, independent from the chain of command for investigative purposes. Like any police force, it is recognised that there is a need for arrangements to be in place to ensure that the independence of an investigation is not compromised, or perceived to be compromised. For example, it is recognised there are times when a particular service police force should not investigate. There is a tri-service investigations protocol, which provides for another service police force to carry out an investigation where a service police force would otherwise be investigating its own personnel.

The Director of Service Prosecutions is an independent civilian office-holder exercising statutory powers under the superintendence of the Attorney General. The Service Prosecuting Authority is created by statute, with three main elements. The first element is the creation of the office of Director of Service Prosecutions and his appointment by Her Majesty. The director is appointed on the basis of fair and open competition. The second element is the provision for who may act on his behalf. The Director specifies the lawyers who may act on his behalf. The third element is that the necessary statutory powers in relation to prosecutions in service courts are given to the Director personally, and not to the chain of command.

I believe that the service police and the Service Prosecuting Authority have the necessary expertise and independence to investigate effectively and prosecute the full range of offences. It is crucial to remember that, given that service personnel are subject to the provisions of the Armed Forces Act wherever they serve in the world, service police remain able to investigate in these areas where their civilian counterparts may not. This ensures that our personnel are dealt with fairly and consistently. I am confident that we do not need to legislate further on these matters. On that basis, I hope the hon. Member for North Durham will withdraw his amendments.

Mr Kevan Jones: I thank the Minister for his reply. I was not wanting to question the independence of the military service police, but there is ongoing concern about its capacity and expertise. One way forward, on which the Ministry of Defence is moving very slowly, is the independent inspection of that force.

On the commanding officer, I hear what the Minister says. When General Carter came before the Committee, people were reassured that in practice allegations are taken very seriously and that when victims come forward legal advice is not only available but referred to. In saying that, if it is not going to be in the Bill that commanding officers should take legal advice before deciding on whether to take forward or dismiss a complaint, the services perhaps need to consider whether it should be codified through some kind of internal process.

On the publication of statistics, it is welcome that common sense has finally blossomed. The Minister is right that statistics are available. I cannot think he has anything to hide by not publishing them. I respect his commitment to come up with a system to publish them annually. I accept that perhaps more work needs to be done on the format and where they are produced. With the passage of the Bill I will be looking, as I am sure will fellow members of the Committee, to see how that advances. If I may give him a word of advice, in my experience he should insist on a timeline. Otherwise—to some very able civil servants in the MOD—it might get pushed off into a siding and, if he leaves his post, might not be picked up by his successor. This is important. Neither the military nor the MOD has anything to fear from producing these figures, and it would add to the good work being done by the MOD and the three services to address these issues. With those comments, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 8

REVIEW OF COMPENSATION AVAILABLE TO VETERANS SUFFERING FROM MESOTHELIOMA

Within 12 months of the passing of this Act, the Secretary of State must commission a review of how former members of the armed forces who have contracted mesothelioma as a result of exposure to asbestos in the course of their military service are compensated, and must lay the report of this review before both Houses of Parliament. (Mr Kevan Jones.)

Brought up, and read the First time.

Mr Kevan Jones: I beg to move, That the clause be read a Second time.

The new clause, which is similar to one I moved at an earlier stage, would affect veterans who have the misfortune to suffer from mesothelioma. You will know, Mr Crausby, from your engineering background, how debilitating this terrible condition is and the death sentence it imposes.

In 2014, the Government set up the diffuse mesothelioma payment scheme under the Mesothelioma Act 2014 to pay lump sum compensation to civilians who contracted mesothelioma in cases where former employers or insurance companies could not be traced. Under the Crown Proceedings (Armed Forces) Act 1987, many veterans are not covered by the scheme and so do not have the option to sue the MOD over this death sentence.

Great strides have been made to improve health and safety in handling asbestos, not just in civilian life but within the MOD, but we are talking here about cases that go back 30 or 40 years, if not further. Mesothelioma is one of those terrible conditions that affects people at random. In a previous life, when I was legal officer for the GMB, I saw old shipyard workers with asbestos scars on their hands who did not suffer from any other conditions, while some people exposed to quite low levels of asbestos developed mesothelioma and other asbestos-related cancers.

Under the current provisions, affected veterans can apply for a 100% war pension, if it is agreed that their diagnosis is related to their service. The Royal British Legion, which has campaigned on this, estimates that the option to claim compensation would affect 2,500 personnel, mainly—not surprisingly—naval veterans who handled asbestos in the course of their work. It tells me
that asbestos has some peculiar effects for single individuals and widowers. The proposal is that the Secretary of State come forward with a scheme for veterans similar to the one outlined by the Government in 2014. It would also continue their work of supporting veterans, irrespective of where they served, and bring the law for veterans suffering from mesothelioma into line with that for civilians, who are covered by the 2014 Act. That is what organisations such as the Royal British Legion have been campaigning for.

**Kirsten Oswald:** I support the view of the hon. Member for North Durham (Mr Jones) that this matter must be dealt with. There is an urgency to it, because veterans suffering from mesothelioma simply do not have time for us to delay any further. We have heard about the campaign of the Royal British Legion, which calls on the Government to find fairer ways of compensating veterans suffering from this devastating condition. It has been an effective campaign, and it is right to highlight what a terrible disease mesothelioma is.

It is an unimaginable tragedy for veterans and their families to receive this diagnosis. We cannot imagine the enormous impact it has on their lives. To be clear, rectifying this unfair treatment will not make anybody suffering from the disease any better, but it might improve the quality of the period of life they have left and it might mean less anxiety about those they leave behind them.

Thousands of people serving in our armed forces prior to 1987 were exposed to asbestos while under military orders and have subsequently been diagnosed with mesothelioma. As the hon. Member for North Durham said, approximately 2,500 ex-service personnel are affected in this way. They clearly lose out very significantly when compared with civilians in the same position. For instance, while the civilian population suffering from mesothelioma is eligible for up to £180,000 in compensation, our ex-service personnel are eligible for only £31,000. Our veterans are clearly being treated less well than their civilian counterparts. This is a very significant difference, and it is no way to support our service personnel. I hope to hear some positive words from the Minister about this.

The military covenant commits the Government to removing disadvantages to service personnel—and this is most certainly a disadvantage at a very difficult time in people’s lives. We need to be able to deal with this—and quickly. The Royal British Legion summarises the situation very well when it says that it is “unfair and has to change”.

It is unacceptable to treat our terminally ill veterans in this way; the hon. Member for North Durham is correct in his call for urgency.

My concern is that this matter was already being discussed and highlighted as urgent when the Mesothelioma Act 2014 was being reviewed as a Bill in July 2013, yet so far this issue has not been resolved—despite assurances on many occasions that action was imminent. It is our duty to deal with it now before other ex-service personnel have their final months blighted by this financial worry and inequity. I hope that the Minister can allay these concerns today, so that we can see some positive progress made and deal with our veterans as we should.

**Jim Shannon:** I endorse the comments of the shadow Minister once again. As the Minister will know, we have had some fringe discussions on this issue in the Defence Committee. Furthermore, the hon. Member for Blaydon (Mr Anderson), who usually sits behind me but is not in his place, has tabled an early-day motion to highlight the issue. The Royal British Legion, as the hon. Members for East Renfrewshire (Kirsten Oswald) and for North Durham (Mr Jones) have said, has been part of the campaign and has lobbied hard.

We are all aware of some constituents who have this problem, but if I can be forgiven for saying it, the longer this goes on, the more the guys who would probably qualify for any agreed compensation are likely not to be here any more. That may sound cynical, but it crosses the minds of the potential recipients of the compensation and those of elected representatives who want to reflect the opinion that they are given by such people.

I and the shadow Minister both want to see a fair and equal distribution coming out of the compensation process—as it is for civilians, so it should be for those who have served in uniform. As the hon. Member for East Renfrewshire said when she dealt with the military covenant, these things should really happen normally, without any need for requests from this Chamber. The military covenant is clear; the negative obstacles should be taken away. Members should be able to express their opinion here on behalf of their constituents. There is an urgency about this matter because we need to put right an injustice. I just want to add my support to that of the shadow Minister and other Members who are not in their places today but would love to be here to support this request.

**Martin John Docherty** (West Dunbartonshire) (SNP): I commend the hon. Member for North Durham (Mr Jones) for tabling the new clause. I wish to associate myself with what he said, and with what was said by my hon. Friend the Member for East Renfrewshire (Kirsten Oswald) and the hon. Member for Strangford (Jim Shannon). I also congratulate the Royal British Legion on the campaign it has been conducting over the past few months.

**5 pm**

I believe that the Members who have already spoken have conveyed to the Minister the depth of feeling about mesothelioma and the impact of asbestos-related conditions on our service personnel. My constituency has a clear, direct link with mesothelioma through shipbuilding. We see the daily impact of asbestos on the lives of communities, not just the people who were in contact with it in the shipyards—both men and women—but their families.

It is inexcusable to me that we might not wish to provide equal support for our armed forces personnel. I think particularly of naval personnel who have been involved in the lagging of ship hulls during tours of duty, but I think also of Army personnel who have been based in premises that were built with asbestos cement, and mechanics who have dealt with vehicles that were insulated with asbestos. They will have not only come into contact with blue or white asbestos dust during their working lives, but brought it into their home lives.

I hope that the Government will recognise the intentions of the hon. Member for North Durham, and will seek to ensure that at least some cross-party work is done to
enable us to bring this to a conclusion. Enough is enough: asbestos-related conditions form a major part of our constituency work. I am grateful to Clydebank Asbestos Group, which for many years, and with the support of many of my predecessors, has continued to work with other asbestos-related groups.

The Government really must listen to what the hon. Gentleman has said. Let us get this done.

Mark Lancaster: The new clause would impose an obligation on the Defence Secretary to instigate a review of compensation for veterans with mesothelioma. My view is that such a step would not require legislation, and has been overtaken by events.

As I said on 19 November during the Adjournment debate on compensation for our military veterans who have been diagnosed with mesothelioma, we recognise that it is a devastating disease that changes the lives not only of the people who are diagnosed with it but of those who care about them: their families and loved ones.

Veterans with mesothelioma caused by their military service are entitled to make a claim for no-fault compensation from the Ministry of Defence. The war pensions scheme provides a tax-free pension and supplementary allowances, along with dependants’ benefits. The Government ascribe great importance to the health and well-being of our veterans, and we are clear about the fact that they should not be disadvantaged as a result of their service. We are absolutely committed to supporting them and the wider armed forces community.

Mesothelioma is a cancer caused by exposure to asbestos, and 40 years or more can often pass before it manifests itself and an individual is diagnosed, tragically with a short life expectancy thereafter. That is why it is so important to ensure that we provide the right support for those who are affected by the disease. We owe them all a debt of profound gratitude. I am therefore pleased to announce that any veteran who is diagnosed from mesothelioma from today will be offered a choice between receiving a lump sum of £140,000 and receiving the monthly payment until the lump sum is paid. The option of a lump sum will continue to receive a supplementary allowance, along with dependants’ benefits.

The new clause would impose an obligation on the Defence Secretary to instigate a review of compensation for veterans with mesothelioma. My view is that such a step would not require legislation, and has been overtaken by events.

Mr Kevan Jones: I think it would be rather churlish if I did not! I thank the Minister. What he has said shows his determination to put this wrong right, and, as with many issues, he approaches it not only with compassion but with the aim of ensuring that we do the right thing. This is doing the right thing by these veterans, to whom we owe a huge debt. I congratulate him on his stance and I will look with hope at the other work he is doing on retrospection. I accept that there are difficulties with that and I would not expect solutions tomorrow, but I take his commitment at least to look at retrospection. On the happy note that this is moving in the right direction, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.

New Clause 9

HOMOSEXUAL ACTS NO LONGER TO CONSTITUTE GROUNDS FOR DISCHARGING A MEMBER OF HM ARMED FORCES (NO. 2)

‘(1) The Criminal Justice and Public Order Act 1994 is amended as follows.

(2) In section 146(4), omit the words “discharging a member of Her Majesty’s armed forces from the service or” and the words “or, in the case of a member of Her Majesty’s armed forces, where the act occurs in conjunction with other acts or circumstances.”.

(3) In section 147(3), omit the words “discharging a member of Her Majesty’s armed forces from the service or” and the words “or, in the case of a member of Her Majesty’s armed forces, where the act occurs in conjunction with other acts or circumstances.”.’—(Mr Kevan Jones.)

This amendment removes the provisions applying to the armed forces from sections 146(4) and 147(3) of the Criminal Justice and Public Order Act 1994.

Brought up, and read the First time.

Mr Kevan Jones: I beg to move, That the clause be read a Second time.

New clause 9 attempts—I referred to this in the Select Committee—to remove redundant legislation from the statute book. Sections 146(4) and 147(3) of the Criminal Justice and Public Order Act 1994 contain provisions relating to a homosexual act constituting grounds for discharge from the armed services. The Act repealed a provision relating to male homosexual acts and the armed forces in the Sexual Offences Act 1967.

Clearly, that has been superseded by the fact that homosexuality in itself is not now grounds, thankfully, for being dismissed from the armed services, but the legislation referring to the armed forces remains on the statute book. I am not for one minute suggesting that anyone involved in a homosexual or heterosexual act in the course of their service should not be disciplined or could not be dismissed, but people think that it is discriminatory, and I agree, that the Act refers to homosexual acts, and not heterosexual acts in any way. That legislation is redundant because we have moved, rightly, to ensure that members of our armed forces are not judged by their sexuality. My aim in the Select Committee and today is to find a mechanism—and I accept what the Minister said about the way forward—to take the provision off the statute book. It clearly discriminates against homosexuality, has no place on the statute book and serves no useful purpose.

Martin John Docherty: I associate SNP Members with the comments of the hon. Member for North Durham (Mr. Jones) about the redundancy of this provision. On a personal level, I am shocked that it is still there...
and that homosexual members of the armed forces should be seen differently from heterosexual members of the armed forces who might be having sexual relations. Strangely enough, that seems to be a human element of sexual relations: they happen to people, whether they be homosexual or heterosexual, and no law is going to prohibit that. I want to ensure that the hon. Gentleman recognises that those on the SNP Benches fully support the new clause. We hope that the Minister will again reflect on what has been said and seek a way to take this forward.

Kirsten Oswald: I agree entirely with the comments of my hon. Friend. It was positive in the Select Committee to hear the universal support for the repeal of this archaic and discriminatory provision. I understand that the current law has not actually been enforced for many years, and I realise that repealing the provision is out of scope for us today. However, I join my hon. Friend and the hon. Member for North Durham (Mr Jones) in urging the Government to find a way to deal with the issue, and to do so with some urgency. It is unacceptable that, albeit unused, this provision remains. In 2015, we are better than that as a society, and our armed forces deserve the framework they operate within to reflect that and the fact that the provision is unacceptable and derogatory.

Mark Lancaster: I have much sympathy with the basis for this new clause. Sections 146(4) and 147(3) of the Criminal Justice and Public Order Act 1994 are clearly redundant. They have no practical effect and their existence is inconsistent with the Department’s policy on homosexuality within Her Majesty’s armed forces and the Government’s equality and discrimination policies more generally. We are very proud in the MOD of the significant progress that has been made over a comparatively short time in respect of support for lesbian, gay, bisexual and transgender staff. Since changes were made to the law in 2000 to allow homosexual men, lesbians and transgender personnel to serve openly in the armed forces, we have taken many positive steps. All three services now feature in Stonewall’s top 100 employers list.

We continue to engage widely to benchmark our activities in support of our LGBT staff, to ensure that we are doing as much as we can. In celebration of this year’s London Pride, the rainbow flag was flown over the MOD main building for the first time, while over 200 service personnel and MOD civil servants marched together.

It is clear, therefore, that this redundant piece of legislation in no way reflects the position of today’s armed forces, or indeed the position of the merchant navy, which is also included in those provisions. We would wish to repeal the legislation for both groups, but that is not possible in this Bill as the merchant navy falls under the auspices of the Department for Transport.

I am keen to repeal this legislation as soon as possible, and will undertake to update the House on this matter on Report. I have also discussed this with my colleagues in the Department for Transport, who echo the intent to review this legislation with regard to the merchant navy as soon as possible. On that basis, I urge the hon. Member for North Durham (Mr Jones) to withdraw his new clause.

Mr Kevan Jones: What we have had today is what we had in the Select Committee: universal agreement that this is not only redundant legislation, but is discriminatory and should not be on the statute book. I welcome the Minister’s commitment to look at finding a way to remove this. He has said he will report back on Report, and that will stop people pushing it off into a siding. I look forward to the Minister coming back with a way of changing this not only for the armed forces but, through the Department for Transport, for members of the merchant navy. With those comments, I beg to ask leave to withdraw the motion.

Clause, by leave, withdrawn.
Schedule agreed to.

Amendment made: 2, line 2, after “discipline;” insert “to make provision about war pensions committees established under section 25 of the Social Security Act 1989;”.—(Mark Lancaster.)

The Deputy Speaker resumed the Chair.

Bill, as amended, reported.

Bill to be considered tomorrow.
Welfare Cap

5.13 pm

The Parliamentary Under-Secretary for Work and Pensions (Mr Shri Patel): I beg to move,

That, pursuant to the Charter for Budget Responsibility: Summer Budget 2015 update, which was approved by this House on 14 October 2015, under Section 1 of the Budget Responsibility and National Audit Act 2001, this House agrees that the breach of the Welfare Cap in 2016-17, 2017-18, and 2018-19 resulting from the decision not to pursue proposed changes to tax credits, as laid out in the Autumn Statement 2015, is justified and that no further debate will be required in relation to this specific breach.

The motion is about the Government accounting to Parliament and the public for decisions about welfare spending. It is something we on this side of the House take very seriously. That is why in 2013 the Chancellor announced we would be bringing forward a welfare cap to control welfare spending in a way that has never been done before. The cap would be set shortly after each new Parliament and assessed each year by the independent Office for Budget Responsibility. Any breach of the cap requires my Department to come to the House to set out one of three courses of action. The first would be to propose measures to reduce welfare spending to within the level of the cap. The second would be to seek the approval of the House to increase the level of the cap. The third would be to explain why a breach of the cap was justified. The House will be aware that, following the Chancellor’s autumn statement, the cap is forecast not to be met in the short term. The motion seeks agreement that this is justified.

Ian Lavery (Wansbeck) (Lab): Even this early in the debate, the Minister is saying that he is going to justify breaching the cap. Is he not somewhat embarrassed about that?

Mr Vara: Not at all. If the hon. Gentleman will give me time, I will explain the justification. He will be aware that there has been a huge amount of debate on this issue, and that the Chancellor has listened.

Ian Lavery: I must have missed that.

Mr Vara: The hon. Gentleman obviously did.

In making our case, we want to set out the circumstances that have led to this forecast. The cap was initially set in line with the OBR’s March 2014 forecast. In the summer Budget, the Chancellor set a lower welfare cap to help to reflect our move to a lower tax, lower welfare and higher-wage economy. Since then, as part of the autumn statement, the Chancellor took the decision not to pursue proposed changes to tax credits. This will give families longer to adjust as we make work pay and provide better support for people in work.

This change has been possible partly because of improvements in the nation’s finances, including improved tax receipts and lower debt interest payments. These are not free choices, however, and as a result of this change, we will be spending more in the shorter term than had been forecast in the summer Budget. That means that, based on current forecasts, the cap will not be met for the next three years: 2016-17, 2017-18 and 2018-19.

Ian Lavery: The Chancellor stood up and said that he was proud to have these targets set in stone. He tried to set a trap for the Labour party on this issue, but he wanted the benefits cap set in stone. The Minister is now explaining that, for the next two or three years, there is no chance of meeting those targets. Please tell us that you are slightly embarrassed or concerned.

Madam Deputy Speaker (Natascha Engel): Order. I am not embarrassed or concerned. The Minister might be, but I am not.

Mr Vara: If we are talking about embarrassment, perhaps it is the hon. Member for Wansbeck (Ian Lavery), along with those on the Opposition Front Bench, who ought to be embarrassed. They ought to be embarrassed about the millions of people who lived in misery because they were forced to become unemployed. They ought to be embarrassed because, under Labour, the welfare cap was out of control. They ought to be pleased that this Government have the guts to take the difficult decisions to bring the welfare cap back under control.

Owen Smith (Pontypridd) (Lab): It is Christmas, and I think the Minister would like to know that his Government have won first prize for being the first Government ever to breach £1 trillion in welfare spending over five years. That is £130 billion more than the Labour Government spent in their last five years. You have won the prize!

Mr Vara: The hon. Gentleman speaks of Christmas spirit. In that spirit, perhaps he would like to apologise to the House on behalf of his party for the mess that it left us. Perhaps he would like to apologise to the people out there—yes, the public—who ended up being unemployed under Labour’s policies. Perhaps he would like to apologise to the taxpayers for letting the welfare budget get completely out of control. As a result, we are having to take the tough decisions. [Interruption.] I am happy to give way to the hon. Member for Pontypridd (Owen Smith) if he would like to apologise. [Interruption.] I have given him the opportunity to apologise but he would rather not do so.

Heidi Allen (South Cambridgeshire) (Con): On the subject of Christmas, I would just encourage all of us, please, to remember that there are people at the heart of these decisions, and this should not be the moment for political footballs. We are here to say that things have changed and that our view, policies and outlook have changed. I implore every Member in this House to remember that we are speaking on behalf of people, not our own personal political agendas.

Mr Vara: My hon. Friend makes a very good point, and let me put on the record the fact that it is our welfare programme that is improving people’s lives. It is no bad thing occasionally to ask the people who created the mess to apologise. I think the public outside would welcome an apology, because they have had to endure quite a lot of misery as a consequence of the people who took the decisions earlier on. She makes a good point when she says that people are watching, but I would also say to her that those people want an apology. I make no apology to the House for requesting that apology from the Opposition.
Mr Vara: The Labour party is a little slow in hearing, so I will repeat the figure for the Opposition’s benefit: £24 billion. We had a welfare system that did not incentivise work and left some people getting more in benefits than they would in work. That was not fair to the hard-working taxpayers who paid for it and it certainly was not fair to those who had become dependent on the state, with no hope for a brighter future. What did Labour have to show after all that spending? Nearly one in five households had no one working. The number of households in which no one had ever worked had nearly doubled. Some 1.4 million people had been on benefits for most of the previous decade, and close to half of all households in the social rented sector had no one in work. Ever more spending on welfare just is not the answer.

We were right to bear down and get a grip on a welfare bill that was simply out of control. The introduction of the cap has brought greater scrutiny and challenge around welfare spending, and that is the way forward. The Chancellor said that he would listen on tax credits, and he has. This one-nation Government are determined to move to a lower tax, lower welfare and higher wage economy. We are doing so in a way that ensures families have more time to adjust to the changes. I commend the motion to the House.

Mr Vara: The House will have noted, as will the people who are watching at home, that still we have no apology.

The Government are determined to continue the work that we have done to date and to honour the mandate from the British people at the general election, so that we can tackle welfare dependency and fix the nation’s finances. Despite this short-term additional spending, we have made sure that, through our welfare reforms, the cap will be met later in this Parliament—by 2019-20. Let me be clear: the Government are committed to the welfare cap, and the Office for Budget Responsibility has confirmed that the cap is met in the medium term. The OBR also forecasts that welfare spending within the cap will fall as a proportion of GDP from 6% to 5% over the welfare cap period. That is a fall of 1%, in line with the 1% fall forecast at the summer Budget. By 2019-20, therefore, we will still achieve the £12 billion a year welfare savings that we said we would achieve—

Mr Vara: I will give the hon. Gentleman an opportunity to apologise. He needs to apologise and I will give him that opportunity.

Mr Vara: I will not give way to the hon. Gentleman. I have given him plenty of opportunity to apologise, and he is not doing what the nation wants. If he is not going to do that, he needs to sit quietly and contemplate what policies his party is going to produce. On policies, it is worth noting that he, along with the hon. Member for Islington South and Finsbury (Emily Thornberry), actually supported the measure that introduced this cap, as did several other welfare Cabinet Ministers when Labour was in government, so it is ironic that they now seek to make cheap political points. As I say, by 2019-20 we will have achieved our £12 billion welfare savings. That is what we pledged at the election, that is what the public gave us a mandate for and that is exactly what we will deliver. We can do this because of the permanent savings that we have already made and the long-term reforms that we are making.

The simple fact is that Labour completely overspent on welfare during its 13 years in power. Under Labour, welfare spending went up by almost 60% and the benefits system cost every household an extra £3,000 a year. Spending on tax credits increased by 330%. That is £24 billion—

Emily Thornberry (Islington South and Finsbury) (Lab): You are still spending more than us.
mile-wide smirk on his face like one of the famous cats from his Cheshire constituency. He was positively purring as he laid down what he thought would be a trap for a future Labour Chancellor. He said:

“The welfare cap marks an important moment in the development of the British welfare state…and ensures that never again can the costs spiral out of control”. — [Official Report, 26 March 2014; Vol. 578, c. 374 and 381.]

He wanted Labour Members to stand up

“and say exactly what they think of the welfare cap, and tell us that they support it, and that they should have introduced it when they were in office. They look such a cherry bunch.” — [Official Report, 26 March 2014; Vol. 578, c. 380.]

Well, we are cheery this afternoon, as we look for the soles of the feet of the Cheshire cat Chancellor who has carelessly and ignominiously fallen into his own welfare cat trap. It is less a case of being hoist by his own petard, as slipping on his own smirk. Where is he today to answer these questions? A year ago, he was insistent that it would be he who would be called to account in this House for the breach in the welfare cap. He said in the same debate:

“The charter makes clear what will happen if the welfare cap is breached. The Chancellor—

not the Secretary of State for Work and Pensions or one of his Ministers, but the Chancellor—

“must come to Parliament, account for the failure of public expenditure control, and set out the action that will be taken to address the breach.” — [Official Report, 26 March 2014; Vol. 578, c. 380.]

But cometh the hour, there is no sign of the cat. He has disappeared. Even the smirk has disappeared.

Chloe Smith (Norwich North) (Con): Will the hon. Gentleman enlighten us about where the shadow Chancellor is—or does he disagree with him?

Owen Smith: I am sure that the shadow Chancellor is up to some extremely important business. Ostensibly, the Secretary of State for Work and Pensions is meant to account for this on behalf of the Chancellor—talk about adding insult to injury or rubbing salt in the wounds, not only has his budget been raided to pay for the embarrassing reversal on tax credits and the breach of the welfare cap, but he was asked to come here to explain it to the House. I do not blame him for one minute for deciding to attend a really important Cabinet Committee instead of coming to the House to explain about the welfare cap.

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith) rose—

Owen Smith: Oh, I am delighted.

Mr Duncan Smith: As it is Christmas and I want to help the hon. Gentleman out as much as I can, because he is clearly floundering—[Interruption.] Well, he is floundering, and I do not want him to, because it would be bad for his reputation. I actually trust and support my Ministers. I believe that every one of them is capable of doing the debate better than the hon. Gentleman. Perhaps he would like to trust his shadow Ministers as well sometime.

Owen Smith: I would trust my shadow Ministers with my life. However, I thought that this was a very important subject. I thought that the welfare cap was one of those things that—what did I say earlier on?—was a great step forward in the British welfare state. I thought that the shadow Secretary of State for Work and Pensions should respond, and I cannot understand for a minute why the right hon. Gentleman wanted his junior Minister to do this belittling debate. The shadow Chancellor is not here. He has disappeared, much like the Cheshire cat—better than that, like Macavity the cat.

Mr Vara: You mean the Chancellor.

Owen Smith: I know, okay, the Chancellor: the right hon. Member for Tatton (Mr Osborne), in Cheshire—the Cheshire cat—and given that he is rather like Macavity, rather than the Cheshire cat, I thought that I would give the House a treat. I read that there were no Etonians on the Front Bench among the new intake, and I was worried that the lack of classical education from which the Treasury Bench normally benefits might mean that the Macavity reference went over Ministers’ heads, so I brought a little book with me, and I shall read a section from it. [Interruption.] It is not Mao; it is T.S. Eliot’s collected poems. It gives us Macavity the mystery cat, who is, of course, the Chancellor:

there’s no one like Macavity…
he’s very tall and thin;
You would know him if you saw him, for his eyes are sunken in—

I think that is the 5:2 diet—
He’s outwardly respectable although
(They say he cheats at cards.)—I
bet he does—
And when the larder’s looted, or the jewel-case is rifled…
He always has an alibi, and one or two to spare: At whatever time the deed took place—MACAVITY WASN’T THERE!

Macavity is not here today, is he? And the deed that he is ducking, of course, is this embarrassing, humiliating U-turn. The cap has been breached, and the Government have done it, of course, because of the spectacular, screeching U-turn on tax credits.

Ian Lavery: If my hon. Friend—he is a really good friend of mine—had done what the Chancellor has done in promising that the welfare cap would not be breached, would he have sat there and done nothing? I am sure that he would have been prepared to stand at the Dispatch Box, have the courage of his convictions and perhaps apologise.

Owen Smith: I would have been mortified had I been the Chancellor responsible for such a terrible U-turn and such an extraordinary, humiliating screeching U-turn.

Simon Hoare (North Dorset) (Con): Again, in this great spirit of festive tidings, let me say that if that is really the best that the Opposition Front-Bench spokesman can do on such an important issue, he and his party really have not got a cat in hell’s chance of ever being back in government.

Owen Smith: I thought I was doing rather better than that. I thought the House might enjoy a bit of Christmas spirit.
The real crime that Macavity is hiding from today is not the breach of the welfare cap, however embarrassing that may be. The real larder that has been looted is universal credit. Opening the debate, the Minister said several times that the Government would meet the welfare cap in 2019-20 and he is right that the OBR confirms that, but he signally failed to tell the House how they would do it. I suspect that that is because of the other reason that the Secretary of State did not wish to address the House today. We know precisely how he will meet the cap: through the £10 billion cut to the work allowance that we will see by 2020; a cut of £3 billion a year, nearly making up for the £3 billion that was to be taken away in tax credits, butchering the work incentives that are supposed to make universal credit worthwhile.

Who are the victims of this crime? The Secretary of State is for one, because he has had his budget raided once more—the seventh time, I believe. However, the true victims are the millions of constituents in Labour and Tory seats who will still lose thousands of pounds as a result of the Chancellor’s cut to universal credit. Some 500,000 people will be on UC by next April, and according to the independent Institute for Fiscal Studies, 2.6 million households will lose £1,600 by 2020. They are the victims of this crime, the people who are paying for the Chancellor’s hubris with £3 billion of their own money in 2020 and every year thereafter. They are the people being fleeced by the postcode lottery that is being created in support for low-wage workers, whereby those lucky enough to stay on tax credits will be massively better off than their neighbours on universal credit.

A single mother working full-time on the new national minimum wage with two children will be £2,981 worse off than another mother, perhaps living next door in precisely the same circumstances but still on tax credits. [Interruption] The Secretary of State says from a sedentary position, “What about child care?” Yes, if that mother has children who are three or four, she may be better off, but if her children are one, five, seven or 12, they will not be. That is the reality and we should not be misleading the House, from a sedentary position or otherwise.

That disparity cannot be fair and cannot be right. It may not even be legal. We are seeking advice as to the legality of that move. I suspect that is not what the Chancellor told the hon. Member for South Cambridgeshire but if her children are one, five, seven or 12, they will

Stephen Timms: I think that is precisely the case. My right hon. Friend is right. There are currently around 140,000 recipients of tax credits, not all of whom get the work component; we do not know that precise number—it may be around 40,000. There are predicted to be 500,000 people, on the Government’s own numbers, in that circumstance by next April. When I put it to the Secretary of State at Work and Pensions questions last week that those people would lose out precisely as my right hon. Friend suggested, he said that the flexible support grant would more than make up for those losses.

I have looked at the flexible support grant and, as far as I can see, it is a £69 million grant that is available to local Jobcentre Plus managers to help people who are close to the workplace, perhaps for a new suit or a ticket to get on the bus to the interview. Even if it were permissible to use the money in that way, £69 million would in no way make up for the £100 million shortfall next year, the £1.2 billion shortfall the year after, and certainly not the £3.2 billion shortfall in 2020. It is impossible, and I fear it is also misleading for the public.

I will bet a pound to a penny that the Secretary of State and the Chancellor did not also mention that offsetting the cuts to universal credit will hit precisely the same Tory and Labour constituents just before the next election, in 2019-20. I would also wager that they still do not appreciate that the Chancellor cannot U-turn on this issue. The reverse-ferret is not available any longer, because if he does not make good his promise to make those cuts to universal credit, he will not be able to keep the promise that the Minister just made again on maintaining the welfare cap in 2020, and he will certainly not be able to deliver his other promise of a £10 billion budget surplus in the same year.

Perhaps the lesson we should all take from today’s U-turn on the welfare cap, snuck in shamefacedly at the fag end of the Parliament, is that no one should take this Chancellor’s traps and tricks, his games and gimmicks, terribly seriously any more. He can meet them or breach them—he does not mind which, because what he is really about is not sound management of the public finances but the political games of public schoolboys. That is why he cut universal credit seven times before it had even started, making a mockery of any claims to make work pay or support for the low-paid. That is why he continues with his fantastical claims, repeated by the Minister, that welfare spending is under control, even as the housing benefit bill went up by £30 billion in the previous Parliament, and even as Ministers breached £1 trillion on welfare spending for the first time.

We will back the Government in voting to secure Labour’s demand to reverse the tax credit cuts, and we will continue to press them for the same reversal for the victims of universal credit. But we should not pay too much attention to the Chancellor’s tricks and traps in future, because his flagrant breach of the welfare cap, deemed so essential just a few months ago, has exposed the true extent of his stunts. The welfare trap has caught him. Eliot’s detectives could not catch Macavity, but he has been rumbled.

Ian Blackford: I think that is precisely the case. My right hon. Friend is right. There are currently around 140,000 recipients of tax credits, not all of whom get the work component; we do not know that precise number—it may be around 40,000. There are predicted to be 500,000 people, on the Government’s own numbers, in that circumstance by next April. When I put it to the Secretary of State at Work and Pensions questions last week that those people would lose out precisely as my right hon. Friend suggested, he said that the flexible support grant would more than make up for those losses.

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The breach of the welfare cap prompts the question of what is the point of it if it can be exceeded within its first year. I remind the House that in 2014 the Chancellor of the Exchequer said:

“The welfare cap brings responsibility, accountability and fairness. From now on, any Government who want to spend more on welfare will have to be honest with the public—honest about the costs—and secure the approval of Parliament in order to breach the cap.”—[Official Report, 26 March 2014; Vol. 578, c. 381.]

He will have to eat his own words. To save his blushing, he should abandon this inflexible, unworkable, draconian policy and focus on tackling the root causes of welfare dependency at source.

Mr Jacob Rees-Mogg (North East Somerset) (Con): The hon. Gentleman knows full well that this is an example of the cap working. The Government have had to explain why they have had to do this, and explain the context of the changes announced in the autumn statement. That is absolutely right and proper, and he should support the Government.

Ian Blackford: I am grateful for the hon. Gentleman’s intervention. Of course we will support the Government tonight, but the fact remains that we should not be having this debate because the cap should not have existed in the first place.

We have to recognise that social security protects the poorest and the vulnerable in our society, but we do not do that through these false measures, which is exactly what this is.

Alberto Costa (South Leicestershire) (Con): In his festive mood, the hon. Gentleman has perhaps forgotten what the good people of Scotland said earlier this year, so it is worth reminding him. A Survation poll in Scotland said that a majority of its people, just like those in my constituency and across the UK, support efforts to reduce the cost of welfare, so are not he and his party out of touch with the people of Scotland?

Ian Blackford: I am truly grateful to the hon. Gentleman for asking that question. Of course the Scottish National party wants to reduce the cost of welfare, but we will do that by fixing the economy, driving up productivity and creating jobs. What we should not do is punish people. While we are on the subject of the election, let me take this opportunity to remind the House that we won 56 of the 59 seats in Scotland, and we did that while standing on a platform of investing in our communities and in job creation, making sure that we did not punish people with a failed austerity programme, and arguing for investment of an additional £140 billion throughout the whole of the UK over the next five years. That responsible position would have led to the financial deficit coming down to 2% of net national income by the end of this Parliament. The people of Scotland were very happy to support that much more responsible approach, and I commend it to this House.

Although we welcome today’s decision to breach the cap, it is apparent that the Chancellor cannot even stick to his own targets. When will this Conservative Government at least realise that the inflexibility of the welfare cap is unworkable and that the fact that they will breach the cap illustrates the need to abandon the policy?

We are calling on the Chancellor to abandon the cap and instead to focus on welfare dependency by tackling the structural drivers of higher welfare spending, such as rising rents, low pay and worklessness, as well as the barriers to work. That is a much more progressive way of dealing with the problems we face in the United Kingdom. We agree that it is sensible to control welfare spending, but the Government are simply not doing that with their continued focus on the austerity agenda. The welfare cap is simply not the correct approach.

The Chancellor of the Exchequer has chosen not to be here today. I am grateful to the Minister for speaking earlier, but he is here, cap in hand, to seek our support for the Government breaching their own rules and missing yet another target.

Alison Thewliss (Glasgow Central) (SNP): Does my hon. Friend agree that, given that the Chancellor is absent and the Work and Pensions Secretary was late, perhaps they ought to be sanctioned?

Ian Blackford: Indeed. Perhaps Opposition Members could handle the appeal—let us see how they would get on in such circumstances. I have some sympathy for the Minister, though, because it is the Chancellor of the Exchequer who ought to be answerable to the House on this issue.

Of course, the Chancellor has form when it comes to missing targets. Let us remind ourselves that the Government have spectacularly missed their targets for the budget deficit and for net debt. We were supposed to be in the black by now, but with growth and tax receipts in particular consistently coming in below target, the deficit and debt have remained above target. We must pose the question: when will the Government learn that their false optimism has a price, and that price is the cuts to budgets as they seek to balance the books?

On the autumn statement, the Office for Budget Responsibility managed to magic up an additional £27 billion of forecast revenues—talk about a sleight of hand to dig the Chancellor out of another hole of his own making. We know that the OBR has a history of over-estimating tax receipts. The respected Paul Johnson, director of the Institute for Fiscal Studies, said of the Chancellor’s plans:

“If he is unlucky—and that’s almost a 50-50 shot—he will have either to revisit these spending decisions, raise taxes, or abandon the surplus target.”

Talk about having form. If I may use some football terminology, I would not want the Chancellor to take a last-minute penalty for my team in a cup final—he would only miss the target. Own goals are much more the Chancellor’s speciality.

Why am I raising these matters? It is because social security spending is linked to the failure to deliver a robust economy, drive up tax receipts and limit the need for the safety net that social security provides. That is why the welfare cap is wrong: it does not deal with the cause of, or the need for, welfare.

The disastrous policy—made in No. 11 Downing Street—of punishing millions of hard-working families by reducing tax credits and thereby dramatically cutting the income of lower-paid workers has, thankfully, been reversed. If the benefit cap is breached as a consequence of sense prevailing, we should be grateful. We are mindful, however, of the fact that although the vindictive
impact of the tax credit cuts has been avoided, there will be pain in years to come because the Government are still wedded to reducing the social security budget by £12 billion, with universal credit bearing the brunt.

We are not fooled by the Chancellor’s words that this is a reversal of the Tory ideological assault on the most disadvantaged. He announced that he would, in effect, spend £3.4 billion in 2016-17 to reverse the changes to the threshold and the taper rate, but it is important to note that the planned reductions in tax credits for families with more than two children will still apply. Ian Mulheirn of Oxford Economics said that “this may be a U-turn in April 2016, but it doesn’t look like a U-turn by 2020.”

I want to point out that the IFS estimates that cuts in universal credit will mean that 2.6 million working families will be an average of £1,600 a year worse off.

The continued lack of ambition by the Tory Government to take fiscal responsibility means that alternative action must be taken in Scotland to put off the impact of the austerity we are now facing. I am glad that the Scottish Government have taken measures, as they have in their budget today, to protect the people of Scotland. The Institute for Public Policy Research, an independent think-tank, has found that low-income families in Scotland will face a reduction in income of more than £800 by 2020 as a result of UK Government cuts, but the richest 40% will see an increase in income as a result of the tax cuts.

We are in this situation not because of structural issues with social security, but simply because we have not been able to drive sustainable growth to a level that would drive job creation and, crucially, raise real wages, which is the best way of curtailing the demand for social security. We cannot fix the problem of poverty in our country by cutting social security, particularly in-work benefits, but we can do so by creating the circumstances that allow people to find meaningful employment, and in doing so work the hours that will assist them to put food on the table and to heat their homes.

Heidi Allen: Will the hon. Gentleman reflect on one of the elements of universal credit, which is that it is not just an IT system but an entire way for people to work with a mentor and somebody in the jobcentre who will assist them to build a life of better employment and higher wages? That is what he should be talking about if he wants to get people out of poverty.

Ian Blackford: Absolutely. We fully support that: we want people to be able to move out of poverty and into meaningful work that is well paid, where the social security system will support them. We would happily support some reforms, but problems remain in relation to the level of sanctions and the cuts to universal credit that will happen over the next few years.

Ian Lavery: The real issue concerns in-work benefits and people who are in work. The Sports Direct model is failing, but the Conservatives are not prepared to get stuck into the likes of Sports Direct and of Mike Ashley. They believe that that is a fantastic model of employment, but it is not acceptable.

Ian Blackford: I fully agree with the hon. Gentleman. We need to deal with low pay in our economy. The only way to do so is to have a real debate about how to drive up productivity in this country, and about how to tackle companies that are abusing the minimum wage. Such companies must be held to account for what has happened.

We often hear from the Government and their myriad Back Benchers about a mythical long-term economic plan. I say “mythical” because it is a meaningless soundbite, and we are left asking, “Where is the detail? Where is the substance?” If there is a long-term economic plan to benefit workers, a core theme must be a rise in productivity that will help to drive up wages and living standards sustainably. The hon. Gentleman has just made that point.

Let us look at what the OBR said in its publication on the day of the autumn statement: “Although actual productivity growth has picked up in the latest two quarters, some of this has been cyclical or reflects broader temporary factors… But since it is difficult to explain the abrupt fall and persistent weakness of productivity in recent years, it is also hard to judge when or if productivity growth will sustainably return to its historical average.”

It is well worth dwelling on that. It can be paraphrased as the OBR saying that it has not got a clue why productivity in the UK has been so weak in the past few years. It is certainly the case that the Government do not have a clue. I would suggest that they have no clue and no strategy for driving up productivity in the UK economy and for dealing with our social security bill.

The hon. Member for Hayes and Harlington (John McDonnell) famously quoted from his little red book and then tossed it at the Chancellor during the autumn statement. However, it is not that red book that should concern us, but the stark reality of what is contained in the OBR Blue Book that offers little comfort for many in this country. We will support this motion, but we should not be having this debate because we should not have a benefits cap. We need a meaningful long-term economic plan, not Government gimmicks and soundbites.

5.54 pm

Greg Mulholland (Leeds North West) (LD): I welcome this U-turn. Sometimes, it is right to accept that one is wrong and has made a mistake. I commend the Government for doing so on this issue.

I also commend all those who took part in what was very much a cross-party campaign, in which all the Opposition parties and some Government Back Benchers worked together. I pay tribute to the hon. Member for South Cambridgeshire (Heidi Allen) for the courageous way in which she spoke out, which was noticed around the country and did this place a real service.

I also pay tribute to the other place. Although I will always campaign for that House to be abolished in its current form and replaced, finally, with a wholly elected Chamber, which is what we should have in this country and is the only justifiable way to run a modern democracy, it did show that it has a role to play in this Parliament. I commend my Liberal Democrat colleagues in the other place, who made it clear that they would speak and vote against the tax credit cut. That was crucial in leading to the U-turn.

As a liberal as well as a Liberal Democrat, I will always be extremely proud that it was the great, reforming Liberal Government of 1906 to 1914 that brought in
the very welfare state that we are discussing. That is a
great achievement of my party.

However, we accepted in our five years in coalition, in
difficult financial circumstances, that the welfare state
had got out of control and was no longer sufficiently
focused on those who needed it. I was a member of the
Work and Pensions Committee for five years and that
Committee, which had members from all parties, was
entirely clear that there was a disincentive to work and
that too many people were incentivised to be on benefits,
rather than to work. I am very proud that, in the five
years of the coalition, we did a lot to tackle that.

Ian Blackford: Will the hon. Gentleman remind us
how the Liberal Democrats voted when the welfare cap
came before Parliament last year?

Greg Mulholland: I am very happy to do. As usual, the
contribution from the SNP Benches contained the usual
milk and honey, promising everything to everyone and
not taking any difficult decisions. In the end, even in
Scotland, the shine will come off and people will start
to see the reality of the false veneer of the Scottish
National party. That is something that the rest of us will
welcome.

I am not even sure that the hon. Gentleman knows
what he is talking about. There are two different issues:
the household benefit cap and the welfare cap. He
seemed to confuse and conflate the two things. We
absolutely supported the household benefit cap, which
was brought in under the coalition, because it is entirely
right and all our constituents support not having a
situation in which a single household can take an unlimited
amount in benefits, when hard-working families are
unable to raise the same amount. The welfare cap is an
entirely different thing. It seeks to control the amount
of money that the Treasury allocates to welfare as a
whole. He does not seem to understand the distinction,
which is worrying, given his position.

Dawn Butler (Brent Central) (Lab): There is increasing
evidence that this policy will cost the public purse more.
Is it not a false economy?

Greg Mulholland: I am absolutely clear that there
have been changes to the benefits system that were
mistaken, including under the last Government, and I
said so at the time. However, I absolutely support the
household benefit cap. I do agree, however, that we need
a sensible approach, and we must incentivise work and
focus social security on those who need it. Those of us
who believe passionately in the welfare state—I am sure
the hon. Lady does, as do I—must be able to justify it
and show that it is helping people who cannot work or
are unable to find work. That must be the focus, but it
has not been previously.

I am sure the hon. Lady will agree that some of the
changes brought in by this Conservative majority
Government, without the Liberal Democrats to restrain
them, have been mistaken and ideological, particularly
the cap on child benefit on the basis of the number of
children that someone has, regardless of circumstance.
We opposed and stopped such measures, but now people
are seeing what a Conservative majority Government
with an ideological policy, as opposed to a pragmatic one, will do.

We welcome the fact that the right decision was made
on tax credits, and on this occasion it is right to be
prepared to breach the welfare cap. In other years we
would like that cap to be adhered to, but given current
circumstances and the projections for what the change
to tax credits will do, this is the right decision, and those
on the Treasury Bench should not be criticised for being
prepared to breach the welfare cap for that reason in
this financial year. That would be playing politics with
this issue in the way that the Chancellor did with his
ideological nonsense of the fiscal charter, when he
sought to stop the Treasury having the flexibility that
any Chancellor—and in this case the Secretary of State—
must have.

We welcome this U-turn and fully accept the need to
breach the welfare cap this year. We hope that the
Government will live within their means in future years,
but not by balancing the budget on the backs of the
poor. We will continue to take a pragmatic approach
and oppose anything that we believe is draconian,
ideologically driven and unfair. At the same, we hope
that the Government will continue in the same vein as
the coalition Government, by incentivising people to
work, and by getting more people into work with fewer
people on benefits. As a civilised society we must ensure
that our welfare state continues to help people who are
unable to work or who genuinely cannot find it. That is
our position and we will continue to make that case.

6.2 pm

Mark Durkan (Foyle) (SDLP): As someone who voted
against the welfare cap when it was introduced and
whenever it was reset, I am happy that the Government
are trying to relax the original level of that cap. During
the Budget statement in July, the Chancellor revised the
welfare cap figures that he announced in the spring. He
reduced that cap over four financial years by £46 billion,
to include changes to tax credits and some of the other
changes to universal credit that have been mentioned,
and for that reason we would have opposed the measure.

As we have heard, the welfare cap is a fairly political
argument. It has its origin in the opposition of Labour
Members to the benefit cap in the Welfare Reform
Act 2012, and they came under some pressure for that.
At one point, the then Leader of the Opposition, the
right hon. Member for Doncaster North (Edward
Miliband), announced that he would do better than a
benefits cap and introduce a welfare cap on the overall
budget. We could see the lights go on for the Chancellor
of the Exchequer, who decided, “That will do nicely.
We’ll go for a welfare cap as well.” He proceeded to set
up his working group to consider that, on the basis, he
said, that annually managed expenditure is not managed
but needs to be in future. That is how the welfare cap
was introduced, and that is why the then Opposition
were trapped into voting for it, whereas some of the
smaller parties—and some Labour Back Benchers—felt
free to vote against it.

When the welfare cap was introduced it was bubble-
wrapped as a neutral budgetary tool, but many of us
recognised that it would end up being branded as a
weapon for cuts, and that is exactly how the Chancellor
used it this year in the July Budget. Of course, he was
forced to revise his propositions on tax credits by a
combination of opposition from right hon. and hon.
Members right across the House. In fairness, some
Government Members did not just vote against the measures but spoke against them too, making valid and pointed arguments about just some of the difficulties caused by the Chancellor’s plans. It is good that, with the range of consideration and argument outside and inside this House and in the other place, that the Chancellor had to revise his position. That is now reflected in the adjusted proposals for the welfare cap.

The Chancellor, in his autumn statement, made it clear that he will still get to the quantum of cuts he wants to achieve. The issue is how far the welfare cap will, in itself, be used as an instrument for forcing some of those cuts. We have also yet to hear from Ministers exactly how they are going to get to that quantum. Will they need to table amendments to the Welfare Reform and Work Bill currently going through Parliament to deliver the cuts within the time the Chancellor has projected, or do they feel that they will be able to arrive at the same cuts using existing legislation? There are powers of regulation under the 2012 Act and provisions in the Bill, not least the sweeping provisions in clauses 13 and 14 that could see significant benefits—universal credit, employment and support allowance, and the work-related activity group—disappear or be very heavily eroded. If the Government still intend to arrive at the quantum of £12 billion of cuts in terms of the welfare cap, how do they propose to deliver it?

That matters in the context of Northern Ireland. If the cuts are to be delivered under existing legislation or the Bill, the fact that direct rule powers are in the hands of Department for Work and Pensions and Northern Ireland Office Ministers means that the cuts will be put through under the sunset clause which will be exercised here up until the end of the next calendar year. We have the right to ask: what future cuts will go through under existing legislation and the Bill, and what would require further reductions in future?

We did not get clarification on welfare measures during the passage of the Scotland Bill, or on other occasions when we have asked Ministers about this more informally. Will the Minister clarify whether the welfare spending that can be undertaken by the Scottish Government of £2.7 billion—the last figure I heard—will count as part of the UK welfare cap, or is that absolutely outside the UK welfare cap? Is that a precedent for other factors? Ministers have been unable to address that point.

In welcoming the Government’s position today, I take no comfort from it. Their original intent to use the welfare cap as a cuts weapon is still there. I want clarification on their plans for the Bill. Will they table amendments to achieve further cuts, or do they believe that they can achieve the full £12 billion as the clauses currently stand?

6.8 pm

Marie Rimmer (St Helens South and Whiston) (Lab): The 1997 to 2010 Labour Government paid off more debt than any previous Government on record—debt left by the Conservative Government. We always know when Conservative Members’ arguments are weak, because they come out with the mantra about the financial mess left by the Labour Government. The financial mess was created and started in America with Lehman Brothers. They use that—[Interruption]—This really doesn’t bother me, because I don’t hear what they’ve got to say.—[Interruption.]—

Madam Deputy Speaker (Mrs Eleanor Laing): Order.

Mr Duncan Smith: It’s Christmas.

Madam Deputy Speaker: Order. It would appear that it is Christmas. I hope the House has not been attending too many Christmas parties. We behave in a reasonable and polite fashion. If anybody needs to be told to be quiet, I can do that.

Marie Rimmer: Thank you, Madam Deputy Speaker.

Mark Spencer (Sherwood) (Con): Will the hon. Lady give way?

Marie Rimmer: No. The hon. Gentleman will wait until I have had my say.

The financial crisis was caused by Lehman Brothers in America and started in 2008. Had Labour been returned to power—had someone not been greedy for power—we would not be in this mess today because the Conservatives would not be in power. Our strategy was actually working. [Interruption.] I am sorry that Conservative Members do not like the truth.

Several hon. Members rose—

Marie Rimmer: I will not give way until Members start to behave and listen to me.

Several hon. Members rose—

Marie Rimmer: Sit down! I am sorry, Madam Deputy Speaker.

We always know when the Government are at their weakest, because they go on and on about the financial crisis. But let us get to the welfare cap. Of the two major cuts to in-work support in the summer Budget—to tax credits and its replacement, universal credit—only the tax credits element has been reversed. The reason we are in this state is that the Chancellor originally set the cap at a level that, in the first instance, simply tracked the Office for Budget Responsibility’s projections for spending on those benefits and tax credits that were in scope—as one of my colleagues mentioned, tax credits are in scope, which is unacceptable. The cap started in 2015-16 and extends for the next five years, meaning that, for now, the cap has no policy effect whatsoever. The Government are simply committed to operating future policy on the basis of not overshooting the current estimate of financial spending over the coming years. We could be in this position next year and the year after, because there are no real policy decisions. It is short term. It is nothing else.

As predicted, that led to the announcement of emergency cuts, including those to tax credits, but they were resoundingly kicked out by the Lords—the Conservatives at prayer, as someone described them. Although I am not in favour of an unelected second Chamber, I applaud them for taking that action. Only the tax credits element was reversed, however, and working families remain on the front line of further assaults, such as the cap and the universal credit cuts. The latter will affect many people—more than 200,000, I think—from April 2016, and the majority of those on universal credit are in the north-west.
They are the ones who suffer the most from unemployment and financial deprivation—much of which is caused by zero-hours contracts, insecure employment, low pay and part-time work—which is why they are on benefits.

**Chloe Smith:** Will the hon. Lady give way?

**Marie Rimmer:** No, I want to carry on.

**Owen Smith:** Will my hon. Friend give way?

**Marie Rimmer:** Not at the moment. Hon. Members will hear what I have to say.

We need reforms that address the structural drivers of social security spending. We need good, secure employment; we need to get rid of zero-hours contracts and low pay; and we need to ensure an adequate supply of affordable homes.

**Sir Simon Burns** (Chelmsford) (Con): Will the hon. Lady give way?

**Marie Rimmer:** No. Hon. Members need to learn that I will not give way until I have had my say. [Interruption.] Yes, the House needs to know what type of woman I am.

We need to shift the balance of expenditure from the cost of failure towards investment. As my hon. Friend the Member for Pontypridd (Owen Smith) has said, the large rise in housing benefit expenditure in the 20 years before the financial crisis came at a time when the number of households receiving help to pay their rent stayed broadly flat. That should have triggered a major focus on those trends and led to serious reform of policy and spending, but it did not. As a consequence, the benefits system was extremely vulnerable to economic shocks, as large numbers of people were in more expensive private rented accommodation. When the crisis really hit in 2010-11—it came a couple of years later—housing benefit shot up, and in response we have seen a series of arbitrary attempts to hack back the costs. We have seen 14 changes to housing benefit, including the bedroom tax, which was entirely unrelated to the cause of the crisis.

Ministers are leaning too heavily on the political dividing-line and not enough on designing a cap that would advance structural reforms. Although it is set over five years on a rolling basis, the Government’s cap has failed to take on board by those on the Treasury Bench.

We have had emergency cuts, not long-term saving. The cap has been set in nominal cash terms. Higher expenditure, driven by inflation, will trigger policy action, which risks locking in lower living standards for those reliant on benefits. General price rises feeding through into uprating decisions do not count as a structural divide in spending. In line with consumer prices index forecasts for the coming years, the Chancellor set out a margin of error of 2%, which will not trigger action.

The cap makes no distinction between contribution-based and income-based benefit spending, consistent with the drift of social security policy over decades, but they are different, and should be treated as such. Entitlement to contributory benefits, which are financed by national insurance contributions, should stand outside the mainstream of Government revenue and be taken out of the cap, strengthening the integrity of the national insurance fund.

I urge the Government to backtrack on the political ideology-driven trajectory that they are on, with 80% of cuts coming from public spending and welfare and 20% from tax, and with tax cuts being provided to people who do not need them and will not spend the extra money, so it will not go into the economy and will not feature in the drive for more jobs. The Government should invest in proper affordable housing for those who need it. Never mind all these dressed-up schemes—let us have some honesty in this place and address the issues for the public out there. I think the Government are living in a virtual world; it is certainly not the world that I move in.

**Question put and agreed to.**

**Resolved.**

That, pursuant to the Charter for Budget Responsibility: Summer Budget 2015 update, which was approved by this House on 14 October 2015, under Section 1 of the Budget Responsibility and National Audit Act 2011, this House agrees that the breach of the Welfare Cap in 2016-17, 2017-18, and 2018-19 resulting from the decision not to pursue proposed changes to tax credits, as laid out in the Autumn Statement 2015, is justified and that no further debate will be required in relation to this specific breach.

**RIOT COMPENSATION BILL (MONEY)**

**Queen’s recommendation signified.**

**Motion made, and Question proposed.**

That, for the purposes of any Act resulting from the Riot Compensation Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act by local policing bodies, by way of compensation for damage, destruction or theft occurring in the course of riots, out of money so provided. — (Mike Penning.)

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): I want to raise the modest question of why this Bill has not been introduced under Standing Order No. 50, as it seems to me that the primary purpose is a charge. For a Bill of this kind, Standing Order No. 50 is the usual process. I know it has the Government’s support, but I am puzzled that that approach has not been taken.

**Madam Deputy Speaker (Mrs Eleanor Laing):** The hon. Gentleman raises an excellent point, which I am sure has been taken on board by those on the Treasury Bench.

**Question put and agreed to.**

**Business without Debate**

**EUROPEAN UNION DOCUMENTS**

**Motion made, and Question put forthwith (Standing Order 119(11)).**

That this House takes note of European Union Document No. 17228/13, a Commission Communication: Towards the elimination of female genital mutilation.—(Guy Opperman.)

**Question agreed to.**
PETITIONS

Climate Change

6.18 pm

Chloe Smith (Norwich North) (Con): I rise to present a petition from students at Notre Dame high school in Norwich, which includes many signatures from across Norfolk. It contains 1,127 signatures in total.

The petition states:

The petition of residents of the UK,
Declares that the UK should show leadership internationally to secure fair and ambitious agreements on tackling climate change and poverty; and further that the petitioners are inspired by their Catholic faith, and Pope Francis’ Laudato Si.

The petitioners therefore request that the House of Commons urges the Government to cut carbon emissions to keep global temperature rise below the dangerous threshold of 1.5°C, and to prevent climate change pushing people deeper into poverty.

And the petitioners remain, etc.

Merger of NHS Trusts in Nottinghamshire

6.19 pm

Robert Jenrick (Newark) (Con): I wish to present a petition on behalf of the residents of Newark in Nottinghamshire. The petition declares that the petitioners support a full merger of their NHS Trust—following a disastrous inspection report by the Care Quality Commission, and a terrible legacy from the private finance initiative—with a high-performing neighbouring trust, such as Nottingham, in order to secure the future of high quality healthcare provision in the Newark area. Furthermore, the petitioners support and will work constructively with that new trust, and furthermore, they support the hard-working doctors, nurses and staff of Sherwood Forest Hospitals NHS Trust, including those at Newark hospital.

Following is the full text of the petition:
[The petition of residents of Newark,
Declares that the petitioners support a full merger of their NHS Trust with a high-performing neighbouring Trust in order to secure the future of high quality healthcare provision in Newark; further that the petitioners support and will work constructively with the new Trust; and further that they support the hard working doctors, nurses and staff of Sherwood Forest Hospitals NHS Trust including at Newark Hospital.

The petitioners therefore request that the House of Commons urges the Government to encourage the full merger of Sherwood Forest Hospitals NHS Trust with a neighbouring high-performing Trust.

And the petitioners remain, etc.]

6.21 pm

Mark Spencer (Sherwood) (Con): I wish to present a petition further to that of my hon. Friend the Member for Newark (Robert Jenrick). It, too, calls on NHS bosses to allow a takeover of Sherwood Forest Hospitals NHS Trust by a neighbouring trust. Members may be familiar with the financial issues faced by the Sherwood Forest trust, mainly as a result of a disastrous PFI deal which was signed under the Labour Government and which requires it to make repayments of nearly £1 million a week. The petition states:

The petitioners therefore request that the House of Commons urges the Government to encourage the full merger of Sherwood Forest Hospitals NHS Trust with a neighbouring high-performing Trust.

Following is the full text of the petition:
[The petition of residents of Sherwood,
Declares that the petitioners support a full merger of their NHS Trust with a high-performing neighbouring Trust in order to secure the future of high quality healthcare provision in Newark; further that the petitioners support and will work constructively with the new Trust; and further that they support the hard working doctors, nurses and staff of Sherwood Forest Hospitals NHS Trust including at Newark Hospital.

The petitioners therefore request that the House of Commons urges the Government to encourage the full merger of Sherwood Forest Hospitals NHS Trust with a neighbouring high-performing Trust.

And the petitioners remain, etc.]
East Anglia Rail Franchise

Motion made, and Question proposed. That this House do now adjourn.—[Guy Opperman.]

6.22 pm

Jo Churchill (Bury St Edmunds) (Con): I am extremely grateful for the opportunity to address the House on a subject that is both timely—given that the invitation to tender will close tomorrow—and fundamentally important to the securing of economic growth and prosperity throughout East Anglia. It is a once-in-a-generation moment, and it should not be lost.

I thank the Minister for being present to reply to this short debate. As rail Minister, she has been tireless in her support, working to find solutions to the huge challenges that we face in bringing our rail service up to the standard that is so essential to the success of a modern, accessible and mobile economy. I know that, as a regular visitor to the area, she has experienced at first hand—I will not say “enjoyed”—our historically underfunded and unreliable rail service. She has always taken time to meet, listen to and respond to the organisations, businesses and passengers whose concerns, ideas and comments are at the heart of our case for the improvement that we want.

I also wholeheartedly thank my right hon. and hon. Friends, representing constituencies across East Anglia, who have taken the time to support me this evening. Their presence on the eve of the closure of the invitation to tender is an indication of the significance of the topic, not only for East Anglia but, I would argue, for UK plc’s growth ambitions.

My first question in the House concerned this very issue: the quality of rail services for my constituents in Bury St Edmunds. In terms of passenger numbers, Stowmarket and Bury St Edmunds are the second and third largest stations in Suffolk, with, respectively, nearly 1 million and nearly 600,000 passenger movements a year. I have met some of those passengers at cold, blowy stations at 6 am and discussed what the current service gives them. It is not what they pay for, that is for sure. Indeed, 66% of customers in Abellio’s own survey felt that they did not get value for money.

As a new MP I have been challenged, rightly, by my constituents to join the campaign by MPs of long standing from Suffolk, Norfolk, Essex, Cambridgeshire and lately Hertfordshire to fight for what they deserve. Only this Saturday my constituents were frustrated by rail freight trains holding up passenger services. Services are hindered by the decrepit and aged rolling stock. Ours is on average 27 years old. The national average is 20—and you never want to be older than the national average. We are also hindered in our area by the lack of reliability and frequency, by the appalling state of stations and real estate and by the lack of services. With the new franchise we must not miss the opportunity to meet some of these needs. We must rise above and exceed the standard that is so essential to the success of a modern, accessible and mobile economy.

In November 2013 the Chancellor of the Exchequer visited our area and agreed that the Great Eastern main line rail service was not good enough and was a barrier to growth. The taskforce led by my hon. Friend the Member for Witham (Priti Patel) has demonstrated the rail needs across three counties. In 2014 the taskforce report was accepted, highlighting, along with the issues already mentioned, overcrowding and outdated infrastructure.

My constituents and the broader customer base using the rail service are charged too much for a rail service that is inadequate. They expect and deserve better for their money. Additionally, we need Network Rail to fulfil its commitments to the infrastructure across control periods 5 and 6. That need was confirmed in the recent Hendy report. That would contribute to faster, more reliable journey times in 10 years’ time.

Chloe Smith (Norwich North) (Con): My hon. Friend is making the case powerfully. The number of Members present in the Chamber shows how strongly we all feel on the issue for our constituents. I agree with her in the strongest possible terms that this is a once-in-a-generation opportunity. We have to align the work of Network Rail to get infrastructure improvements and new trains. That is what our passengers need.

Jo Churchill: I could not agree more. There needs to be that connected thought—that is the important thing—to allow works at the Ely North junction, for example, where there is a real need. That has been the demand by my colleagues in Cambridgeshire, but this issue also affects users in Norfolk and Suffolk. The work has already slipped from period 5 to period 6.

Freening up capacity is an urgent need across our dynamic growing area, so it was with disappointment that I, my right hon. Friend the Member for West Suffolk (Matthew Hancock) and my hon. Friend the Member for Ipswich noted that the tender did not highlight a more frequent service between Ipswich and Peterborough or Ipswich and Cambridge. Indeed my right hon. Friend had a meeting with rail users only last week to press that point home.

These critical centres need a more frequent service, as does the science corridor between Norwich and Cambridge, for which my hon. Friend the Member for Mid Norfolk (George Freeman), who has emailed me because he cannot be here today, has campaigned. That would doubtless give huge economic benefit to the life sciences industry as well as to other businesses.

Peter Aldous (Waveney) (Con): I congratulate my hon. Friend on securing this debate. She is giving us a great history going around the various branch lines in East Anglia. Does she agree that if investment is made in the east Suffolk line in terms of through-trains to Liverpool Street, faster service and investment in stations, that can play a significant role in bringing economic growth to east Suffolk?

Jo Churchill: I could not agree more. The beauty of delivering this tender well is that it can bring benefits across Norfolk, Suffolk, Cambridgeshire and Essex and...
benefit all our constituents, who, frankly, do not care whose constituency they are travelling through; they just care about getting where they want to go on time and in a way that is easy to access.

Lucy Frazer (South East Cambridgeshire) (Con): I congratulate my hon. Friend on securing this debate. Does she agree that, given the growth in our region and the fact that Cambridge is one of the few net contributors to the Treasury, it is essential we get the infrastructure we need? Ely is often a pinch point in infrastructure development, including the Ely North junction and the Soham-Ely doubling.

Jo Churchill: I could not agree more, because those pinch points affect such a broad area and affect the delivery of services into all our towns across the region. That is hugely important, and it was highlighted in the Hendy report.

I ask myself whether the obvious need for greater capacity would be addressed if we were not on the eve of this franchise re-tender. Our plan, with which the Minister is very familiar, is underpinned by a solid business case that will unlock the economic potential of up to £4.5 billion based on a package of improvements costing just over one tenth of that: £476 million. It will generate some £9.50 for every pound spent, providing a cost-benefit ratio that is acknowledged to be one of the most compelling investment propositions for rail. Over the next decade the plan will deliver over £15 billion in gross value added, 184,000 homes and some 50,000 new jobs, but if nobody can move around the area—and we already have to accept that the A14, which cuts right through my constituency and which travels down to the country’s largest container port at Felixstowe, is at times overwhelmed by the traffic—we really do have a problem.

Let me state quite clearly that we do not want to see “business as usual” being the operating criterion for the chosen bidder when those bids land tomorrow. We want change; we want transformational change at that, based on best practice from home and abroad. We want innovative thinking about some essential needs. I want those constituents of mine who are disabled, and particularly those who use a wheelchair, not to be faced with the situation where they cannot even access a train. If you live in Needham Market and you are in a wheelchair, that is it; you are not getting on that train. That is simply not good enough in 2015.

We know that whatever is to be delivered will be some way down the track—I have tried to avoid such comments, but I may hit the buffers at times. We do not want our new rolling stock to be somebody else’s refurb. The taskforce report was very clear: we want new rolling stock. One reason much of our stock is to be upgraded is, quite simply, that it will be illegal shortly due to its inadequacies. We do not want pacers or old tube stock either. We have made do on this line for too long.

We have been told that with new rolling stock will come the reliability we seek. Everyone in the know says infrastructure is essential, too, including track signalling and overhead line equipment, as part of that bigger picture. But that rolling stock is essential, as the Minister knows very well from having used our service.

Essential east-west link improvements are needed, including the Felixstowe to Nuneaton and Birmingham freight route that will link the UK’s biggest container port with the rest of the UK and take pressure off the A14. My hon. Friend the Member for Suffolk Coastal (Dr Coffey) has campaigned tirelessly on this issue. As an aside, it seems incredible that one of the busiest ports in the UK is served by the single-track Felixstowe branch line.

To relieve pressure on commuters, I would recommend the introduction of an hourly Ipswich to Peterborough service—which I reiterate was not stated as a requirement in the invitation to tender—and I will add to my wish list the request that it should be increased to a half-hourly service at peak times. Improved passenger journey times, particularly in the east, are essential to optimise growth from east to west. In my constituency, we would like tomorrow to be an early start to Christmas. We have heard of Norwich in 90 and Ipswich in 60, and I am standing here today to ask you for Stowmarket in 70.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I have let the hon. Lady get away with this the first couple of times. When she says “you”, she is addressing the Chair, not the Minister. If she wishes to ask the Minister something, she must say “the hon. Lady”.

Jo Churchill: I am terribly sorry, Madam Deputy Speaker; you are absolutely right. It is my enthusiasm on securing the debate and having the chance to ask the Minister to listen to my arguments. I hope that, when the bids hit her desk tomorrow, she will take this opportunity to give us what we really want for the next nine years.

Peter Aldous: Does my hon. Friend agree that we need to avoid a repetition of the situation that arose in Lowestoft last Saturday, when people could not even get on the trains? It was a day of high demand, with people going to a premier league football match between Norwich and Everton, and also going shopping in Norwich, but they could not even get on the trains.

Jo Churchill: Absolutely. That point would probably also be supported by my right hon. Friend the Member for West Suffolk, who has called for special trains to Newmarket on race days. We have a centre of excellence for the racing industry in Newmarket, but it cannot optimise what it could do for the country because we cannot get people there smartly enough.

My constituents do not want to stand on trains; they want to sit. They also want to be connected to wi-fi, and maybe have a cup of coffee, but at the moment they can get neither of those services between leaving home and arriving at their main line station. They want to be able to park at their stations and shelter from the elements until the train arrives. Otherwise, they will opt to use different forms of transport. We are not talking about a third world country here.

Mr Douglas Carswell (Clacton) (UKIP): I congratulate my hon. Friend on securing this debate. Does she agree that, regardless of who is awarded the franchise, we must also address the question of the corporate governance of Network Rail? Until that is improved, we will not see the improvements that we need.
Jo Churchill: I thank the hon. Gentleman for that question. I am sure that it is something that the Minister will attend to.

With the Paris summit fresh in our minds from the weekend, the provision of a better train service makes both economic and environmental sense. The frustration at the lack of frequency in the timetabling and at the poor reliability cannot and should not be underestimated by my hon. Friend the Minister. My constituents are being ill served, their journeys are being made more arduous, and the potential for growth in the towns in my region—and, more importantly, my constituency—is being thwarted by the lack of investment on the line. This all adds up to my wanting the requirements in the invitation to tender not simply to be met but to be exceeded. I fully appreciate that not everything I have asked for can be given, but I do expect the signed franchise agreement to deliver the absolute maximum punch for my constituents and everyone across East Anglia.

The tenders will come in tomorrow, so when the Minister looks at them on Friday, she will have the opportunity to challenge the prospective operators to fill the gaps that the tender has failed to specify in the detail. If the nine years from October 2016 do not put the east in a primary position to compete in our competitive global economy, my Government will have failed to release the further potential of one of the country’s net contributors to the Treasury.

I will finish with these words: “East Anglia is one of the fastest growing regions in the country and is establishing itself as a world leader in science, technology and manufacturing. To support this growth we need to have modern, efficient rail services and improved connections”. Those are not my words, but those of the Prime Minister in April 2014. I do not think I can beat that. I just want to see these things being delivered.

6.39 pm

Sir Alan Haselhurst (Saffron Walden) (Con): I join in the congratulations to my hon. Friend the Member for Bury St Edmunds (Jo Churchill) on giving us the opportunity to emphasise the rail needs of our region and on our having had the good fortune of the extended time for debate. A clear demonstration is being made in the House by the presence of her colleagues, and we are all united in understanding how badly we feel we have been let down over the years.

I do not want to be too hard on Department for Transport Ministers, because we have moved on considerably from a situation where the then Government took a dumbed-down approach during a previous franchise. In effect, they said to applicants, “We want you to do it cheaply.” As my hon. Friend said, new rolling stock is key, and although it is not made mandatory in the invitation to tender, it has been made clear that that is what is expected of bidders. In response to my question the other day about whether the bounty being received by two franchises in the north was a signal to what our bidders should be doing, the Secretary of State said emphatically and in a single word, “Yes.” We therefore have some cause to be hopeful and it will be appallingly if we are let down on that, because the time has come.

Strictly speaking, if we are talking of a franchise, we should be majoring on the rolling stock, because that is what the operating company is going to be primarily concerned with. My interest in the Great Eastern line is not as extensive or as long-standing as that of some other colleagues, because until boundary changes took place in 2010 I did not have a significant number of constituents who used the line—but I do now.

We must not forget the West Anglia line, which of course serves the region’s major airport, which is described as the third London airport. It is amazing to think that even after the decision in 1985 to establish that airport on the scale that has been achieved, nothing has been done to improve the railway line. When that decision on the airport was taken, it was necessary then to build a spur track to the airport to allow some kind of service to be delivered.

A private Bill had to be promoted by British Rail, as it was then, in order for that to happen. I followed the normal procedure in such circumstances of tabling a blocking motion. As one does, I hoped that such a motion would cause the promoter of the Bill to come to talk about what might appease me. I said that new rolling stock would, and I was told, “Fine, done.” I therefore had great expectations. That rolling stock was to have been the type 321, which now comprise a substantial part of the rolling stock on the Great Eastern line. We were deprived of it because DfT officials, and I suspect, the Treasury behind them, had gone over things with a tape measure to see how many people could be crammed into this tube of metal. The result was that the design interior was worse in the first-class compartments than in the standard class. That became an outrage, and the whole lot had to be taken away and re-engineered. It then reappeared on the Great Eastern line, but these trains, too, are tired now.

The rolling stock that came on the West Anglia line after that fiasco was the type 317. Type 317s do not have fitted to them what are politely called “container tanks”, and use of the lavatory on those trains is pretty crude so far as disposal is concerned. Their reliability is terrible, and the acceleration capacity of the type 321 trains is inadequate for the sort of track improvements that we can hope to get. We will not get the extra track that we need and that we would like on both rail lines—that will never come soon—so the new trains, which are needed for comfort and capacity reasons, must be able to use the advantage of crossings being taken out to take minutes off their various journeys. That is what we are looking for, and that is what the bidders must come up with.

We can take some comfort from the fact that Crossrail 1 will come into operation in a year or two’s time, which will bring some relief to passengers on the southern end of the Great Eastern line, and there is a glimmer of hope that Crossrail 2 might also feature to build the business case for the West Anglia main line.

As we know from experience and from what our constituents tell us, we cannot run fast trains and slow trains on a two-track system, so the relationship between the successful bidder for this franchise and the infrastructure company is crucial. One hopes that the Department will try to ensure that the relationship works better than it has done in the past. We do not want to hear, “Well, the trains were all right, but it was the points, the signals or the overhead wires that went.” Both things have to be right, and my hon. Friend the Member for Bury St Edmunds was right to emphasise that.

Understandably, we are promoting the case for expenditure for the benefit of our constituents, but what is important is that improvements benefit the
whole line—whether we are talking about the short journey to Shenfield, the fast journey to Chelmsford, or the journeys to Ipswich, Norwich, Stansted airport or Cambridge. Even the intervening stations need a better service. What struck me quite recently was that the sector of London through which our lines pass has been the most neglected part of the city, so it too would benefit from investment in this line and the whole new service approach.

I hope that the demonstrable unity we have shown tonight—there is no difference in view on party lines or on whether we represent inner London, mid-London, outer London or the coast—proves that we speak with a united voice, which I hope is heard very clearly in the Department.

Sir Simon Burns (Chelmsford) (Con): I congratulate my hon. Friend the Member for Bury St Edmunds (Jo Churchill) on securing this debate. The fact that so many Members are present in the Chamber shows just how important the debate is. I am particularly pleased to see on the Front Bench—it is not often that we see so many Ministers in an Adjournment debate—my hon. Friend the Member for Ipswich (Ben Gummer) and my right hon. Friend the Member for Witham (Priti Patel) because they, with my hon. Friend the Member for Norwich North (Chloe Smith), were on the taskforce that was created by the Chancellor and that has done so much work to identify and then promote what we need on our railway.

As my right hon. Friend the Member for Saffron Walden (Sir Alan Haselhurst) said, we are of course fighting for a better service for our constituents, but it is not solely a better service for them. East Anglia is an economic engine, and that engine needs to be sustained by improving communications. I am talking about the communications of commuters who commute on the line—whether it is into London to work in the City or into other parts of East Anglia. The benefits will also be felt by the freight service, which all too often has to come down on the main commuter line from Felixstowe to London to then go back up north. We need far greater improvements on the line from Felixstowe to Nuneaton to open up capacity on the lines down to London and up to Norwich.

Tomorrow is, of course, crucial because of the franchise and its implications for the future of our railways. The Minister will probably get bored stupid hearing this—

The Parliamentary Under-Secretary of State for Transport (Claire Perry): Never!

Sir Simon Burns: The Minister is very kind, and she can add to saying “never” by doing what we want. What we want and what we have to have is new rolling stock. Our rolling stock is archaic. It breaks down too frequently. Most of the eastern line from Liverpool Street, Chelmsford, Colchester and Ipswich to Norwich has two tracks—one up, one down—and if a train breaks down, particularly during the morning or early evening rush hours, there is utter chaos, with all the suffering that that entails. We must ensure, within the confines of the franchise wording, that whoever is successful in that bid and gets the franchise from October next year is under no misunderstanding—no ifs, no buts—about the fact that we will have new rolling stock that is fit for purpose for our railway needs.

Mr Bernard Jenkin (Harwich and North Essex) (Con): I join in the general congratulations to my hon. Friend the Member for Bury St Edmunds (Jo Churchill) on obtaining this debate, but will my right hon. Friend concur with two things? First, the service has become intolerable. Our commuters have had enough, and we should not be asking them to put up with a service continuing at this level. Secondly, I am afraid that the capacity of the network is not at up to standard. We will have more housing in Essex, and unless we have improvements in capacity, we will go on having a vulnerable and unsatisfactory network.

Sir Simon Burns: My hon. Friend raises two important issues, which I will deal with briefly because other hon. Friends want to take part in the debate. First, capacity is a problem because the railway has two lines. We can take measures to help to improve it, one of which will be the loop to the north of Witham that will allow fast trains to overtake slower ones, which will increase the number of trains that can run on the line, particularly in the rush hour. Secondly, we need to identify other areas that can have loops. Sadly, because of the nature of the railway, we cannot put in more lines. For example, two more lines could not be put through my constituency, Chelmsford, to increase capacity, simply because the railway is enveloped by housing and businesses, and doing so is not physically possible. I certainly would not advocate knocking down houses for that railway expansion. With that constraint, we must look at other imaginative ways in which to increase capacity. We also need to ensure that all trains have 12 carriages during the rush hour and that we do not have some with eight carriages, as we certainly do at the moment.

Finally, the Minister can have as good a franchise as she wants and she can find as excellent a rail service provider as she can get, but that will not release the full potential that can be developed if Network Rail gets its act together and stops engineering works overrunning into Mondays and ensures that, when there are signal failures, track problems or overhead electricity cable failures, the work is done swiftly and efficiently to minimise disruption to the service. I know from previous conversations that the Minister is acutely aware of the dissatisfaction not only of right hon. and hon. Members, but of our constituents who use the service and pay for it day in day out, year in year out. I know that she, too, is determined to find a service provider who recognises their responsibilities to improve reliability and the quality of the service and to ensure that we have new rolling stock. I also know that she and my right hon. Friend the Secretary of State for Transport are working to ensure that Network Rail gets its act together, so that we do not have unnecessary problems that cause disruption to our constituents.

Chloe Smith (Norwich North) (Con): I, too, pay tribute to my hon. Friend the Member for Bury St Edmunds (Jo Churchill) for calling for this debate. As is eminently clear, we are a united team here tonight arguing for our rail network in East Anglia at a very important moment.
When I was traveling back to my constituency a couple of weeks ago, the train was, rarely, a moment ahead of schedule and the announcer said over the tannoy, “Ladies and gentlemen, I am delighted to say you have arrived in Norwich…” He meant to say, “You have arrived in Norwich a minute early,” which is a record-breaking feat. The surprise that nobody in the carriage felt was that we had arrived. It can take all too long sitting on those trains to East Anglia and not being entirely sure of arriving at all. That hapless announcer had managed to make one of the best jokes in the book—that people do arrive when they are trying to go to East Anglia.

I wish to thank the team of colleagues and the many businesses out in our constituencies who contributed to the report of the Great Eastern main line taskforce. I particularly thank my hon. Friend the Member for Ipswich (Ben Gummer), my right hon. Friend the Member for Witham (Priti Patel) and my right hon. Friend the Member for Chelmsford (Sir Simon Burns). I pay tribute, too, to the work of the New Anglia local enterprise partnership, the Essex chamber of commerce and others throughout our three counties who have contributed extensively to this work, and I thank the passengers who have supported it, because it is for them that we do this work. It is for them that we make sure we have a bright future for our economy. It is for them, travelling every day on a poor service, that we want to make these differences.

When we launched the report, we had more than 111,000 passengers represented by the organisations behind the campaign. That is a force to be reckoned with and I know that my hon. Friend the Minister sees that as she looks at East Anglia. She knows the prize that we are aiming for—the opportunity to create jobs in Norwich, Ipswich, Chelmsford, Colchester, and up and down the line, including the smaller towns which are often forgotten but which are crucial. I am talking about figures of the order of 8,200 new jobs in my city, Norwich, just under 10,000 new jobs in Ipswich, and some 30,000 new jobs throughout Essex. That is what we stand to gain through this campaign, and that is why it is crucial.

The Minister is well aware of the strength of the East Anglian economy. It is a regional economy. It is, in the phrase of my hon. Friend the Minister for Ipswich, the “California of Europe”, or so it would be if it was served by better transport links, and that is the key point of our campaign. Let us not forget that it is also a major destination for many thousands of tourists who want to come there every year, but who get stuck. It is not good enough for people to be unable to get to the destination of our wonderful counties.

Let me give an example from the business world. One of our colleagues on the campaign team was escorting an investor from quite far around the globe to East Anglia to talk about a new business venture, the kind of thing that builds the jobs that we have spoken about. That investor stood on the platform at Liverpool Street contemplating the candy cane of the cancellations board and said, “But I can’t invest in this. This is no good. Is it normally like this?”, and our colleague had to say yes. That is why we stand to gain from this work, and we want an end to such disappointment.

It has not been good enough to have some of the oldest rolling stock in the country. It has not been good enough to have delays. It has not been good enough to have unreliability. I am sure my hon. Friend the Member for Colchester (Will Quince) will talk about some of the day-to-day economic impacts that that can have. At a time of year when people want security in their working lives and security for their families, it is not good enough.

We have been looking this week at an astronaut going into space and we are all extremely excited to see Major Tim Peake’s progress. When I heard the numbers involved, I could not help but think of a comparison. When I understood that he was going to travel 250 miles from the orbit of earth to the international space station, I thought to myself, “Well, that’s only double the distance between London and Norwich.” Then I heard that he was going to take six hours to cover the distance from the orbit trail to the ISS, and I thought, “That’s about a good day on one of the weekend services to our county,” and I thought, “We could do better than that.” Let us see rocket boosters on our rail franchise—that is what we need. We have the opportunity to do this. We have made significant progress so far. We are on the cusp of a franchise that will give us new trains, and on the cusp of proper investment through Network Rail that will enable us to have the investment in the track that we need.

My call to action is this: we need passengers to continue to have faith in this campaign.

7 pm

Motion lapsed (Standing Order No. 9(3)).

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

Chloe Smith: Passengers have been patient and persevered with us through long years in getting this far. Let us make this a reality for them in the next 10 years. In the words of one passenger who supported our campaign:

“I am utterly supportive of this campaign to improve…the rail journey….It’s a challenge on no small scale but worth every effort over the years to come.”

7.1 pm

James Cartlidge (South Suffolk) (Con): I congratulate my hon. Friend the Member for Bury St Edmunds (Jo Churchill) on calling for this debate at such a timely moment. I associate myself with the comments of all my right hon. and hon. Friends about the importance of this franchise to the future of our regional economy.

I want to focus on one specific and increasingly infamous incident on our railway line in East Anglia in recent weeks. In fact, it is so infamous it has now earned its own title—leafgate. It was the recent closure of two other lines in Suffolk, meaning that there were not branch lines in Suffolk for 13 days as a result of leaves on the line. The key thing is that they were closed not because of leaves on those lines but because of leaves on other lines in Suffolk, meaning that there were not enough diesel engines to go around. The lines from Sudbury to Marks Tey and from Felixstowe to Ipswich were closed because they were the easiest to close. Trying telling that to passengers spending thousands of pounds a year on their season tickets!

We were given very good excuses by Abellio Greater Anglia for this debacle, and I am sure that it had very good reasons. It said that there was unprecedented leaf fall creating unprecedentedly strong leaf mulch, which meant that our relatively old diesel trains could not cope and were taken out of service. The whole problem
came down to the fact that when they had to go to the depots, the only places with a wheel lathe that could fix them were in Derby and Ilford, not in East Anglia.

This has been a very disappointing and depressing episode, particularly for my constituents in Sudbury. Sudbury is the largest town in my constituency and it has the only railway station in my constituency. While I accept the importance of the main line—my constituents use Colchester, Manningtree and Ipswich in large numbers—Sudbury has our only station. Sudbury is a very proud town. We have had a difficult year. We had a massive fire this summer, the biggest for decades, which destroyed some of the most ancient buildings in the heart of our town. The residents are a pretty stoic bunch, but when they were told that they would have no rail service for two weeks because of leaves on a different line, it was pretty humiliating for them. I have to say that it was pretty humiliating for me to have to deal with ever-angrier constituents.

We recognised that the one positive was the rare window of leverage because of what is happening tomorrow with the franchise. That gave us a rare opportunity to get stuck in. I wrote a letter to the Minister, who has been as helpful as she can be in what is clearly one of the hardest jobs in the Government. The letter was signed by all hon. Members with stations on the two branch lines. My hon. Friend the Member for Harwich and North Essex (Mr Jenkin) has Chappel and Wakes Colne. My hon. Friend the Member for Braintree (James Cleverly) has Bures, which is the station that I use.

In the letter, we asked for two things in particular: whether the franchise could be amended or a letter sent to the bidders to ask them to ensure that when they bid they have a robust contingency to ensure that we do not have another leafgate next year. After all, I remind my hon. Friend the Minister that this franchise goes live in October, when leaves do have a habit of falling off the trees—it is not unprecedented. We have been promised root and branch reform on our branch line—[HON. MEMBERS: “Oh!”]—and we look forward to it. [INTERUPTION.] That was a terrible line; my right hon. Friend the Minister for Small Business, Industry and Enterprise is absolutely right—very poor service.

I was delighted to receive a written answer yesterday from my hon. Friend the Under-Secretary of State saying that Network Rail and Abellio Greater Anglia “have secured the services of John Curley, a respected railway industry professional, to hold an independent review of the factors and circumstances that conspired to affect services so badly. We expect this review to identify the root cause of failures and highlight lessons that need to be learned for the future. We expect corrective action to be taken wherever practicable to avoid recurrence in the future."

I can confirm that the results of the review will be made available to the winning bidder of the current East Anglia franchise competition.”

I welcome that. Will Mr Curley be able to meet local Members of Parliament and visit our constituencies? Although there is not much cash, I am happy to walk the line with him, if need be.

The key point is that branch lines are often overlooked. The main line service is important and I support all the measures for which my hon. Friends the Members for Ipswich (Ben Gummer) and for Norwich North (Chloe Smith) and my right hon. Friend the Member for Witham (Priti Patel) have been pressing. But we must not forget our branch lines. Many thousands of passengers rely on them.

The town of Sudbury is proud of our railway line, which avoided the Beeching axe—just about got through. We still just about have a train, but for two weeks we had to have a bus. We do not want a bus; we want a train and a decent rail service. That is what we expect in Suffolk and across East Anglia, and this is the key moment. We expect great things from the franchise, so we hope that tomorrow we will turn a new page—a new leaf.

7.6 pm

Will Quince (Colchester) (Con): I add my congratulations to my hon. Friend the Member for Bury St Edmunds (Jo Churchill), not only on securing this powerful and timely debate, but on giving us a platform on which to make some very important points. [INTERUPTION.] That was not intended to be a pun, I hasten to add.

Not only is the town I represent the oldest recorded town in the country, it is also the fastest growing. Tens of thousands of homes have been built there and we are a massive tourist destination. We are also a commuter town and we have a large university. We have huge numbers of small and medium-sized enterprises and, as my right hon. Friend the Member for Chelmsford (Sir Simon Burns) has said, Essex is an economic powerhouse. Therefore, tens of thousands of commuters in our county are being let down. The service does not represent value for money. The minimum cost of an annual ticket from Colchester to London is £4,800, so people expect to be able to get into work and to get home in time to see their families.

A number of points have already been raised eloquently by other right hon. and hon. Members. I will not dwell on all of them, but I want to touch on a few. On Abello and communications, it is totally unacceptable to leave people sitting on a stationary train for 20 or 30 minutes without making an announcement and for them then to find out via Twitter why the train has not moved. One thing that has to get better as part of any new franchise—it will not cost a penny—is communication with customers. That has to happen.

A number of Members have already pointed out that some of our trains are more than 40 years old. We have trains that dispose of human excrement on to the tracks, not just on the line at various points, but even at stations. My hon. Friend the Member for South Suffolk (James Cartlidge) has said that he is happy to walk the line, but I am absolutely not happy to do so, because it is a public health risk.

I write to Network Rail regularly—I think I am becoming a bit of a pest—and it keeps telling me that it is investing £170 million this year. I pass that information on to my commuters and rail users, who keep telling me—I am very sympathetic to this view—“Well, show the evidence, because it isn’t there at the moment.” There are consistent delays, signal failures and track problems—they face delay after delay after delay.

My hon. Friend the Member for Bury St Edmunds made this point eloquently: our commuters are really informed. As our Twitter feeds will demonstrate, it is very hard to keep up with non-train-related tweets, because of the sheer volume of train-related tweets. We
Deputy Speaker, to put on the record my thanks to the (Claire Perry): that we can make that happen. gets them back on time to see their families, and I hope that the one thing our commuters and rail users want is that services get better. I want to say to the Minister Colchester and across East Anglia deserve so much has been shambolic, verging on incompetent. I do not Suffolk mentioned. important. I also very much welcome the independent is totally unacceptable, and it is why the inquiry is very agreed to the inquiry, I started to receive actual evidence. into work on time. After the Transport Committee had my family”. However, there is also the pressure being more, given the constant delays and not getting home to worries me most is the very serious issue of the jobs being lost now.

When I made that point in the Transport Committee, I based it on the anecdotal evidence I have received of jobs being put under threat. That is happening through choice, with people saying, “I can’t cope with this any worse, because people are not getting into work on time. After the Transport Committee had agreed to the inquiry, I started to receive actual evidence. one individual’s contract has been terminated, and they were told, “It is not to do with your performance, which we think has been excellent, but because your rail line”—specific reference was made to the operator—“means you have not been able to get into work on time.” That is totally unacceptable, and it is why the inquiry is very important. I also very much welcome the independent review, which my hon. Friend the Member for South Suffolk mentioned.

The performance of Abellio and Network Rail recently has been shambolic, verging on incompetent. I do not use those words lightly. Commuters and rail users from Colchester and across East Anglia deserve so much better. We must ensure, as part of the new franchise, that services get better. I want to say to the Minister that the one thing our commuters and rail users want for Christmas is a franchise that gets them to work and gets them back on time to see their families, and I hope that we can make that happen.

7.11 pm

The Parliamentary Under-Secretary of State for Transport (Claire Perry): Before I respond to an incredibly powerful set of speeches, may I crave your indulgence, Madam Deputy Speaker, to put on the record my thanks to the staff of this place, who have done so much for us over the year? In my view, they never get thanked enough and I am truly grateful to them.

We have a star-studded Chamber for this Adjournment debate. Such debates are usually very ill-attended. I think there are more Members here than we had for the previous debate. It is quite terrifying to face this star-studded pack tonight. They represent—if I have not left anyone out—the fine counties of Suffolk, Norfolk, Essex and Cambridgeshire. They have very passionately and powerfully made the case for improvements in our railways.

I pay tribute to my hon. Friend the Member for Bury St Edmunds (Jo Churchill). Like many new Members in the Chamber she has been an assiduous correspondent and lobbyist for improvements in her railways. She has focused specifically on the requirements of her constituents and on what the improvements will bring to the broader area.

I am pleased that I have the time to try to set out what we are attempting to achieve with the franchising process. There is a tension between specifying everything, crowding out any form of innovation in the market and not being able to cope with franchise change and setting out more broadly what we expect bidders to deliver, while letting them come up with the right solutions.

My hon. Friend, like others, very powerfully made her point about the need for new rolling stock. Indeed, she referred to what is currently running as “decrepit and aged”. We have discussed this matter, so she will know that we absolutely expect the rolling stock on the whole franchise to be transformed, because we completely agree with the assertions made about its unsuitability for purpose. But we want the market to go away and find the best solutions for customers, based on what different customers along the routes may need. There is a combination of inter-city, metro and suburban services, and we want the bidders to be creative in what they come up with. I can, however, tell my hon. Friends that the score that we will give to rolling stock in this franchise process is the highest ever. We are no longer in the business, as previous Governments were, of letting franchises purely on the economics. That did a huge disservice to the customers who use the routes. Now, the process asks what the economics look like and, crucially, what the quality looks like for the passengers. Rolling stock provision will have the highest score ever in this franchise.

We will also have very clear customer performance targets in the franchise. I was shocked to find out that we used to let operators set their own. How can we possibly run a contract with an operator if we do not know what we are contracting for? I of course want to contract for measures such as punctuality and reliability, but crucially I want to contract for customers, because these are not empty boxes rolling around the network; they are boxes full of people, often over-full of people, trying to get to their jobs or home to their lives. I measure right here and now that we are expecting a transformation in the quality of the rolling stock.

Turning briefly to stations, I know that my hon. Friend’s station is a grand old building that features all of 20 car parking spaces. We should expect to see real improvements at that station and that we add stations across the network. We have asked bidders to make those improvements. We have asked them to work against a 40-year asset management strategy. We are trying to
extend the management of the assets beyond the franchise period to ensure that investment proposals can be properly made for the stations in the franchise. We will look at those proposals in the bids and hold bidders to account against them.

Turning briefly to routes and services, I was delighted that we were able to confirm the absolute requirement for Norwich in 90 and Ipswich in 60. I pay tribute to the group that has been led so ably by my hon. Friend the Member for Norwich North (Chloe Smith); my right hon. Friend the Member for Witham (Priti Patel) and my hon. Friend the Member for Ipswich (Ben Gummer), who have to remain silent as they are on the Front Bench; and my dear friend the former rail Minister, my right hon. Friend the Member for Chelmsford (Sir Simon Burns). That group has become the poster child for how to do it.

I am the most popular Minister and, in a way, the most unpopular Minister, because I am deluged in the Lobbies and at other times by people who want to talk about railways. What I say to them is, “Go and look at what was done in this study”, because, for the first time, it tried to capture that elusive thing that we all know is there: it asked, if we invest a bit of money in transport, what is the broader economic value that it delivers?

You will be amazed to hear, Madam Deputy Speaker, or perhaps you will not, that every major infrastructure project in this country—the extension of the Jubilee line, HS1, the M25—has failed the economic value test that the Government have imposed on it, because such projects are looked at through a very narrow prism: does not factor in the economic value added that good transport investment brings. This group broke that mould and created a model—we are working hard to see how to capture this—that showed what we all instinctively know to be true: that if we invest in transport infrastructure, it tried to capture that elusive thing that we all know is there: it asked, if we invest a bit of money in transport, what is the broader economic value that it delivers?

My hon. Friend the Member for Bury St Edmunds asks why no half-hourly service is specified between Ipswich and Cambridge, via Bury St Edmunds.

Matthew Hancock (Bury St Edmunds): And Newmarket.

Claire Perry: I do understand the need for special services on race days, my right hon. Friend. Friend will be pleased to hear.

Such a service has been looked at carefully and I looked at it again today. Two things would need to happen to make it work. The first is a series of infrastructure investments, including in the Ely North junction, which several Members have referenced. The disappointing news on that is that the original project cost of about £30 million to £40 million has escalated to more than £130 million in the current analysis. Given that we are in the business of delivering infrastructure against the very tight Hendy review, with a known amount of funding, that is simply not acceptable. The team has been sent away to look at how that work could be delivered more cost-effectively.

Other works such as doubling track, putting in passing loops or improving signalling capability would also need to happen to deliver a robust service. I believe that work will be done on that as part of the analysis going into the next control period, which starts in four years’ time.

Alternatively, a service could be provided that skips stops. One challenge on our network is that we always want stops from everywhere to anywhere, but it is also possible to provide fast and semi-fast services with slightly different stopping patterns. The beauty of having a unified group of people who work intelligently together, is that they can work out what such a measure might look like for the benefit of the region. I do not suggest that there should be a bidding process for whose station will be missed out, but we could consider whether there is a way to serve better an enormous housing development or a new town by using existing infrastructure.

It has become clear that we are good in this country at specifying enormous investments in infrastructure without necessarily thinking more creatively about how we could deliver that solution through better rolling stock or minor track improvements. For example, we might not necessarily need dual tracking, but perhaps there could be some passing places, and I encourage people to work on that.

Chloe Smith: I am grateful to have another moment to speak in this debate. The Minister has asked for a couple of fast services that will achieve Norwich in 90 and Ipswich in 60. Will she confirm that in a way those are bonuses, because the true version of Norwich in 90 and Ipswich in 60, and the better services that we all look for, will come when we have new trains and improved infrastructure? Those extras are just that—extras—until we can achieve the long-term goal.

Claire Perry: My hon. Friend makes a good point, and controlling the franchise levers is the first step in the process. We expect bidders to exceed what we have asked for in the franchise, because we are saying “This is the minimum that we expect”. We will, of course, award the franchise to the bidder that is able to exceed those minimums, including with possible additional services. When the bids come in tomorrow I have no idea what they will contain, but we are confidently expecting those specifications to be exceeded.

As I have said, I am confident that the winning bidder for this franchise will deliver huge, tangible, transformational improvements that are commensurate with the economic weight of the region. We will see route improvements, and we have set out what we expect as a minimum. However, this is not set in stone; this is a starting point. When the franchise starts up next October, there will be every opportunity to change routes, add additional service patterns or new stations—that has happened across the country—improve timetables, and deliver better scheduled services, or even special services such as to Newmarket on race days.

I urge Members to continue to work together, pulling in the excellent provision of help and information from the local enterprise partnership and local businesses, and to help us make the business case for the improvements to infrastructure that the Government will make. We must also work with the operators to encourage them to change their patterns.

We have heard from several hon. Members tonight, and my right hon. Friend the Member for Saffron Walden (Sir Alan Haselhurst), who is an assiduous campaigner on this issue, re-emphasised the absolute
importance of new rolling stock in this franchise. Crucially, he also mentioned the linkage of rail services to airports. I am lucky not to have airports in my portfolio, or indeed HS2, but the linkage of rail services to airports is vital. He will be pleased to know that already an early morning service has been introduced from Liverpool Street to Stansted, because it turned out that more than 500 people a night were sleeping at the airport because they could not get there early enough. That has now changed, and a new service is running.

Peter Aldous: The Minister is setting out her case well. As well as linkage to airports, in such a rural area we also need linkage to public transport and buses.

Claire Perry: My hon. Friend makes a good point about integrating the transport system so that it works for people who might take a bus or drive a car, and who need a car parking space before they get on the train. We must assume that transport plays that role.

My right hon. Friend the Member for Chelmsford (Sir Simon Burns) made a wonderful speech and referenced the importance of freight, which is a particular boon and issue on these lines. I am very sympathetic to the issue of freight disrupting passenger traffic. We need more freight paths. Freight is strategically important to productivity and air quality. The more freight we can get off the road and on to trains the better. My Department will be undertaking a strategic freight review. I am very pleased that in the spending review we preserved the majority of funding for freight.

Mr Carswell: Regardless of who is awarded the franchise, does the Minister agree that unless we address the fundamental issue of corporate governance and accountability, and the underlying problem, which is Network Rail and its mediocre service, we will not see the transformative change she wants? A year ago almost to the day, we had a debate in Westminster Hall about this. I would be interested to hear if she has given the issue any further thought.

Claire Perry: We have made huge progress on Network Rail’s governance. It is now an arm’s length public sector body. I think Sir Peter Hendy, the current chair, will transform the organisation.

Jo Churchill: I urge the Minister to have a conversation with the Under-Secretary of State for Transport, my hon. Friend the Member for Harrogate and Knaresborough (Andrew Jones). Moving freight on to the railway has been a live wire of co-ordination and energy as the person to whom others must come and talk. I do not feel I am in a position to deliver rocket-powered trains just yet, but I would certainly like to try. Maybe there will be a train called Major Tim very soon, which would satisfy her.

My hon. Friend the Member for South Suffolk (James Cartlidge) raised the very worrying issue of leafgate. There is an important point here. I would be happy to confirm I will ask Mr Curley to meet representatives of his constituents and others. The question for me is this: what is the productivity loss to the British economy from accepting the fact that every year for a few weeks we are all late for work by 10, 15 or 20 minutes? I want to start looking at investments in our rail network through the prism of passengers and of productivity, because the two things are linked. We are making people late consistently, year after year after year, because of leaves on the line. Other places do not shut the lines, he will be pleased to hear, but they do slow down trains and run them slowly. People are cautious. I used to refute leaf stickiness as nonsense, but it is a problem. And it is not just us who face this: the Netherlands have a problem and Germany has a problem. Let us have a pan-European get-rid-of-leaves-on-the-line prize. The productivity improvement it could deliver for the British economy would be huge. I am determined that the productivity improvements rail can deliver are factored into the investment decision.

Lucy Frazer: It is concerning that the cost of improvements to the Ely North junction have gone up. If the improvements come in early in control period 6—we very much hope they will—it might still be possible to have them finished in the franchise period, which we all want, so we ask her not to rule that out.

Claire Perry: I rule nothing out on that point. I am very keen that what is funded and delivered will be delivered by Network Rail in this period.

I pay tribute to my hon. Friend the Member for Colchester (Will Quince), who has already, in the first few months of this Parliament, been such an incredible campaigner for his constituency. He raises the very worrying issue of leafgate. There is an important point here. I would be happy to confirm I will ask Mr Curley to meet representatives of his constituents and others. The question for me is this: what is the productivity loss to the British economy from accepting the fact that every year for a few weeks we are all late for work by 10, 15 or 20 minutes? I want to start looking at investments in our rail network through the prism of passengers and of productivity, because the two things are linked. We are making people late consistently, year after year after year, because of leaves on the line. Other places do not shut the lines, he will be pleased to hear, but they do slow down trains and run them slowly. People are cautious. I used to refute leaf stickiness as nonsense, but it is a problem. And it is not just us who face this: the Netherlands have a problem and Germany has a problem. Let us have a pan-European get-rid-of-leaves-on-the-line prize. The productivity improvement it could deliver for the British economy would be huge. I am determined that the productivity improvements rail can deliver are factored into the investment decision.

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Deferred Division

PETROLEUM

That the draft Onshore Hydraulic Fracturing (Protected Areas) Regulations 2015, which were laid before this House on 16 July, be approved.

The House divided: Ayes 298, Noes 261.

Division No. 151]
Swayne, rh Mr Desmond
Swire, rh Mr Hugo
Syms, Mr Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tothurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Trevelyan, Mrs Anne-Marie
Truss, rh Elizabeth
Tugendhat, Tom
Vaizey, Mr Edward
Vara, Mr Shasheles
Vickers, Martin

Coombs, Judith
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
Day, Martyn
De Piero, Gloria
Docherty, Martin John
Donaldson, Stuart Blair
Doughty, Stephen
Dowd, Jim
Dromey, Jack
Durkan, Mark
Eagle, Ms Angela
Eagle, Maria
Edwards, Jonathan
Ellford, Clive
Elliot, Julie
Elliot, Tom
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrell, Paul
Farron, Tim
Fellows, Marion
Ferrier, Margaret
Fllo, Robert
Fletcher, Colleen
Flint, rh Caroline
Flynn, Paul
Foxglove, Yvonne
Foxcroft, Vicky
Gardiner, Barry
Gethins, Stephen
Gibson, Patricia
Glass, Pat
Godsiff, Mr Roger
Goldsmit, Zac
Goodman, Helen
Grady, Patrick
Grant, Peter
Gray, Neil
Green, Kate
Greenwood, Lilian
Greenwood, Margaret
Griffith, Nia
Gwynne, Andrew
Hamilton, Patricia
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendy, Drew
Hepburn, Mr Stephen
Hermon, Lady
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hoey, Kate
Hopkins, Kelvin
Hunt, Tristram
Huq, Dr Rupa
Hussain, Imran
Irranca-Davies, Huw
Jarvis, Dan
Johnson, rh Alan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Keiley, Barbara
Kendall, Liz
Kerevan, George
Kerr, Calum
Khan, rh Sadiq
Kinahan, Danny
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lammy, rh Mr David
Lavery, lan
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
Mactaggart, rh Fiona
Madders, Justin
Mahwood, Mr Khalid
Mahwood, Sabana
Malhotra, Seema
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
Mc Nally, John
McCaig, Callum
McCarthy, Kerry
McCarty, Jason
McDonagh, Siobhain
McDonald, Andy
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, John
McGarry, Natalie
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinney, Catherine
McLaughlin, Anne
Mearns, lan
Miliband, rh Edward
Monaghan, Carol
Monaghan, Dr Paul
Moon, Mrs Madeleine
Morden, Jessica
Morris, Grahame M.
Mullholland, Greg
Mullin, Roger
Murray, Ian
Nandy, Lisa
Newlands, Gavin
Nicolson, John
O’Hara, Brendan
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Owen, Albert
Patersen, Steven
Pearce, Teresa
Pennycook, Matthew
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Pound, Stephen
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Reed, Mr Jamie
Reed, Mr Steve
Rees, Christina
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Roberts, rh Angus
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Sharma, Mr Virendra
Sheerman, Mr Barry
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Abbott, Ms Diane
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Allen, Mr Graham
Ashworth, Jonathan
Bailey, Mr Adrian
Bardell, Hannah
Barron, rh Kevin
Beckett, rh Margaret
Berger, Luciana
Betts, Mr Clive
Black, Mhairi
Blackford, Ian
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Buck, Ms Karen
Burden, Richard
Burnham, rh Andy
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Byrne, rh Liam
Cadbury, Ruth
Cameron, Dr Lisa
Campbell, rh Mr Alan
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Carmichael, rh Mr Alistair
Champion, Sarah
Chapman, Douglas
Chapman, Jenny
Clegg, rh Mr Nick
Coaker, Vernon
Coffey, Ann
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Cox, Jo
Coyle, Neil
Crasby, Mr David
Creagh, Mary
Creasy, Stella
Cruddas, Jon
Cryer, John

Villiers, rh Mrs Theresa
Walker, Mr Robin
Wallace, Mr Ben
Warman, Matt
Watkinson, Dame Angela
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Wiggin, Bill
Williams, Craig
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Wilson, Mr Rob
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

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Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hendry, Drew
Hepburn, Mr Stephen
Hermon, Lady
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Hodgson, Mrs Sharon
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Hopkins, Kelvin
Hunt, Tristram
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Jones, Graham
Jones, Mr Kevan
Jones, Susan Elan
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Kaufman, rh Sir Gerald
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Kendall, Liz
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Kerr, Calum
Khan, rh Sadiq
Kinahan, Danny
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Law, Chris
Leslie, Chris
Lewell-Buck, Mrs Emma
Lewis, Clive
Lewis, Mr Ivan
Long Bailey, Rebecca
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Lucas, Ian C.
Lynch, Holly
MacNeil, Mr Angus Brendan
Mactaggart, rh Fiona
Madders, Justin
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*Question accordingly agreed to.*
Oral Answers to Questions

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Bovine TB

1. Maria Caulfield (Lewes) (Con): What progress her Department is making on implementing its strategy to eradicate bovine TB in England.

The Secretary of State was asked—

Bovine TB

1. Maria Caulfield (Lewes) (Con): What progress her Department is making on implementing its strategy to eradicate bovine TB in England.

2. The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): Our strategy to eradicate bovine TB is working. I am pleased to report that all three badger control areas—Somerset, Gloucestershire and Dorset—hit their targets this year. The Chief Veterinary Officer has made it clear that the strategy is delivering disease control benefits, and that it will help us to eradicate this terrible disease.

3. Maria Caulfield: I thank the Secretary of State for acknowledging that bovine TB is a serious issue, but it is a particularly serious issue for farmers in my constituency. Will she agree to meet me to discuss rolling out a badger vaccination programme in the high-risk areas of Sussex, which would enable us to control the disease while also avoiding a badger cull?

Elizabeth Truss: I welcome my hon. Friend’s efforts to promote the vaccination of badgers, but unfortunately there is a worldwide shortage of the BCG vaccine, and I have therefore decided to suspend the sourcing of the vaccine for badgers in England in order to prioritise human health. The Welsh Government recently announced the same decision. However, I shall continue to listen to what my hon. Friend and her local farmers say about this important issue.

4. Oliver Colvile (Plymouth, Sutton and Devonport) (Con): What progress her Department is making on implementing its strategy to eradicate bovine TB in England.

Elizabeth Truss: I wish both you and the Secretary of State a very merry Christmas, Mr Speaker.

Not only are badgers responsible—as I understand it—for the spread of bovine TB, but they are no friend of the hedgehog. On Monday, our right hon. Friend the Secretary of State for Communities and Local Government rejected my call, and that of The Times, for a hedgehog superhighway through back gardens. Would my right hon. Friend be willing to meet me, and members of the British Hedgehog Preservation Society, for a hedgehog summit?

Elizabeth Truss: I congratulate my hon. Friend on his fantastic campaign, and I congratulate The Times on raising this vital issue. I, too, want hedgehogs to have a very happy Christmas, and I am very willing to meet my hon. Friend and members of the British Hedgehog Preservation Society to discuss what we can do to ensure that we have a good population of hedgehogs in the future.

5. Mr David Hanson (Delyn) (Lab): I am afraid I cannot follow that, Mr Speaker.

Given that £20 million has been spent on the badger cull so far, and that hundreds, possibly thousands, of badgers have been killed, will the Secretary of State tell the House how many of those that have been killed had been tested for bovine TB?

6. Jim Shannon (Strangford) (DUP): It is very important for us in Northern Ireland to learn from what the Department has done on the mainland, and to benefit from the information, the experience and the lessons of that action. In Northern Ireland, 6% of cattle herds have been affected by bovine TB, and it is on the rise. It has cost the taxpayer £30 million a year, and 17% of the badgers that have been tested have TB. What can the Department do to help us in Northern Ireland to take on the disease, and defeat it?

Elizabeth Truss: We will continue to work closely with Northern Ireland to tackle the disease throughout the United Kingdom.

7. Neil Parish (Tiverton and Honiton) (Con): I echo the words of my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile), and wish the Secretary of State and everyone else a happy Christmas.
In Gloucestershire and Somerset, there has been a very beneficial reduction in the number of cattle suffering from TB in the badger culling areas. When will the Secretary of State be able to release the figures that will show what is happening?

Elizabeth Truss: My hon. Friend is right, and I am pleased to say that, thanks to our strategy, more than half the country is on track to be officially free of the disease by the end of the current Parliament. The Chief Veterinary Officer has made it clear that licensing of future areas is needed to realise the disease control benefits, and I am determined to pursue that recommendation.

Technology in Farming

2. Lucy Frazer (South East Cambridgeshire) (Con): What assessment she has made of the potential contribution of data and technology to maximising the potential of British food and farming. [902774]

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Data and technology have a central role to play in maximising the potential of British food and farming. There are huge numbers of datasets in existence relating to issues such as crop yields and disease. In October we launched the first of our centres of excellence under the agri-tech strategy. The AgriMetrics Centre will use £12 million of Government funding to develop computer models to enable us to harness these data.

Lucy Frazer: I thank the Minister for that answer, and will he join me in welcoming the Eastern AgriGate Research Hub, which opened last month in Soham and is developing pioneering technologies to reduce crop waste and food waste and boost production? Does he agree that we need to invest further in agri-tech to grow our industries, such as those in Cambridgeshire?

George Eustice: My hon. and learned Friend makes an important point, and I welcome the Eastern AgriGate Research Hub which she opened recently. Improving productivity and reducing waste requires innovation that works on a commercial scale, and the new hub will develop these solutions. My hon. Friend is absolutely right that technology has a role to play in reducing waste and improving our use of resources.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): First, may I wish the whole of the British countryside, and even the Secretary of State, a very happy Christmas? You will be pleased to know, Mr Speaker, that even though I am the MP for Huddersfield I am not a Luddite. I am absolutely in favour of good management in the rural environment and in our agriculture, and using data and technology, but the other side of that is that much of our countryside is being destroyed for wildlife by industrial farming. That is the truth of the matter. Indeed, even in Cambridgeshire there are whole swathes of the countryside with nothing living to be seen. We must get the balance right between protecting the environment and using technology in agriculture.

George Eustice: I agree with the hon. Gentleman that we need to get the balance right, but I disagree with his view that we are not getting it right. We have for many years now had very successful countryside stewardship schemes with billions of pounds invested in creating new habitats for wildlife so that we can see a recovery in farmland bird populations and an improvement in, for instance, the number of pollinators.

Tom Elliott (Fermanagh and South Tyrone) (UUP): May I also wish you, Mr Speaker, and the Deputy Speakers and those in the Department a merry Christmas, and indeed a peaceful new year, even sometimes in this place? I want to emphasise the issue of online services in the Department. While they are very useful and helpful, not every farming community has good rural broadband and they do not always replace the face-to-face contact that is required by farmers.

George Eustice: We recognise that, which is why we will in future be ensuring that farmers who want to submit their basic payment scheme applications on paper will be able to do so, but the Government are also investing hundreds of millions of pounds to bring broadband to areas that do not currently have it.

Air Pollution

3. Kelvin Hopkins (Luton North) (Lab): What progress her Department is making on reducing air pollution to within legal limits. [902775]

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): Today we have laid out how we plan to tackle air pollution hotspots in our towns and cities while minimising the impact on businesses and families.

Kelvin Hopkins: I thank the Secretary of State for her answer, but she may be aware of the GB freight route scheme, a proposal to build a dedicated freight railway line linking the channel tunnel with all the major economic regions of Britain and with a gauge capable of transporting full-size lorry trailers on trains. The route could take over 5 million lorry journeys off our roads each year and save thousands of tonnes of polluting emissions. The Department for Transport is taking an interest in the scheme. Will the Secretary of State use her good offices to encourage her colleagues in the Department for Transport to support this scheme?

Elizabeth Truss: I am certainly very happy to look at that, and today I have launched plans for clean air zones in five cities outside London to make sure we are in compliance with air quality limits.

Mary Creagh (Wakefield) (Lab): One reason why emissions are so high in this country is the systematic fitting of defeat devices—the cheating software—by Volkswagen. Enforcement action is under way in the United States. Can the Secretary of State update the House on what action the British Government—her Department, the Environment Agency or the Department for Transport—are taking in this area?

Elizabeth Truss: The hon. Lady is right to say that the American authorities are taking action. My right hon. Friend the Transport Secretary is looking carefully at this, as well as ensuring that vehicles are appropriately tested. We have reached agreement at European level to
ensure that what is being emitted from cars are the real emissions. That will help us to deal with our air quality issues.

Jim Fitzpatrick (Poplar and Limehouse) (Lab): The Secretary of State will know that many people regard the legal limits for maritime cruise ships berthing in cities as inadequate. Regulations in cities such as Gothenburg, and others in the European Union, place higher requirements on vessels, including a requirement for ship-to-shore energy supplies. Why cannot we have that for London?

Elizabeth Truss: We are certainly looking at the issue that the hon. Gentleman identifies. We are determined to fulfil our environmental obligations, and we will be bringing the whole of the UK into compliance.

Wine Production

5. Nick Herbert (Arundel and South Downs) (Con): What steps her Department is taking to promote wine production in England.

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): English sparkling wine is a growing industry worth almost £100 million. I note that two sparkling wines—including Nyetimber, which is produced in my right hon. Friend’s constituency—recently beat champagne in a wine critics’ blind tasting competition. We are promoting the industry through the Great British Food campaign.

Nick Herbert: There has been a remarkable increase in wine production in my constituency in West Sussex, and I believe that I now have more wine producers than any other constituency. Is this not the time for a co-ordinated strategy to promote these excellent wines, which beat others from around the world in wine tastings? Will my right hon. Friend also ensure that English sparkling wine is served at Government events, and that prosecco, cava, champagne and other inferior brands are consigned to the cellars?

Elizabeth Truss: I thank my right hon. Friend for his sparkling point. I will be holding a round-table in the new year with representatives of the sparkling wine industry to talk about how we can encourage the industry to grow. I recently held an event in Shanghai, China, with English sparkling wine producers, and I am encouraging all my colleagues right across Government to use English sparkling wine as their drink of choice.

Tim Loughton (East Worthing and Shoreham) (Con): I thank the Secretary of State for her support for the English wine industry and for her recent visit to Sussex, the premier area for the production of English sparkling wine. I hope that Breyka Bottom will be her Christmas lunch tipple. May I remind her that 60% of the price of an average bottle of wine in the UK goes on tax, as against 21% in France, for example? How are her discussions going with the Chancellor on getting a better deal for English wine producers?

Elizabeth Truss: As my hon. Friend will know, excise duty is a matter for my right hon. Friend the Chancellor, but I had a very enjoyable morning in Sussex recently—we started the tour at 9 am, and it was one of my best days in the job.

6. Paul Maynard (Blackpool North and Cleveleys) (Con): How many new flood defence schemes are planned under her Department’s six-year capital settlement.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rory Stewart): We will be investing in 1,500 flood schemes in the next six years, spending £2.3 billion on providing protection to an extra 300,000 homes.

Paul Maynard: I hope the Minister will join me in thanking the emergency workers in my constituency who went to assist during the flooding in St Michael’s on Wyre over the past fortnight. He will also be aware of the great relief in my constituency at the news of the £60 million investment in coastal defences along the Fylde coast, but will he look at the one gap in the armour—namely, the coastal defences at Rossall beach, which are not being renewed? When his Department reviews the frequency of adverse weather events, will it look again at the adequacy of Rossall beach’s defences to determine whether they should be included in this scheme?

Rory Stewart: Let me join in paying tribute to the members of the teams in my hon. Friend’s constituency. I was in St Michael’s on Wyre, where I saw some of the wonderful work they and other volunteers were doing. I am pleased that he is paying tribute to the work along the Fylde coast, which is an investment of almost £80 million in total, and I would be delighted to look in particular at the missing section on Rossall beach.

Barry Gardiner (Brent North) (Lab): Has the Minister explained to his Back Benchers that the 300,000 properties he is talking about have been those at low risk and the lowest risk, and not, substantially, those of residents living in areas at the highest risk, as the Chartered Institution of Water and Environmental Management has pointed out? In other words, the money is going to fund those least at risk of flooding, not those most at risk.

Rory Stewart: We disagree strongly on this. I am happy to sit down to talk about it in detail, but along the Fylde coast, the Humber, the Lincolnshire coast and the Thames these defences will have a serious impact on houses that are at serious risk of flooding.
Richard Benyon (Newbury) (Con): May I compliment my right hon. Friend the Secretary of State on the way in which the tragedy for people in the north-west has been dealt with? Some people have a simplistic view about flooding, seeing it as a binary issue and, for example, saying that dredging works in all cases—we know it does not. There are circumstances where capital schemes such as the Minister has outlined are the solution, but in other cases a more nuanced approach is required. Will her team continue to make the point that every different flood event requires a specific solution?

Rory Stewart: First, I pay tribute to my hon. Friend, who was a distinguished floods Minister and is right in what he says. We need to look also at upstream mitigation, which means the planting of trees, the restoration of poached soils, and examining peat bogs and river movement. This is not only about hard defences, and the work that we will be doing over the next few months will focus exactly on those natural measures.

Alex Cunningham (Stockton North) (Lab): The devastation of the communities in Keswick, Carlisle and Cockermouth, hit by the floods was clear for all to see, but it does not tell the full story. I spent part of my visit to Cumbria meeting people in smaller communities, including Barepot and Hall Park View, near Workington, as well as Flimby and Dearham. Many people were just getting on with the job of clearing up, but they told me that they felt abandoned yet again, with no hope of any schemes to protect their homes, even though most of these schemes would be small and inexpensive. What plans does the Minister have to pay more attention to smaller communities also devastated by floods and to commit to the small schemes, which could make a big difference?

Rory Stewart: First, I pay tribute to the shadow Minister for his visit, which was very much appreciated. It is true that many people feel that the media attention has been on Carlisle and that the number of small villages affected have been ignored. As he says, we can see many communities like that across Cumbria and they will be having a horrifying time. They will have a very difficult winter. We are working to bundle schemes together. One particular example, which I would be very happy to discuss with him, is what is happening at Stockdalewath, where we have an upstream alleviation programme for a small hamlet. We need to extend that to other areas, too.

Rebecca Pow (Taunton Deane) (Con): I send my condolences to those in Cumbria, because in Somerset, where I come from, we, too, experienced terrible flooding in 2013. I applaud the Government’s commitment and all the projects that have been put in place. Will the Minister outline the progress being made on future funding for the wider catchment work on trees, river basins and perhaps even ancient trees?

Rory Stewart: My hon. Friend is very interested in the role that ancient woodland can play in flood alleviation. We are looking at that as part of the upstream alleviation programme. Three main initiatives are being undertaken: one by Cumbria County Council; one led by my right hon. Friend the Chancellor of the Duchy of Lancaster; and one, which I am chairing, through the Cumbria partnership.

Flood Risks

7. Christian Matheson (City of Chester) (Lab): What recent assessment she has made of the extent of flood risks in the UK.

The Parliamentary Under-Secretary of State for Environment Food and Rural Affairs (Rory Stewart): The work done on flood forecasting is carried out by the Flood Forecasting Centre, which involves collaboration between the Environment Agency and the Met Office. It provides daily forecasts, which are communicated to the public through the web and through telephones, providing flood warnings and flood alerts on a real-time basis.

Christian Matheson: May I send Chester’s best wishes to the Minister and his constituents, whom I know are overcoming the damage from the flooding so far? Long-term assessments of flooding demonstrate that the risk is becoming greater, and the Government have introduced an insurance scheme to support people in their homes who are affected by insurance issues. Am I right in thinking that the scheme does not include small businesses? In the light of the recent flooding in Cumbria, will the Minister rethink that policy?

Rory Stewart: I am very pleased that the hon. Gentleman has recognised the work of the Flood Re scheme, which will make a considerable difference, particularly to lower income households. He is correct that small businesses are not currently included. The Association of British Insurers believes that there is no systematic problem in providing insurance for small businesses, but should we discover that that is not the case, I am happy to sit down with him and the ABI to resolve the matter.

Sir Edward Leigh (Gainsborough) (Con): The Minister has mentioned low-lying Lincolnshire, yet more and more housing schemes—huge housing schemes—are being forced on us to meet a rising population. Will the Minister responsible for defending the people from flooding remind those in the EU, the Home Office and the Treasury that in one of the most rain-sodden, flood-prone countries in Europe there is a cost to the 300,000 net migration to this country every year? Even if we could afford it, we should not be building houses in the wrong places.

Rory Stewart: I do not wish to be drawn into a debate on migration, but I absolutely agree that we should not be building houses on floodplains. The Environment Agency guidance on that is increasingly strict, and we are pushing hard to ensure that councils acknowledge and respect that guidance.

Tom Brake (Carshalton and Wallington) (LD): In considering flood risk, has the Minister assessed the risk of profiteering in relation to services that are required in the clean-up after flooding? I understand that the cost of skip hire and of estate agent services has rocketed in areas affected by flooding.

Rory Stewart: The right hon. Gentleman is absolutely right: there is a serious risk of profiteering and there is even a risk of criminal activity. Unscrupulous people will turn out and push for far more work to be done in a
Mr Keith Simpson: My hon. Friend will know that, over a year ago, there was a tidal surge in the North sea that brought flooding to a lot of the east coast, particularly to Norfolk. I understand that there is a tidal surge forecast for Christmas day and Boxing day. Will he update the House on the measures his Department and the Environment Agency are taking in the event of such a surge taking place?

Rory Stewart: My right hon. Friend is absolutely right. We are facing very high spring tides at the moment—some of the highest for 18 years—but we need to take into account the fact that the level of the tides themselves is not the determining factor. The low pressure systems and the wind will also have an impact. We focus very hard on this matter, specifically on that tide on Christmas day. The Flood Forecasting Centre ensures that the forecasts are as accurate as possible, and we have the measures in place to respond.

Martin Vickers: Flood risk on the Humber remains high following the tidal surge two years ago. With local authorities, the Environment Agency was involved in putting together proposals that it now advises Ministers should be reassessed. Will my hon. Friend confirm that he is committed to strengthening flood defences along the Humber, and that, in the forthcoming meeting with Humber MPs, he will have alternative proposals?

Rory Stewart: I thank my hon. Friend very much for the work that he does for his constituents in arguing for more funding on the Humber. Considerable investment is going to flood defences in the Humber region. Nearly £80 million is going into the Humber—£40 million to the north side of the Humber and £40 million to the south side. Yes, we are looking forward to a round table, where we will discuss every one of those schemes from Grimsby to Hull.

Poultry Sheds

Rory Stewart: I confirm my right hon. Friend's comments. I pay tribute to WRAP, which Members on both sides of the House are proud of and which was an initiative led by the Labour Government. It has done an enormous amount of work on harmonisation and particularly the Courtauld agreement.

Mrs Caroline Spelman: I confirm my right hon. Friend's comments. I pay tribute to WRAP, which Members on both sides of the House are proud of and which was an initiative led by the Labour Government. It has done an enormous amount of work on harmonisation and particularly the Courtauld agreement.

Mr Philip Hollobone: I declare my interest as a member of Kettering Borough Council. Will the Minister congratulate Kettering Borough Council on becoming the best performer in the Association for...
Public Service Excellence awards for having the best recycling and refuse service in the country, following the introduction of its enhanced blue bin recycling service?

Rory Stewart: I pay tribute to Kettering, and I invite Kettering please to join us in a taskforce to communicate that best practice to other councils. There is a great deal we can all learn from Kettering.

CAP Delivery Programme

10. Conor McGinn (St Helens North) (Lab): What recent assessment she has made of the value for money of the CAP delivery programme.

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): The National Audit Office recently completed an early review of the common agricultural policy delivery programme. Despite difficulties, the programme is on course to realise a positive net present value of £197.7 million over the next eight years. The CAP has been the most complex ever, but despite that the core of the system is working. The Rural Payments Agency has already paid over 40% of farmers their basic payment scheme payment for this year and we are on course to pay the vast majority by the end of January.

Conor McGinn: The National Farmers Union reports that many flood-hit farmers in the north-west have received a double whammy, having been informed by the Rural Payments Agency that they will not receive their payments until February at the earliest. All the Secretary of State could say on Tuesday was that the Government are seeing what they can do. Perhaps the Minister can now outline exactly what they are doing to ensure that those farmers receive payments before Christmas.

George Eustice: The hon. Gentleman makes an important point. We are very conscious of the plight of farmers in Cumbria. In respect of those with common land, although we had previously said that we would have difficulty paying them before February owing to the complexity of that system, we have identified the 600 affected farms in Cumbria and we will be prioritising them.

Alan Brown (Kilmarnock and Loudoun) (SNP): A merry Christmas and a happy new year, Mr Speaker, to you and your staff.

Last week the NFU Scotland confirmed that most farms in Scotland rely on the CAP payments to survive. Without ducking the issue, will the Minister confirm that in the event of Britain leaving the EU, the UK Government will guarantee the same level of payments to farms so that they can survive?

George Eustice: I would simply say that in terms of the current year’s BPS, it is a matter for the Scottish Government to ensure that Scottish farmers get their payments on time. We all have a debate to look forward to about Britain’s membership of the European Union.

Mr Speaker: I call Mr Alan Brown. Does the hon. Gentleman want to ask a second question? Am I mistaken in that surmise?

Alan Brown: Thank you, Mr Speaker. I understood that I had only one question.

If Britain votes to leave the European Union, will the UK Government guarantee the same level of CAP payments to Scottish farmers? Will the Minister please answer this time?

George Eustice: The Government’s position is very clear: we want to renegotiate our relationship with the European Union and see some powers come back to the UK. We will put that to the British public in a referendum and they will decide. Should the UK decide to leave the European Union, at that point the Government would obviously set a national agricultural policy.

Nick Smith (Blaenau Gwent) (Lab): DEFRA’s mismanagement of the CAP delivery programme saw very senior managers embroiled in childish squabbling. This flagship IT project then spiralled £60 million over budget. It was so useless that farmers were forced to switch back to pen and paper. With the NAO predicting millions in penalties as a result, why did the Minister not intervene to save farmers and taxpayers from this IT disaster?

George Eustice: I simply point out that we did intervene. We acted in March, once we realised there was going to be difficulty, to ensure that all farmers could get their applications in on time on a paper-based system, and we have worked very hard since then to ensure that we enter it on the core of the system, which has worked well.

Dairy Industry

11. Andrew Bridgen (North West Leicestershire) (Con): What steps her Department is taking to make the dairy industry more resilient to the volatility of world milk prices.

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): We understand the pressures facing dairy farmers and have taken action to ease their cash-flow problems. The £26.2 million aid package we secured from the European Commission will provide some immediate relief. In addition to that short-term support, we are introducing a fairer tax system for farmers, pushing for clearer labelling of British dairy products and developing a futures market for dairy.

Andrew Bridgen: I thank the Minister for that answer, but may I press him a little harder on this subject, rather as happened with the Sussex wine? What help is his Department able to offer milk processors so that they can add more value to milk products, enhancing the opportunities to export them around the world?

George Eustice: My hon. Friend makes an important point. DEFRA has previously supported investment in processing, for instance at Davidstow in Cornwall, through the rural development programme. We are investigating the potential to use funds through the European Investment Bank to make loan capital available to invest in new processing capacity.
Topical Questions

T1. [902763] Rishi Sunak (Richmond (Yorks)) (Con): If she will make a statement on her departmental responsibilities.

Elizabeth Truss: The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): I am sure that the House will wish to join me in expressing our sympathies to all those affected by the recent flooding in the north of England. I would like to express our gratitude to the emergency services, the military, the Environment Agency and volunteers who have worked around the clock to protect people and property. Earlier this week I visited Appleby, Thrlekd and Carlisle to meet local residents and farmers and see the recovery efforts for myself. The Government are doing all we can to ensure that every resource is available to help those areas get back on their feet.

Rishi Sunak: I share the Secretary of State’s sentiments with regard to the flooding. British shoppers want to support British dairy farmers, but the current labelling of dairy products is often too complicated to make that a reality. Does my right hon. Friend support the excellent new campaign by the Yorkshire Post for clearer and unambiguous labelling of dairy products so that this Christmas we can all buy British with confidence?

Elizabeth Truss: My hon. Friend is a fantastic champion of Yorkshire farmers, and the Yorkshire Post is running a great campaign. I want to see British labelling on British dairy products right across the country. I recently had the pleasure of visiting the Wensleydale Creamery in his constituency, in the newly expanded Yorkshire Dales national park, and I have been eating their Yorkshire yoghurt ever since.

Kerry McCarthy (Bristol East) (Lab): Happy Christmas to you, Mr Speaker.

This week the Paris talks and the devastating floods in the north reminded us of the importance of DEFRA’s climate change adaptation work. Also this week, the Environment, Food and Rural Affairs Committee raised serious concerns about the impact of further departmental budget cuts. Will the Secretary of State tell us her top three policies for making our country safer and more resilient to climate change?

Elizabeth Truss: The hon. Lady is absolutely right. I pay tribute to my right hon. Friend the Climate Change Secretary for the fantastic work she did in achieving the deal in Paris. I work very closely with her to make sure that we are adapting to climate change. Of course, the No. 1 issue on DEFRA’s agenda is making sure that we have the flood defences in place. That is why we have seen a real-terms increase in flood defence spending in this Parliament. We are spending £2.3 billion over six years compared with £1.7 billion in the previous Parliament. In the autumn statement, the Chancellor announced that we were protecting flood maintenance spending as well.

Kerry McCarthy: I thank the Secretary of State for that response, but I did ask for three policies, and it is a shame that she could only talk about one. It is little wonder, though, when her Department’s climate change unit has been slashed from 38 to six and expert advice is routinely ignored. The Select Committee warned this week:

“Successful delivery of vital environmental, agricultural and rural services will not be possible without strong leadership and a sharp focus on priority areas.”

When will we get that leadership and that sharp focus from the Secretary of State?

Elizabeth Truss: The key point is that we bake climate change into everything we do across DEFRA. Whether it is our programme to plant 11 million trees, our flood defence programme, which we are increasing in real terms, or our activity to make sure that biodiversity is taken into account for climate change, every single team in DEFRA has that as part of its plans.

T2. [902764] Mr Alan Mak (Havant) (Con): Northney ice cream, produced on Hayling Island in my constituency, is popular across the Solent region. Will the Secretary of State continue to promote local and regional British food plans and encourage our catering trade and supermarkets to do the same?

Elizabeth Truss: I am delighted to be visiting Northney in January to taste the ice cream with my hon. Friend. That might seem seasonal, but I am sure it will be very nice. I am pleased to say that supermarkets are responding to the massive demand for British dairy. Marks and Spencer is moving from 80% to 100% of its cheddar being British, and Tesco has made a commitment that from early next year 100% of its own-brand yogurt will be sourced in Britain.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In 2012, the then Secretary of State for Energy and Climate Change stated that in addition to the environmental benefit, the UK Government expected carbon capture and storage expertise and products to be worth £6.5 billion to the UK economy by the end of the next decade. What economic analysis has been made of the effect of abandoning the carbon capture and storage competition?

Elizabeth Truss: This is clearly a matter for my right hon. Friend the Secretary of State for Energy and Climate Change. She has a very clear plan to deliver carbon reductions, economic growth and lower bills for bill payers, and she is on track to do that. [Interruption.]

Mr Speaker: Order. The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) should not chunter from a sedentary position in evident disapproval of an answer that he had no right to expect in any case. It is principally a matter for DECC, so he ought to be saying thank you to the Secretary of State for proffering some sort of response. In a seasonal spirit, I am sure that that is what he will now do.

T6. [902769] Jeremy Lefroy (Stafford) (Con): I welcome the Secretary of State’s emphasis on the promotion of British food here and around the world. When I try to buy lactose-free milk, I notice that it all comes from Denmark. Will she ensure that the British dairy
industry gets a grip on this and starts to produce lactose-free milk for what is probably the biggest market in Europe?

Elizabeth Truss: I thank my hon. Friend for pointing that out. There are also huge opportunities in producing UHT milk here and overseas, which I know the dairy industry is looking at. In January we will establish the Great British food unit, which brings together UK Trade & Investment expertise and DEFRA expertise so that we have a one-stop shop for businesses that want to export their fantastic products.

T4. [902766] Conor McGinn (St Helens North) (Lab): The Forster family in Moss Bank in my constituency have farmed in St Helens for 125 years. In recent years they have opened a shop at their farm selling their own produce. What are the Government doing to help farmers like the Forsters to develop small business potential which not only showcases the best local produce but encourages people to buy local and eat local?

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): The hon. Gentleman makes a very important point. Through our rural development programme, we are supporting farm businesses that want to diversify and start retailing their own produce.

T8. [902771] Alex Chalk (Cheltenham) (Con): Trees are a vital and precious feature of our natural environment, nowhere more so than in areas like Cheltenham, where they act as the town’s green lungs. Will my right hon. Friend update the House on how many trees the Government plan to plant over the course of this Parliament?

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rory Stewart): The Government have committed to planting 11 million more trees over the course of this Parliament. We hope we may even be able to exceed that target. We are particularly proud of a scheme we are developing with the Woodland Trust to plant trees and to educate primary schoolchildren about them.

T5. [902768] Patrick Grady (Glasgow North) (SNP): Given the challenges of adapting to climate change, how will the Department work towards mitigation and emission reductions that match the Paris agreement ambition of limiting global warming to 1.5 °C?

Elizabeth Truss: I am working very closely with my right hon. Friend the Energy and Climate Change Secretary to make sure that we hit our carbon budget, including in areas such as agriculture, biodiversity and tree planting.

Bill Wiggin (North Herefordshire) (Con): I am appalled that the Secretary of State has announced today that she is stopping the vaccination in the edge areas, because it is exceptionally important, particularly when the number of cattle slaughtered has increased by 25% in Wales and by 6% in England. I understand the reasons why she has made that announcement, but will she look at DEFRA test SE3289, which is 95.5% sensitive and 98% specific, so that we can identify TB in infected badger sets?

Elizabeth Truss: The reality is that there is a global shortage of the BCG vaccine. Clearly, human health is the priority and we need to ensure that humans are protected against TB. Believe me, as soon as that vaccine becomes available, we want to restart vaccination in the edge areas.

T7. [902770] Kelvin Hopkins (Luton North) (Lab): In 2013, the European Food Safety Authority found that neonicotinoids posed a “high acute risk” to honey bees. The e-petition against the use of neonicotinoid pesticides has so far gained more than 90,000 signatures, so what representations will the Government make to the European Commission’s review of its control of neonicotinoids?

George Eustice: We had a comprehensive debate on this issue following that petition last week. The Centre for Ecology and Hydrology is doing a comprehensive piece of research fieldwork on the impact of neonicotinoids on bees. We will ensure that that evidence is put to EFSA before it reaches its conclusions on the interim review next summer.

Jo Churchill (Bury St Edmunds) (Con): To carry on the Christmas spirit, since the Prime Minister was pictured enjoying a pint of Greene King with President Xi, the export of that fine beer from my constituency of Bury St Edmunds has gone up from 3,000 to 50,000 cases. It and other rural exporting businesses in the constituency are keen to learn what work the Department is doing, with the help of UK Trade & Investment, to help fund and organise trade shows and development visits in order to secure such important trade.

Elizabeth Truss: I was in China a few weeks ago, and one of the things we promoted was Greene King in Chongqing. We were accompanied on our visit by the biggest ever delegation of food companies—there were more than 80 companies with us. With the launch of the Great British food unit, which brings together UKTI and DEFRA expertise, I expect us to have even more in the future.

Angela Smith (Penistone and Stocksbridge) (Lab): Value for money and efficiency in delivering help is important, but the Government also need to be flexible enough to respond to unforeseen events. Will the Secretary of State look urgently at helping the farmers severely hit by the recent flooding, by making at least partial payments from the basic payment scheme?

Elizabeth Truss: I met farmers in Cumbria earlier this week. We are identifying the 600 farmers and making sure that we get the basic payments out to them as soon as possible. We have also put in place a farming recovery fund, to which farmers will be able to apply from tomorrow, to give them the extra funding needed to get their farms back to normal.

**ELECTORAL COMMISSION COMMITTEE**

The hon. Member for South West Devon, representing the Speaker’s Committee on the Electoral Commission, was asked—

**Voting for 16 and 17-year-olds**

1. Dr Philippa Whitford (Central Ayrshire) (SNP): What assessment the Electoral Commission has made of the potential merits of widening the franchise to 16 and 17-year-olds.  

[902793]
Mr Gary Streeter (South West Devon): The commission has made clear in its briefings on recent legislation that a change to the franchise is a matter for Parliament, and does not take a view on the merits of widening the franchise to 16 or 17-year-olds. During the passage of the European Union Referendum Bill, the commission advised Parliament on the practical implications of any such change, including the activity that would be required to be carried out by electoral registration officers, central Government and the commission itself.

**Dr Whitford:** Following the incredible engagement of young people in the Scottish referendum, Scottish National party Members suggested that they should be given the vote in the EU referendum. Although many Conservative Members did not agree with that specific proposal, they expressed support for extending the franchise in the long term. With turnout falling, would not registration and education while young people are still at school increase political engagement in the future?

Mr Streeter: The hon. Lady brings relevant experience to this issue. This is ultimately a matter for the House to decide—the debate continues to rage—and not one for the Electoral Commission. I have no doubt that we will hear much more about this issue over the next two or three years.

Mr David Nuttall (Bury North) (Con): Does my hon. Friend agree that we should concentrate on increasing turnout among 18 to 24-year-olds before we start on 16 and 17-year-olds?

Mr Streeter: My hon. Friend makes an interesting point. As I understand it, less than 40% of 18 to 24-year-olds vote in general elections. It would be very healthy indeed for that number to increase. It is for all of us to inspire the young people in our constituencies to turn out and vote.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the hon. Gentleman know of any political party—SNP, Labour or anyone else—that has looked at the damage we do to the protection of children by making them adults at the age of 16? Has there been any thorough research on how damaging that is for our society and for the protection of our children?

Mr Streeter: I am not aware that the Electoral Commission has carried out any such research. The debate on this important issue will rumble on because there are very strongly opposing views.

**CHURCH COMMISSIONERS**

_The right hon. Member for Meriden, representing the Church Commissioners, was asked—_

**Fossil Fuel: Investments**

2. David T. C. Davies (Monmouth) (Con): What the Church Commissioners’ policy is on investing in fossil fuel companies.

The Second Church Estates Commissioner (Mrs Caroline Spelman): The Church Commissioners published a comprehensive ethical investment strategy in May 2015. They do not invest in fossil fuel companies that derive more than 10% of their revenues from the extraction of thermal coal or the production of oil from oil sands.

David T. C. Davies: I wonder whether the Church Commissioners might reconsider given the enormous exponential increase in living standards during the past 200 years as a result of our exploitation of fossil fuels. Does my right hon. Friend not think that the Church should sometimes put aside the Greenpeace manuals and look at Matthew 25 and the parable of the talents?

Mrs Spelman: My hon. Friend may not agree with me about the underlying causes of climate change, but I think he has to accept that, with the collapse in the oil price and the volatility of oil as a commodity, it makes eminent good sense for the Church Commissioners to diversify their portfolio, particularly away from the extraction of materials that may be detrimental to the environment.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab) rose—

Mr Speaker: Dr Huq, we will get to you. Your question is different, but we will reach it.

Richard Benyon (Newbury) (Con): In people’s minds, fossil fuels are obviously a cornerstone of the Paris accord. Does my right hon. Friend agree that the involvement of faith groups was absolutely vital in getting that agreement? Everyone from the Pope to Christian Aid, and many other organisations, was fundamental in making sure that the moral case for tackling climate change was heard.

Mrs Spelman: My hon. Friend is absolutely right. The engagement of faith leaders in securing a successful agreement in Paris last weekend was very important. I want to commend the work of the Bishop of Salisbury, who led an initiative in which 200 pilgrims from the Church of England walked 200 miles to Paris to show their commitment to reaching an agreement.

**Hedgehogs**

3. Oliver Colvile (Plymouth, Sutton and Devonport) (Con): If the Church Commissioners will provide guidance to dioceses on ensuring that church property is hedgehog-friendly.

Mrs Spelman: My hon. Friend has pricked all our consciences with his campaign for the protection of the hedgehog. The Church of England recognises that its churchyards are important not only as places of burial and quiet reflection, but for their characteristic habitats and as refuges for wildlife and plants. The conservation movement Caring for God’s Acre recognises the hedgehog as a flagship species in need of protection.

Oliver Colvile: The Church of England is one of the largest landowners in the country, so do the dioceses across the country have ecology strategies for the protection of animals and wildlife throughout their churchyards?

Mrs Spelman: The dioceses give proper weight to the conservation of natural heritage. I refer my hon. Friend to the ChurchCare website, which provides guidance on managing churchyards for wildlife, including by carrying out surveys and managing grassland. The aforementioned initiative, Caring for God’s Acre, encourages all of us as
MPs to talk to our local churches about leaving some sections of their churchyards in a state that is conducive to the protection of species that are endangered, such as the hedgehog.

Syria

4. Rachael Maskell (York Central) (Lab/Co-op): What support the Church is providing to people in Syria. [902798]

The Second Church Estates Commissioner (Mrs Caroline Spelman): I am very grateful for the hon. Lady’s question, which focuses on providing support for people in Syria. International aid agencies, many of which are Christian in origin, always stress that it is important to provide for refugees in situ, so that they can subsequently help with the rebuilding of their country. The Church is working with the Department for International Development to get the aid committed by the UK Government to those in need and is assisting those who remain in the camps with clothing, health and hygiene kits, shelter and education.

Rachael Maskell: York Minster is playing a pivotal role in welcoming refugees to our city. However, Christians in Syria remain at risk and many do not feel safe to go to the UNHCR camps. What steps is the Church taking to ensure that Syrian Christians and other minority groups can find a place of sanctuary?

Mrs Spelman: That excellent point was raised by the Archbishop of Canterbury, when he pointed out that the percentage of Christians in the camps is below the percentage of Christians in the population of Syria before the start of the conflict. Through the ecumenical networks, we are trying to help the Under-Secretary of State for Refugees to reach Syrian Christians who may be fearful of presenting themselves in the camps.

Tim Loughton (East Worthing and Shoreham) (Con): I am sure that many hon. Members have received generous offers of accommodation for Syrian refugees. Many of those have come from members of church groups, which are able to offer the support structures that are necessary to look after refugees when they come to this country. Has my right hon. Friend had any conversations with the Under-Secretary of State for Refugees to reach Syrian Christians who may be fearful of presenting themselves in the camps?

Mrs Spelman: I spoke to the Minister as recently as this week, because the Church has made a number of offers of accommodation. The Christian charity, Home for Good, has 8,000 families who are willing to offer accommodation to an unaccompanied asylum-seeking child. He reassured me that he is speaking to faith groups and that 50 local authorities across the length and breadth of the land are taking the offers from the Church very seriously indeed.

Jim Shannon (Strangford) (DUP): While it is important that we look after the people in Syria, it is also important that we look after the Syrian refugees. Just this week, Northern Ireland has taken in its first Syrian refugees, who have arrived in Belfast and Londonderry. Will the Second Church Estates Commissioner outline the ways in which the commissioners can assist Northern Ireland to settle these first Syrian refugees?

Mrs Spelman: It is true that the first Syrian refugees are coming to our country. I believe that the Prime Minister said yesterday that 1,000 will have arrived before the end of the year. There are many ways in which churches can help. The Under-Secretary of State for Refugees has asked the Church for volunteers to help with learning English and with welcoming the refugees. Many dioceses are preparing themselves to make the refugees feel welcome in our midst.

ELECTORAL COMMISSION COMMITTEE

The hon. Member for South West Devon, representing the Speaker’s Committee on the Electoral Commission, was asked—

Postal Votes

5. Mr Philip Hollobone (Kettering) (Con): What guidance the Electoral Commission issues on the handling of completed and sealed postal votes by political activists. [902799]

Mr Gary Streeter (South West Devon): The Electoral Commission has developed a code of conduct for campaigners, which makes it clear that: “Campaigners should never handle or take any completed ballot paper or postal ballot packs from voters.” The code of conduct is non-statutory, but it applies to all campaigners at elections and referendums in Great Britain.

Mr Hollobone: I declare an interest as a member of Kettering Borough Council. Kettering was one of the first authorities in the country to get all local activists to sign up to the code of conduct, which I am pleased to see the Electoral Commission has adopted. Will the Electoral Commission apply the code of conduct to by-elections, because in the recent by-election there were disturbing reports that activists were handling other people’s postal votes?

Mr Streeter: Where Kettering leads, other parts of the country will surely follow. My hon. Friend is right to say that this matter is now embraced in the national code produced by the Electoral Commission. The Electoral Commission spoke to members of UKIP recently and, as I understand it, they have still made no formal complaint. Perhaps a lesson for all of us is that if we make allegations, we should back them up and refer matters to the police.

Wayne David (Caerphilly) (Lab): Will the hon. Gentleman confirm that the Electoral Commission is of the view that electoral fraud cases are few and far between?

Mr Streeter: That is certainly the case, and we are fortunate in this country that there are very few cases of electoral fraud. Of course there are allegations, and the police now have special officers to investigate them, but mercifully at the moment, electoral fraud does not trouble us greatly.

CHURCH COMMISSIONERS

The right hon. Member for Meriden, representing the Church Commissioners, was asked—

Syria

6. Michael Tomlinson (Mid Dorset and North Poole) (Con): What support the Church of England and the diocese in Europe are providing for Syrian migrants in Europe. [902801]
The Second Church Estates Commissioner (Mrs Caroline Spelman): Within the diocese of Europe, the Anglican chaplaincy of Athens and the chaplaincy to Southern Italy are supporting migrants and refugees by providing spiritual and psychological support, clothing and healthcare. Local churches across the diocese of Europe are also acting as a messaging service to try to bring families back together if they have been disunited.

Michael Tomlinson: I am grateful for that answer. Further to the point raised by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), many churches and other local groups have contacted me in my constituency and the wider county of Dorset, offering help with accommodation. Will my right hon. Friend set out how those offers can be logged, assessed and, where appropriate, taken up?

Mrs Spelman: That is an important point that the Minister responsible will want the House to take on board. We need social landlords who are willing to offer accommodation to refugees, so that if possible we do not add to housing waiting lists and cause cohesion issues in our society. Within the Church of England we are looking for Christian social landlords who will provide accommodation for refugees which the Government will pay for.

Mr Gary Streeter (South West Devon): The Electoral Commission provided guidance and resources, and set performance standards for electoral registration officers to improve registration in their local area during the recent autumn canvass. The commission also ran a major public awareness campaign ahead of the May 2015 polls. The campaign resulted in more than 1.5 million additions to the register, which was more than three times the amount achieved during a similar period before the 2010 general election.

Dr Huq: Against the explicit advice of the Electoral Commission, the Government rushed through by a year the individual electoral registration on which the new boundaries will be based. HOPE not hate predicted that 1.9 million people will fall off the register. The hon. Gentleman has said that there has been an increase in registration, but I would like to know the net figures. It is predicted that those who will fall off the register will typically be the young, those in houses of multiple occupation, and students. What was the net result at the end of all this? It sounds like a cynical attempt to make my electors disappear.

Mr Streeter: The decision that the hon. Lady mentions was a matter for the Government and was taken, as she rightly says, against the advice of the Electoral Commission. I will have to write to her about net impact of that decision. The reality is that we must all do whatever we can to encourage our local electoral registration officers to contact as many people as possible, particularly in groups that are hard to reach. I am sure that the public awareness campaign in early 2016 will have great success, as it did in 2015.
Mr Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that Her Majesty has signified her Royal Assent to the following Acts:

- National Insurance Contributions (Rate Ceilings) Act 2015
- European Union Referendum Act 2015

Business of the House

10.33 am

Chris Bryant (Rhondda) (Lab): Will the Leader of the House give us the business for next week, and preferably the recess dates for next year as well?

The Leader of the House of Commons (Chris Grayling): The business for next week will be nothing at all, because I hope that everybody will be enjoying a good festive break. The business for the House in the week commencing 4 January 2016 is as follows:

- **Monday 4 January**—The House will not be sitting.
- **Tuesday 5 January**—Remaining stages of the Housing and Planning Bill (day 1). I remind colleagues that this day will have a Monday timetable and will start at 2.30 pm, and my right hon. Friend the Prime Minister also expects to make a statement to the House.
- **Wednesday 6 January**—Opposition day (14th allotted day). There will be a debate on an Opposition motion. Subject to be announced.
- **Thursday 7 January**—Debate on a motion relating to the effect of the equalisation of the state pension age on women, followed by a debate on a motion relating to children in care. The subjects for those debates were determined by the Backbench Business Committee.
- **Friday 8 January**—The House will not be sitting.

The provisional business for the week commencing 11 January will include:

- **Monday 11 January**—Remaining stages of the Armed Forces Bill, followed by business to be nominated by the Backbench Business Committee.

I inform the House that the business in Westminster Hall on Thursday 7 January and Monday 11 January will be:

- **Thursday 7 January**—General debate on the armed forces covenant annual report.
- **Monday 11 January**—Debate on an e-petition relating to the NHS bursary.

Colleagues will wish to know that, subject to the progress of business, the House will rise for the Easter recess at the close of business on Thursday 24 March 2016 and will return on Monday 11 April 2016.

My hon. Friend the Deputy Leader of the House has a particularly festive air today in aid of charity—I commend her for her work in support of charity. In this festive week, I take this opportunity, Mr Speaker, to wish you, her, the shadow team and all Members of the House a very happy Christmas. I wish those from north of the border a very happy Hogmanay as well.

I am sure the House will join me in recognising the important work that goes on to support the House throughout the year. I thank all the staff working throughout the Palace of Westminster and wish them a restful Christmas and a happy new year. There are always staff on duty in part of the Palace, and I particularly want to wish those who have to work over the Christmas period a pleasant break when they have one, and to express our gratitude to them for the work they do over the festive period.

Chris Bryant: Despite the caterwauling yesterday from the Leader of the House—he seemed to suggest that I would make lame, laboured jokes about “Star Wars”
today, as the Prime Minister did yesterday—I can assure you, Mr Speaker, that I have a complete UK exemption from “Star Wars” related humour. I have some perfectly good lame, laboured jokes of my own without resorting to that.

As you know, Mr Speaker, the pantomime season is upon us—[HON. MEMBERS: “Oh no it isn’t!”] Oh yes it is. “Cinderella” is on at the Park & Dare in Treorchy. Apparently, auditions were last month, so unfortunately the Rhondda will have to do without my Prince Charming this year. However, I see that the Epsom Playhouse in the constituency of the Leader of the House has “Beauty and the Beast” on at the moment. There is a rumour going around that the Leader of the House and the Deputy Leader of the House will appear in that production on select nights. The only question is which parts they will play. I am pretty certain that the Deputy Leader of the House will be playing Mrs Potts—she would obviously be Mrs Coffey Potts. That is the worst laboured joke today. [ Interruption. ] It may not be actually.

As for the Leader of the House, he is no beast, but I hear that there was a mystery bidder earlier this week at the sale of Mrs Thatcher’s frocks. There is a rumour that he will be seen waltzing across the stage in that black printed chiffon number as Belle in “Beauty and the Beast” this week.

May we have a debate on food waste? Last year, 1.2 million sausages were sent to landfill in Rhondda Cynon Taff alone, which is why it is great that the local council is signing everybody up to proper food recycling. New figures show that, last year, the House wasted 45,000 meals—they were just tipped in the bin. With 33 Trussell Trust food banks within the M25 and an estimated 70,000 children in London going to bed hungry each night, is it not time for the Leader of the House to institute a new scheme to donate unused food from this Palace to local London food banks?

The Leader of the House announced that the Prime Minister will make a statement on the first day back in the new year. Will the Leader of the House ensure that the statement is on the Prime Minister’s renegotiation of the UK’s relationship with the EU and how that is going? I ask because I gather that his EU counterparts are now so heartily sick of his endless whining that he is finally going to be allowed to speak tonight for a couple of minutes during dinner—while the waiters are clearing away the plates, somewhere between the boeuf en croute and the tarte tatin. He is becoming rather like one of those really irritating relatives who pops round for tea every now and again, casually asks if he can doss down on the sofa for a couple of days, drinks all your whisky while telling you where you’ve gone wrong in life and then, when you finally summon up the courage to ask him to leave, says, “Do you mind if I redecorate the bathroom?”

I ask because there seems something utterly illogical about the whole renegotiation process. The Prime Minister seems to think that EU citizens in Poland and Romania sit around trying to work out which is the most generous benefit system in Europe before they decide where to go to live and work. Is that really what Conservative Members think people do? Do they think that this is the kind of conversation they have? “Hey Bogdan, which do you think is better, the UK’s employment and support allowance or Denmark’s flexicurity?” “Well, Pavel, I’m not so sure, but I certainly prefer the Scandinavian model to the Rhine capitalism system of contributory benefits.” Honestly, all of this is a complete nonsense!

Bill Wiggin (North Herefordshire) (Con): You’re right: it is a complete nonsense.

James Cleverly (Braytree) (Con) rose—

Chris Bryant: And he’s Cleverly enough to know it. Every single one of us knows it. EU citizens come here because we speak English, because there are jobs and because this is a great country. The Government are trying to undermine every single element of that, but even the Work and Pensions Secretary, the Home Secretary and the Justice Secretary have told the Prime Minister his proposal will make absolutely no difference to net migration figures. He is barking up the wrong tree.

So why do we not just get on with the referendum now? It is a simple question: in or out? Remain or leave. As Sir John Major said, flirting with an exit would be dangerous for this country. It is one thing to choose to leave—honourable, but in my mind foolish—but it would be quite another to end up leaving by accident. That would be incompetent and dishonourable.

I am absolutely delighted that the Leader of the House has given us the dates for the Easter recess, but could he extend a little bit to the Whitsun recess? I will give him the date of Whitsun: 15 May. Why can he not give us the recess dates for the whole of next year?

As Boxing day approaches, can I just ask for an assurance from the Leader of the House that the draft Hunting Act 2004 (Exempt Hunting) (Amendment) Order 2015, which was withdrawn earlier this year, is not back on the horizon? It is rumoured to be so in the press. Surely, if the Government want to bring back hunting they should be open and honest about it and not try to sneak it back in through the back door. Let us have primary legislation, not secondary legislation.

With the new year coming up, may I suggest the Leader of the House makes a single resolution? Will he please repeat after me? “I will always...” Come on. “I will always...” Oh dear. “I will always guarantee that all major announcements of Government policy are made to this House first and not leaked to the press. And if that guarantee is breached, I will resign immediately.” I thought the Prime Minister treated the House, and you Mr Speaker, with utter contempt last week when, after you said in this House that any announcement on the decision, the process of the decision, or even the process of the non-decision regarding Heathrow, Gatwick and airport capacity should be made in this House, the Prime Minister, that very afternoon, went out and made major announcements of Government policy are made to this House first and not leaked to the press. And if that guarantee is breached, I will resign immediately.”

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There are 36 written ministerial statements on the Order Paper today, conveniently on the very last day so as to avoid scrutiny. One of them is on a particularly serious matter, the Southern Health NHS Foundation Trust, where the deaths of 1,000 people with disabilities and mental health problems were not properly investigated. The written statement will be made available only late in
the day today, long after hon. Members will be able to quiz the Government about it. Again, that is a gross discourtesy to this House.

It is Christmas time—well, Advent—but Christmas is not as snug as it might seem in the adverts or carols. Jerusalem does not lie still. Not the hopes but the fears of all the years are met in her tonight and every night. Age UK points out that more than 1 million old people say they go for over a month without speaking to a friend, neighbour or family member over Christmas. Many people will overeat, thousands of families will have to choose between heating and eating. The real Christmas story is about an unfair tax, a brutal dictator slaughtering innocents, a young unmarried woman giving birth in a stable and a family harshly forced into exile. All these things have been repeated in Syria in the last week alone, yet Christians dare to believe that in that story lies hope for the world. So I wish you, Mr Speaker, a merry, harmonious and hope-filled Christmas, and through you, to the Clerks, the Doorkeepers, the police, the catering staff, the cleaners and all who work with, in and for Parliament, and to our armed forces, our security services and all those who keep a watchful eye while we are merry, I say, in the words of your favourite Dickensian character, Tiny Tim, God bless us one and all.

Chris Grayling: I didn’t think he was going to finish!

I would like to update the House on progress made around the provision of security for Members. You know, Mr Speaker, that this has been a matter of considerable concern to Members in recent weeks, and I have been working along with the Chairman of Ways and Means to identify a way forward for Members. I am pleased to inform the House that the security measures available to all Members are to be standardised in a security package. The package will address MPs’ personal security offsite, including at constituency offices and security items. The Chairman of Ways and Means to identify a way forward for Members. I am pleased to inform the House that the security measures available to all Members are to be standardised in a security package. The package will address MPs’ personal security offsite, including at constituency offices and homes, and will include consideration of staff safety.

Chris Grayling: Is this a statement?

Chris Grayling: This has been raised as a concern by many Members, and it is important for us to recognise those concerns.

Many colleagues will already have adequate security arrangements, but the standardised package will provide a consistent approach and accelerate the procurement of security items. The Chairman of Ways and Means, as Chair of the Consultative Panel on Parliamentary Security, will write to colleagues today, and the Independent Parliamentary Standards Authority will be in touch with Members in the new year with details of how to access the package. I hope this will serve to allay Members’ concerns and create a system that is fair, appropriate and flexible.

This has been an eventful year. The Conservatives won the general election. Labour lost the general election. The Liberal Democrats shrank in number and I think have put on invisibility cloaks since then. There has been a slight change in the numbers on the Scottish National Benches. Then, of course, we all came back to Westminster, and you will remember, Mr Speaker, those happy early-morning sprints, as the Labour left and the SNP rushed for the best seats. But of course they do not need to do that any more, because the Labour left has moved from those seats to the Front Bench and the leadership of the Labour party. We will see in the new year whether the shadow Leader of the House, who has a proud record on these things, decides to do anything about it.

The shadow Leader of the House asked about food waste. Some 1.4 million sausages were sent to landfill in his constituency alone, so if he is talking about food waste and the need to provide extra resources for food banks, I suggest he considers starting slightly closer to home. I think the produce of Welsh farmers is first rate. I cannot imagine why anyone would want to send it to food banks at all, so perhaps he should start closer to home.

I said that the Prime Minister would be here to make a statement, and he will of course address EU issues, but it is also important that Members get to question him about, for example, progress on the Syrian peace talks, which he will be able to update people on after Christmas as well. Of course, he will answer questions about Europe, but he will also be available to address other issues, if necessary.

The shadow Leader of the House talked about jobs. At the end of the year, one of the things the Conservative party can be proudest of is the unemployment figures we saw yesterday. When I was employment Minister, more than 1.5 million people were claiming unemployment benefit and jobseeker’s allowance. That number has almost halved in the past four years. More and more people are in work and finding opportunities in this country. The legacy of unemployment we inherited from Labour has been well and truly turned around, and when it comes to Europe, I will take no lessons from the man who, a decade ago, expressed deep distress that Britain was not joining the euro.

The hon. Gentleman raised the question of food waste. I am glad to be able to announce the recess dates, and I am sure Members will want to discuss important issues, including issues about which the shadow Leader of the House asked, over Christmas and bring a bit of light into what would otherwise be a lonely life?” I hope everyone in this country has a very happy and joyful family Christmas.

Sir David Amess (Southend West) (Con): In the absence of the Christmas Adjournment debate, which would have allowed colleagues to raise urgent matters, will my
right hon. Friend find time for a debate on c2c timetable changes, which have unfortunately transformed what used to be the happy line back into the misery line once again?

Chris Grayling: On the Adjournment debate, I see in his place the Chairman of the Backbench Business Committee, and I would simply say to my hon. Friend that what has happened is quite clearly the will of the House. I understand the situation this time round, but it is the clear will of the House that we should return for at least part of the last sitting day to the traditional format. A number of Members have made representations to me about it, and I hope that we will return to it next time round. It is, of course, a loss that we will not hear the characteristically eloquent contribution from my hon. Friend. He made his point about c2c very well, and I am pretty sure that, with him on the case, if the happy line has turned into the misery line, it will soon be back to being the happy line again.

Pete Wishart (Perth and North Perthshire) (SNP): I thank the Leader of the House for announcing next year’s business, and I would like to wish you and your staff, Mr Speaker, all the best for a peaceful and merry Christmas. I extend my good wishes to the Deputy Leader of the House, who I hope has a very enjoyable time. I know that my hon. Friends in the Scottish National party would like to wish all members of staff a merry and peaceful Christmas. We all signed early-day motion 895.

[That this House respects the unrivalled professionalism, skill and commitment of all support staff employed on the House of Commons estate; acknowledges that all hon. Members receive invaluable help from the entire workforce, from doorkeeper and police officers to the library team and postal service, from catering staff to staff of the Department of Chamber and Committee Services; thanks them in particular for the generous support and warmth shown to newly-elected hon. Members in 2015; and wishes each of them a restful and peaceful Christmas and the best of everything in 2016.]

We wanted to congratulate the staff on all the work they have done to make sure that new Members here are accommodated and looked after. A merry Christmas once again to all the staff.

I am quite surprised to see so many of my hon. Friends in their places here today, because last night it was the SNP’s Christmas party. There were fine renditions of “500 Miles” and “Loch Lomond”, so I am indeed impressed to see so many of SNP colleagues at business questions today. In Perth concert hall, “Beauty and the Beast” is our annual pantomime. Looking at the Labour Benches, however, I thought “Sleeping Beauty” might have been more appropriate for them. I always like a good pantomime horse, so what about a pantomime stalking-horse from Labour colleagues as they go forward into next year?

There is growing concern in Scotland about what is happening in the debate over Europe, with UK opinion polls now showing a majority of people throughout the United Kingdom favouring a Brexit and leaving the European Union. Yet we see the Prime Minister flirting with our exit, as John Major has said, trying to renegotiate our membership terms with European leaders who could not care less. He is appearing there like Chewbacca without the fur, trying to renegotiate our membership of the European Union to European leaders who could not care less and want to see the back of him.

All recent opinion polls show that the Scottish people remain determined to stay within Europe, yet there is a real growing fear that our nation might be taken out of Europe against our will. That is totally unacceptable to us, and it would be the first time ever that a nation in the United Kingdom had been taken out of Europe against its will. During the referendum campaign, we were told that a no vote would secure our place in Europe, and that if we dared to vote yes, it would see us dragged out. So I offer the Leader of the House a solution. I am asking for a debate on a quadruple lock. If we are indeed a family of nations within the United Kingdom, one nation of this Union cannot determine the membership rights of every other nation within the UK. We have an opportunity to resolve this to make sure that no nation is taken out of Europe against its will. I ask the Leader of House to agree to that debate next year.

Yesterday’s events on fracking were simply appalling. There is an apt and appropriate Scots word for it—“sleekit”. It was a sleekit debate—there was no debate at all but a vote on fracking to desecrate the national parks of this country with the frackers. Thank goodness we have the necessary powers to ensure that our country will not be desecrated by the Tories’ fracker friends—and that is a very difficult thing to say after a good night out, Mr Speaker.

We are going into the new year and there is still no agreement about the fiscal framework, the engine that will allow the fiscal arrangements in the Scotland Bill to operate and progress properly. We need that agreement, and we need to know how the Government are approaching the matter. I assume that the Leader of the House will not consent to any sort of debate about it, but will he ensure that Treasury Ministers agree to appear before the Scottish Affairs Committee as we look into the whole issue of the fiscal framework? All that he needs to do is go to the Treasury and ensure that the necessary Ministers appear, so that we can put our points to them.

This has been some year, Mr Speaker. The real news of the year has been the emergence of my hon. Friends in the Scottish National party, which won 56 of the 59 seats in Scotland. We now have just one Conservative Member of Parliament, who barely won his seat. Let me say to you, Mr Speaker, that what you will have here is a determined, united opposition—the real opposition to the Tories. The Tories will get away with nothing for as long as SNP Members are sitting here providing that real opposition. We can no longer rely on this disunited, dispirited, forlorn Labour party; it is the Members on these Benches who will provide the opposition.

Chris Grayling: The hon. Gentleman is in his characteristically flamboyant form. Whether that is because he had an abstemious night or because he has been tasing quite a lot of single malts I do not know, but I wish him and all his colleagues a very happy festive period, and I hope that they will have a relaxing and enjoyable time.

I must say to the hon. Gentleman, however, that our nation will not be taken out of Europe against its will. His nation and my nation are the same thing. Let me remind him that if he had had his way—and he did not,
because the Scottish people voted to remain part of the United Kingdom—the Scottish Government would now be at the doors of Westminster with a begging bowl, because the collapse in the oil price would have shot their financial plans to pieces. I think that the Scottish people made an eminently sensible decision, and one that has proved remarkably prescient. Let me say again that our nation will decide our future in the European Union.

The hon. Gentleman said that fracking would desecrate some of our finest areas. That is nonsense. Fracking is a technology that has existed in the oil and gas industry for years. It has been used in oil exploration in the south-east of England, in some very attractive parts of the country, and people did not notice it for decades. I do not believe—and nor is it the Government’s intention—that taking advantage of shale gas, which is an important resource for the future, will in any way desecrate the finest areas in the country.

The hon. Gentleman asked whether a Treasury Minister would appear before the Scottish Affairs Committee. Questions to the Secretary of State for Scotland will take place during the first week after the Christmas recess, and he will be able to ask questions then. However, as the Chair of the Committee, he will know that if a Minister is asked to appear before a Select Committee, it would be almost unprecedented for the Minister to say no, so I suggest that he simply extend the invitation.

The hon. Gentleman also mentioned Scottish politics. It is true that the Scottish National party had a very good year, but it is also true that the Conservative party came within a whisker of being the second party at Westminster in Scotland. Our goal is to be the second party of Scotland at Holyrood next year, and I wish all my Conservative colleagues well for the campaigns that they will be fighting in the coming months.

Unlike the shadow Leader of the House, the hon. Gentleman dropped a “Star Wars” joke into his speech. I must say to him that, although I have yet to see its members in action, MP4 strikes me as being a class above that famous band in the bar in the movie. However, I was a little disappointed that the shadow Leader of the House did not want to tell any “Star Wars” jokes, because during the last few days a number of people have described him to me—very unfairly, in my view—as the Jar Jar Binks of the Labour party.

**Mims Davies (Eastleigh) (Con):** Season’s greetings to everyone.

International Women’s Day will be on 8 March 2016, and the theme will be “make it happen”. Will the Leader of the House offer us a chance to focus on opportunities to secure more female representation in the House of Commons—and, of course, all the other Parliaments around the world—on that day, and perhaps allow a debate on the subject shortly beforehand, or even on the day itself?

**Chris Grayling:** My hon. Friend makes an important point, and getting a much better gender balance in this House has been, should be, and will continue to be a priority. I am delighted to see a really good intake of new women Members of Parliament on both sides of the House. The House is a better place for it, and long may that continue.

On the question of International Women’s Day, there was of course a debate on International Men’s Day and I think it would be entirely appropriate if there was one on International Women’s Day. The man who will help in taking the decision on that is of course sitting opposite, the hon. Member for Gateshead (Ian Mearns), and will be noting this. The most interesting debate might be one between my hon. Friends the Members for Eastleigh (Mims Davies) and for Shipley (Philip Davies)—a combined debate, perhaps.

**Ian Mearns (Gateshead) (Lab):** On behalf of the Backbench Business Committee and its staff, may I wish everyone in the House a merry Christmas and a happy and healthy 2016?

I thank the Leader of the House for the business statement and for advance notice that we are to be allocated some time on Monday 11 January following consideration of the remaining stages of the Armed Forces Bill. Will that be protected time, as was the case a number of Mondays ago for a Backbench Business Committee debate? We were given three hours’ protected time then, and that would be useful again just in case consideration of the remaining stages of the Armed Forces Bill overruns.

May I also apologise to the hon. Member for Southend West (Sir David Amess)? The Backbench Business Committee made a decision about the allocation of time for today in good faith, based on the information provided to us at the time. I have to say to the Leader of the House that I have not been inundated with complaints from other Members about the decision we have made. I was aware of the concern of the hon. Gentleman and my colleague from Leicester, Valerie Vaz, but there are two important debates this afternoon that have a lot of support and it was on that basis that the Backbench Business Committee took this decision.

**Chris Grayling:** I am aware of the issue of protected time for the Backbench Business Committee and I will give consideration to it, but judging by the speed at which the Armed Forces Bill has made progress so far, there is, I think, consensus on both sides of the House about it, so the likelihood is that on that day the Backbench Business Committee will end up with more time, rather than less, for its debates. I will continue to review the issue, however.

May I thank the hon. Gentleman for the work he is doing? The Backbench Business Committee works well. It has provided an interesting range of topics for debate. It is not for Government to interfere, but my one request to it would be that there have always been a number of points in the calendar for debating how we deal with veterans and the armed forces, and I hope the Committee will always look to maintain that as part of its calendar.

**Several hon. Members rose—**

**Mr Speaker:** Order. I do not wish to be pedantic, but I would just add that I think the Chair of the Backbench Business Committee had the hon. Member for Walsall South (Valerie Vaz) in mind; it is in fact her little brother who represents Leicester East.
Mr David Nuttall (Bury North) (Con): The directors general of both the Royal Armouries Museum and the National Army Museum have warned that significant damage will be done to their collections of firearms, leading to the near destruction of thousands of historic guns, if the proposed changes to the EU firearms directive go ahead. May we have a statement from the Government on what they are doing to stop this happening?

Chris Grayling: We will have questions to the Foreign Secretary shortly after our return in January, but it is important, whether in this place or in Brussels, that new legislation is thought through carefully and any possible unintended consequences are planned for in advance, and dealt with and addressed. My hon. Friend has identified an issue. We understand the policy and, of course, we want dangerous firearms to be removed from Europe, but that should not be at the expense of museums. I am sure the Foreign Secretary will take careful note of what he says.

Several hon. Members rose—

Mr Speaker: Order. I call Valerie Vaz. [Interruption.] The hon. Lady is not seeking to catch my eye at this time. My mistake; I apologise. She is firmly rooted in her seat.

Vicky Foxcroft (Lewisham, Deptford) (Lab): On 6 December, my constituent, Kabba Kamara, was tragically stabbed to death while on a night out with friends and family in central London. He was a valued member of the community, the father of a three-year-old boy and a carer of his elderly grandmother. He was warm, intelligent and kind. A few weeks ago, I told the House about two other constituents who had lost their lives to youth violence and I asked the Leader of the House if we could have a debate on the matter. He dodged the question and gave no answer. Today, I ask him this again. Will he honour Kabba Kamara by allowing us time to debate serious youth violence?

Chris Grayling: Let us be clear that any knife crime is tragic. As Secretary of State for Justice, I legislated in the last Parliament—together with the former Member for Enfield North, Nick de Bois—significantly to increase and extend the penalties for carrying a knife and to create a presumption of a mandatory jail sentence for anyone caught carrying a knife for a second time, for which, to my mind, there is little excuse. I will give careful consideration to what time can be made available for such a debate, but a lot of the time that is provided in the House is now in the hands of the Backbench Business Committee, and I encourage the hon. Lady also to talk to the Committee about this.

Kit Malthouse (North West Hampshire) (Con): Given that the Lord Chancellor has announced that he is undertaking a sentencing review, does the Leader of the House think it would be sensible to find time for a general debate on sentencing, so that the Lord Chancellor can get a sense of the wishes of the House before he introduces any legislation?

Chris Grayling: There is certainly a logic in Members having a chance to express their views as the Lord Chancellor prepares his review, and I will talk to him about how that might best be made possible.

Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): Yesterday, the National Audit Office published its report on the future of acute hospitals, which showed that 181 of the 240 acute hospital trusts have been in deficit since six months into this financial year. In the autumn statement, the Chancellor unveiled extra money for NHS England, but we now know that this is likely to be swallowed up by those deficits. Given that sleight of hand by the Chancellor, will the Leader of the House ensure that either the Chancellor or the Secretary of State for Health comes to the House to explain how the Government are going to ensure that our hospitals do not close?

Chris Grayling: The reason that health service finances are under pressure is that the health service is doing more today than it has ever done before. It is treating more patients, employing more people and providing more treatment options. It is right and proper that we as a Government should continue to try to do everything we can, which is why we have provided more money for the national health service and will continue to do so. The Health Secretary will be here to answer questions on the day we return, and the hon. Lady will have the opportunity to raise her concerns again then. We take these issues very seriously, but it is because the NHS is doing more that it is facing pressures.

Andrew Rosindell (Romford) (Con): Will the Leader of the House arrange for a debate in the new year to discuss the cherished relationship between the United Kingdom and the other 15 realms of which Her Majesty the Queen is Head of State? Does he share my concern that the Government of Barbados are intending to declare the country a republic without even giving the people of Barbados the right to have a referendum and make their own choice?

Chris Grayling: My hon. Friend makes his point with customary eloquence. I would always hope and expect that constitutional change in a Commonwealth country would involve giving its people the opportunity to express a view. I commend my hon. Friend on the work that he does on Commonwealth matters. We derive enormous strength from our ties with the Commonwealth, which provide a real opportunity not only for cultural exchange but for economic development and working together.

Mr Mark Williams (Ceredigion) (LD): May we have a debate on the UK Border Agency in the new year? This affects one of my constituents in particular, community councillor Michael Affonso. He has lived in the UK for 31 years and is married to a British national, but he is still struggling to achieve permanent residency and the Home Office seems reluctant to engage with his case. Also, Mr Speaker, from west Wales, may I wish you and everyone else nodlig llawen a blwyddyn newydd dda?

Chris Grayling: We will see whether the Speaker can respond in kind. I don’t think I would be able to! The hon. Gentleman is clearly pursuing his constituency case assiduously. It is difficult for me in this position to comment on the specifics, but I will make sure that his concerns are passed on to the Home Secretary.
Mrs Sheryll Murray (South East Cornwall) (Con): Earlier this week, the European Commission imposed a draconian and premature ban on the catching of sea bass. May we have either a policy statement, as used to happen when a Fisheries Minister came back from Europe, or a debate in the new year to examine the implications of the Fisheries Council decision on the UK fishing industry? For years we used to have debates after the event and we used to have a statement from the fisheries Minister in the Chamber so that he could be questioned. Could we please have that?

Chris Grayling: My hon. Friend makes an important point, and I will discuss this with the fisheries Minister and make sure that her concerns are raised. We have a difficult balance to find; we have a duty to try to ensure that we protect fish stocks, but I do understand the implications of change for communities such as hers. I will make sure that the fisheries Minister gets in touch with her and address her concerns as soon as possible.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): The Leader of the House might know that not only is Christmas known for over-indulgence in many ways, but it is also a time when many of our constituents get out to have a wonderful walk over the holiday, often on Boxing day. He will know that many Members believe that children learn best outside the classroom, so may we have an early debate when we get back on the value of out-of-school learning? Will he and other Members join those Members of Parliament who have raised £5,000 in their constituencies to make sure that 10 schools get out into the countryside? If that involves a partnership with the John Clare Trust, we would be happy to help.

Chris Grayling: I would be delighted to find out a bit more about what the hon. Gentleman is doing. I absolutely agree with him about the need to get all of us, our families and our constituents out exercising and taking advantage of some of our beautiful countryside over the coming weeks. That is a necessity after a good Christmas dinner, and he makes an important point. What is also important is something I sought to change in the last Parliament: the unnecessary health and safety rules that put schools off taking young people out on visits. Those need to be eased, so that there is a balance between appropriate safeguards and common sense.

Neil Carmichael (Stroud) (Con): First, may I extend my best wishes to everybody for Christmas, particularly the team behind the Select Committee on Education? With Christmas in mind, can we spare a thought for the turkey as it is prepared for the oven and completely stuffed? Does the Leader of the House agree that we should have a debate on the consequences of leaving the European Union after a referendum?

Chris Grayling: That was an interesting segue. Many turkeys will be gracing our tables at Christmas time, possibly with pigs in blankets, except in the Rhondda, where the sausages are all thrown away. The consequences of leaving the European Union will be debated and discussed in the coming months, strong views will be articulated on both sides and then the people of this country will decide.

Barry Gardiner (Brent North) (Lab): The Leader of the House will be aware that one of our most eminent conservationists, Chris Patten, talked earlier this week of the 75% decline in butterfly species, saying that it was a final warning to the UK. May we have a debate on the decline in species in this country and the need to take urgent action to meet our Aichi targets?

Chris Grayling: I ought to declare a particular interest in this subject, as not only is the grayling a species of fish, but it is a species of brown butterfly. Like the hon. Gentleman, I would not wish butterflies to disappear from our country, and I share the concerns that he has raised. It is important that in this country we have a balanced policy that ensures that we protect our countryside and protect habitats, as well as providing space for agriculture. That points he makes are well made and I will make sure that they are communicated to the relevant Secretary of State, whom I am sure shares the views that he and I both do.

David Rutley (Macclesfield) (Con): As co-chair of the all-party group on mountaineering, which we think is the apex of all-party groups, I welcome the sports strategy presented by the Government today, which goes beyond traditional sport to put further focus on outdoor recreations, such as walking, cycling and mountain sports. Will my right hon. Friend consider holding a further debate to highlight the benefits of outdoor recreation, in terms of physical health, mental wellbeing and benefits to the rural economy?

Chris Grayling: My hon. Friend makes a very important point. The Government’s sports strategy sets an appropriate path for the future. Engaging younger children in sport is very important. I pay tribute to the Under-Secretary of State for Culture, Media and Sport, my hon. Friend the Member for Chatham and Aylesford (Tracey Crouch) for the work that she has done in assembling the sports strategy. I also wish her all the very best for the next few weeks. As we all know, she is expecting her first child in the new year. We wish her a successful birth and a happy time with her newly born child.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I extend my good wishes and hope that you, Mr Speaker, all the Deputy Speakers, everyone who works in the House and all MPs have a very merry Christmas and a happy new year.

During the Smith commission process, the Scottish Government argued in favour of devolving employment law, including trade union legislation. That was blocked by both the Government and the Labour party. Given that one of the two has had an epiphany and now wishes for the Scottish Parliament to have power over trade union legislation, may we have a debate on further devolution beyond the Scotland Bill?

Chris Grayling: May I simply remind the hon. Lady that there were extensive negotiations and discussions around the Smith commission? Lord Smith himself has said that we fulfilled the terms of the Smith commission. To be honest, the Scottish Parliament and the Scottish
Administration would do well to concentrate on using the powers that we are giving them rather than asking for more. So far, there is little evidence that, when we give them powers, they make use of them.

Crispin Blunt (Reigate) (Con): May we have a debate in Government time on the airport commission’s report, particularly in the light of the shambolic performance last week with the non-decision and the manner of its non-announcement to this House, to discuss the unanimous conclusions of the five commissioners that Heathrow was the right site for a new runway? Can the terms of that debate be set widely enough to include consideration of the extraordinary proposition from Gatwick that it can put five times as many passengers up the Brighton main line, particularly in the light of Southern Rail’s performance in the past week?

Let me repeat a tweet from my constituent Jonathan Freeman, managing director of a Prince of Wales charity, who was travelling to work. He wrote:

“Really @SouthernRailUK??Again??Are you on some sort of sponsored screw up?”

We realise how desperate the situation is, when he says:

“CrispinBluntMP you are our only hope!”

Mr Speaker: The situation was clearly deeply wretched. I think we are in danger of getting into the detail of the policy. As reference was made earlier to the fact that there was no statement on the day in question—on the Thursday—I should just say that it was a very regrettable state of affairs. The Secretary of State did deliver a statement on the Monday, and there can be no doubt that a Minister was going to have to appear at that Dispatch Box either to deliver a statement or to respond to an urgent question, as the Leader of the House knows. In future, rather than delivering the statement belatedly when it was going to have to be delivered, it should be delivered on time, as courtesy to the House of Commons requires.

Chris Grayling: Mr Speaker, you know that I always endeavour to ensure that announcements are made to the House. No public statements have been made by the Government about the Strathclyde review, which has now been published, and which is the subject of a statement in the Lords. There will also be a statement on it in this House, which I will deliver shortly. However, I must make the point that the Government have to deal with market sensitive information. None the less, I have noted the comments.

The phrase, “Our only hope is Crispin Blunt” is one that I have never heard before in this House. How often it is heard in future I await with interest to see. My hon. Friend makes an important point about the Brighton main line. At a time when there is discussion about reopening the line from the south coast to London via Uckfield, the truth is that the Brighton main line is already heavily congested, and those who have constituencies in and around the area will need to be persuaded about that aspiration substantially to increase the number of passengers on it.

Mr Chuka Umunna (Streatham) (Lab): To pick up on the previous question, the service that has been provided by Southern trains with Network Rail to hundreds of thousands of commuters in my constituency in London and the south-east has been an appalling joke—an absolute joke. Southern has admitted that it does not even have enough drivers or enough decent trains, which are basic requirements to provide a service. Will the Leader of the House get the Transport Secretary here to give a statement or at least to write to both the hon. Member for Reigate (Crispin Blunt) and me explaining what he is going to do to get those companies to sort their act out? They have broken promise after promise. Enough is enough.

Chris Grayling: I understand the pressures on the line that passes through the hon. Gentleman’s constituency. Those are affected by the massive investment taking place at London Bridge, which will create a much better infrastructure for the future, as well as the completion of the Thameslink service on what is now the integrated franchise. I take note of the comments of the hon. Gentleman and of my hon. Friend the Member for Reigate (Crispin Blunt) and I will make sure that the Transport Secretary is aware of them. However, in defence of at least part of the Southern service, at present on the line via Epsom the service seems to be working reasonably well.

Jeremy Lefroy (Stafford) (Con): My constituents value the right to compensation for certain flight delays of more than three hours. Unfortunately, there is one airline in particular that does not seem to abide by this—Etihad Airways, which has denied my constituent, Mr Hill, compensation for an extremely long delay caused by a connecting flight. Both flights were on Etihad Airways. May we have a debate about airlines fulfilling their obligations under European regulation EC261?

Chris Grayling: That is a legal requirement and any airline that fails to fulfil its duty under the law is subject to legal action. Although it would not be appropriate for us in this House to offer legal advice in such a situation, there are channels, such as the small claims court, available to somebody who wishes to pursue a legal claim against any organisation.

Angela Smith (Penistone and Stocksbridge) (Lab): BT’s handling of broadband infrastructure leaves a lot to be desired, and businesses in my constituency constantly complain about the service they receive. Even my constituency office has a problem. We still have no broadband and no phone connection nine weeks after moving into a brand-new building. Given BT’s constant failure to deliver in a timely fashion the broadband infrastructure this country so badly needs, may we have a debate on whether it is time to consider separating the infrastructure element and retail element of that badly failing inefficient company?

Chris Grayling: The hon. Lady makes her point eloquently. If she wants to raise the specific concern with the Department and ask it to put pressure on BT about that, and if she writes to me with the details, I will make sure that that receives attention. I also will make sure that the points she makes are passed on to the Business Department.

Bob Blackman (Harrow East) (Con): Merry Christmas, Mr Speaker.
In previous years there has always been a statement or a debate in the House on the police grant. I note on today’s Order Paper that there will be a written statement. Given that we have good news to talk about on the police grant, and that the Mayor of London announced today that the police funding will now ensure at least one police constable and one police community support officer for every ward across London, surely we should have a debate so that we can highlight the proposal from the Opposition to reduce the police grant by 10%?

Chris Grayling: My hon. Friend makes an important point. It is a sign of the way in which we have turned the economy of this country around that we have been able to take the kind of decisions that were taken in the spending review to protect police budgets. Although a written statement today sets out what is happening on that, the matter will return to the House in the new year for approval, and my hon. Friend will have the opportunity to make the important points he makes and to put the Opposition to shame over their record.

Mark Durkan (Foyle) (SDLP): I join the festive compliments, Mr Speaker, by wishing you Nollaig Shona duit, a Cheann Comhairle! Will the Leader of the House make arrangements for us to have a debate in Government time on Saudi Arabia—roles, relationships and rights, given that the Government seem to be giving ever more status and influence to that state, and given that serious questions are being raised about whether the UK is in breach of the arms trade treaty? Many of us are concerned that this is a wolf that is increasingly being dressed up in sheepdog’s clothing.

Chris Grayling: I say first to the hon. Gentleman that when one wishes people a happy and peaceful Christmas, one particularly stresses the “peaceful” part when wishing it to people in Northern Ireland. It is very much my hope that 2016 will prove to be a productive and peaceful year for Northern Ireland. With regard to Saudi Arabia, we have long had ties with Saudi Arabia. We always raise matters related to human rights with the Saudi Government when the opportunity arises—I have done so myself—but we also have important treaty relationships with that country. If the hon. Gentleman has concerns, he will have the opportunity in the new year to raise them. The Foreign Secretary will be here shortly after the return in January. Saudi Arabia is a nation with which we have a long-standing partnership.

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): I draw the House’s attention to my entry in the Register of Members’ Financial Interests. On Monday the all-party group for excellence in the built environment, which I chair, held our last evidence session on the quality of design for new housing developments. When we publish our report, which we expect will be in the spring, may we please have a debate in Government time on ensuring that we are not building the slums of the future and that we are protecting those people who are investing in new properties?

Chris Grayling: My hon. Friend makes an important point. I suspect that most of us, as constituency MPs, are contacted from time to time by constituents who have been badly let down when buying a new home. I commend him for the important work that he is doing in that area. When his guidance is published, I trust that it will recommend the provision of hedgehog super-highways in all future developments.

Mr John Spellar (Warley) (Lab): I draw the House’s attention to the excellent news that the Home Secretary has agreed to withdraw from legal action and will now lift the ban on the International Sikh Youth Federation, which is a very welcome Christmas present for the Sikh community. Will the Leader of the House urge her to lay before Parliament the necessary order as soon as possible so that it can be voted through speedily by both Houses?

Chris Grayling: I will certainly do that.

Fiona Bruce (Congleton) (Con): The Leader of the House will be aware of the Government’s consultation on proposals to regulate all after-school training environments used for six hours or more in any one week, which would cover thousands of faith and non-faith groups, such as scouts, summer camps and church youth groups, and require them to register with the Government and to be available for Ofsted inspections. Given that the consultation, which is already short, falls over the busy Christmas period, and therefore offends the Government’s own published good practice and consultation principles, will he use his influence to seek an extension of the 11 January deadline?

Chris Grayling: My hon. Friend, as always, makes an important point. She has been a great champion for these issues. I will ensure today that my office passes her request on to the office of the Secretary of State for Education.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I have been made aware that an economic impact assessment was published this week by the fisheries organisation in my constituency, indicating that there will be up to 30 job losses as a consequence of the Ministry of Defence unilaterally taking action to close fishing grounds between the mainland and the island of Raasay. May we have a debate on the MOD’s powers, particularly the need for it to conduct an economic impact assessment and recognise the wider community interest as well as the national security interest in the actions it takes?

Chris Grayling: I absolutely understand the hon. Gentleman’s point. I am not aware of the details of the situation. Given that we will not have Defence questions for some time after we return in January, I will ensure that his concerns are passed to the Ministry of Defence today and try to get an earlier response for him.

Julian Knight (Solihull) (Con): Merry Christmas, Mr Speaker.

May we have a debate on planning law so that we can discuss rejected applications for fast food takeaways in very close proximity to schools not having a right of appeal? That would have assisted local residents of Shirley in my constituency in their opposition to a KFC just yards from the entrance to a primary school.
Chris Grayling: That is a customary example of the way in which my hon. Friend has campaigned on behalf of his constituents since his election earlier this year, and I commend him for that. He makes an important point. Work is ongoing to try to make our planning system as effective and efficient as possible. Those concerns will undoubtedly be noted, as the Minister for Housing and Planning is sitting beside me on the Front Bench, and I am sure that it will be given due consideration.

Ruth Smeeth (Stoke-on-Trent North) (Lab): While we leave this place to celebrate the holidays, we must spare a thought for the hundreds of thousands of children who qualify for free school meals and who, from next week, will not have their main hot meal each day. May we have an urgent debate in Government time to discuss the impact on their lives, their health and their long-term aspirations?

Chris Grayling: The hon. Lady makes an important point. I am proud that since we took power in 2010 there has been a fall of nearly 700,000 in the number of workless households. Of course, the best way we have available to us to ease poverty and to help children is to get their families working and moving up the income scale, and that is a priority for us.

Bill Wiggin (North Herefordshire) (Con): As you know, Mr Speaker, I was appalled earlier this morning by the announcement by the Secretary of State for Environment, Food and Rural Affairs that we are no longer vaccinating badgers. May we therefore have a very long debate about the performance of DEFRA? Given that it is a charitable and generous time of year, perhaps my right hon. Friend should not be too generous, because I do not think the debate would be very complimentary?

Chris Grayling: My hon. Friend, who has been a champion of the farming community, knows full well the impact that bovine TB can have on the farming community and that it is spread by badgers. That is one of the reasons the difficult decisions that we have taken in the past two or three years have been necessary. Another consequence of the growth of the badger population is the impact on the hedgehog population, which is partly why my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colville) has been doing such sterling work in campaigning to try to raise awareness of the plight of the hedgehog.

Jim Fitzpatrick (Poplar and Limehouse) (Lab) : Next year, Seafarers UK, one of the leading, if not the leading, maritime charities in the United Kingdom will be getting ready to celebrate its centenary in 2017. May I prevail on the good offices of the Leader of the House to ask whether the Cabinet Office and/or the Department for Transport will be able to help this excellent charity prepare for this historic centenary?

Chris Grayling: I will certainly pass that request on. I think we should celebrate this. We have been a maritime nation for centuries. I would not usually pay tribute to work done by a Labour Government, but I do think that the efforts put into rebuilding the British flag merchant fleet by the former Deputy Prime Minister was a real benefit to this country.

Chris Green (Bolton West) (Con): In the third quarter of this year, turnover of small businesses in my constituency had increased by 20% over the previous year—well ahead of the national average. May we have a debate on the importance of small businesses not just to our national economy but to the future of the northern powerhouse?

Chris Grayling: I thank all the Members—I know my hon. Friend was one of them—who took part in events around small business Saturday. I know his constituency well, and I know what an important role small business plays in the area that he represents. I pay tribute to him for the work he does in championing these efforts and supporting members of his local business community; I have no doubt they will express gratitude to him for doing so.

Martyn Day (Linlithgow and East Falkirk) (SNP): I have been contacted by Ballantine Castings of Bo’ness, a local foundry in my constituency, to highlight its concerns about the severe hike in the energy costs it is facing—some 17% year on year. Can a statement be made about the progress of discussions with the European Commission in relation to further compensation for heavy industries such as the iron and steel industry?

Chris Grayling: The hon. Gentleman makes an important point. He knows that this is a matter of ongoing concern for the Government. The Secretary of State for Energy and Climate Change will be here on the Thursday after we return. I will make sure that her office is aware of his concern so that if he would like to raise it then, she will be better prepared to answer him.

Tim Loughton (East Worthing and Shoreham) (Con): In the previous session of business questions I raised with my right hon. Friend the subject of the WASPI—Women Against State Pension Inequality—campaign and the problems with the pension equalisation measures. I am glad to say that the Backbench Business Committee has granted a debate in the first week back. The campaign petition by WASPI has now exceeded 70,000 signatures, while my own podcast has now been listened to over 141,000 times. Will he make sure that the Secretary of State himself comes to respond to that debate, particularly given the comment by the former Minister for Pensions, Steve Webb, that the Government got it wrong?

Chris Grayling: My hon. Friend is clearly making very effective use of social media in his campaigning, and I commend him for that. I will make sure that his request is passed on to the Secretary of State.

Andrew Gwynne (Denton and Reddish) (Lab): The Manchester Evening News recently ran a piece highlighting premises in Greater Manchester with poor food hygiene ratings, and featured the Red Lion in Denton. Unfortunately for the Manchester Evening News, the Red Lion is under new ownership. The editor has apologised to the proprietors, but they tell me that it got the information from the gov.uk website. May we have a debate in Government time on how up to date the information on Government websites is, and whether, when information is incorrect, it can be corrected promptly?

Chris Grayling: Most importantly, before any newspaper publishes a list of people to name and shame them, it is
[Chris Grayling]

good practice to telephone them first to put it to them. If the newspaper had done that, it would have been able to be corrected. I always want and expect gov.uk to be as up to date as possible, but tracking every change of management in an organisation that has had a poor report would be impossible. It is good journalistic practice to phone up and ask for a comment and then discover that the change has happened.

Matt Warman (Boston and Skegness) (Con): The number of off-licences in my constituency has led to a rise in antisocial behaviour and street drinking. May we have a debate on what it means to be a socially responsible business in the 21st century and the cumulative impact of businesses that do not take their social responsibilities seriously?

Chris Grayling: Of course, local authorities have extensive powers, which are not always used, to deal with problem premises. However, if local planning rules are not working, the whole Department for Communities and Local Government team are now sitting on the Front Bench and I am sure they would be very happy to look at specific issues, to see whether the situation can be improved.

Tom Brake (Carshalton and Wallington) (LD): If the Leader of the House is going to get Southern, Network Rail and the Transport Secretary to write to Members on the subject of abysmal train services, may I add my name to the list of people who would like to receive those letters?

Has the Leader of the House had a request from either the Home Office or the Department for Business, Innovation and Skills to debate the Disclosure and Barring Service? I am not sure whether he is aware that the DBS has 70,000 outstanding cases at present, which is having a huge impact on people’s ability to take up jobs.

Chris Grayling: This issue has come up in some of my constituency cases in the past. I have not had any such cases recently, but it is always a matter of concern to us. We do not want people not to get jobs because the appropriate certification has not come through. I will make sure that the Home Secretary is aware of the concerns raised by the right hon. Gentleman.

Cat Smith (Lancaster and Fleetwood) (Lab): Happy Christmas, Mr Speaker. May we have a debate on the access to elected office fund, which supports disabled candidates in elections, given the Government’s decision to cut funding?

Chris Grayling: Of course, we have regular Electoral Commission questions—we have just had them—so the hon. Lady has an opportunity to raise such issues. We continue to try to provide support where we can for things that require it. In recent years, however, we have had to take some difficult decisions in order to make sure that we have stable public finances.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): Will the Leader of the House arrange for an early statement in the new year about progress towards the publication of the Chilcot report?

Chris Grayling: Sadly, that is not a matter for Government; otherwise, it would have been published a long time ago. It is entirely in the hands of Sir John, who has set out a timetable to publish the report next year. The Government, the Conservatives and, frankly, the whole House have been very clear that we want the report to be published as quickly as possible. There is absolutely no benefit or incentive for the Government to delay publication, because we were not in power at the time of the events it covers. It is in all our interests that the report is published quickly, and I hope Sir John will be able to do so as soon as possible in the new year.

Dr Rupa Huq (Ealing Central and Acton) (Lab): We all agree on the importance of the NHS and its staff, yet my constituent Sharmila Chowdhury faces Christmas jobless because, as a radiographer at Ealing hospital, she exposed the malpractice of consultants taking extra financial inducements. May we have a debate on whistleblowers in the NHS? According to the House of Commons Library, there has not been such a debate since 2009, despite the Francis review. Can the Leader of the House not be a Scrooge and at least grant us a debate or, if not, a statement?

Chris Grayling: What I can offer the hon. Lady is the Health Secretary on the first day back. She makes an important point. It is not our Government’s policy to see whistleblowers penalised. Obviously, I do not know all the details of the case she raises, but if she writes to the Secretary of State or to me, I will make sure he has the information available to him before he comes to the House on the first day back.

Chris Stephens (Glasgow South West) (SNP): Merry Christmas to you and yours, Mr Speaker. I have received a letter from a constituent—a Mr J. Marley—who confirms that a Government Minister is to receive a visit from three spirits on Christmas eve. Will the Government make a statement in the new year, having confirmed a new and munificent attitude to life, to address the many iniquitous parts of our current social security system, or are the hopes and aspirations of many merely a humbug?

Chris Grayling: If anyone received a visit from the three spirits of Christmas these days, the spirit of Christmas past would show them a country in trouble, in debt and with high unemployment, the spirit of Christmas present would show them a country moving forward, with falling unemployment and a falling deficit, and the spirit of Christmas future would show them a high-tech, exciting country, with opportunities for all.

Christian Matheson (City of Chester) (Lab): I warmly endorse the Leader of the House’s tributes to the staff of this place. Talking about them, may we have a debate on staffing in Parliament to give the Government an opportunity to explain why, at the same time as they are allowing the number and cost of special advisers to skyrocket unchecked, they are reducing by almost 20% the amount of Short money support given to opposition parties?
Chris Grayling: This Government spend more right now and will carry on spending more on Short money than on special advisers.

Alan Brown (Kilmarnock and Loudoun) (SNP): I have been contacted by a constituent, Stephen from Newmilns, who thinks Scottish National party Members are doing a great job of providing a real opposition to the Tory Government and wants us to keep asking tough questions. He would like a statement on how we can afford to fund bombs for Syria and nuclear weapons while people in this country have to use food banks. I would add that we do not want to hear any waffle about their use in Germany. How can we afford such things in this country while people are going to food banks?

Chris Grayling: Let me tell the hon. Gentleman that we are affording military support to people who, last year, rescued Yazidi refugees from Mount Sinjar. We are funding support to try to rescue a civilian population who have been through a trauma unlike any experienced almost anywhere on the planet in the past 50 years. The job or goal of our forces in Syria and Iraq is to restore peace to people wandering around the region desperately looking for a home, because we need them to be able to go back to their own homes.

Local Government Finance

11.41 am

The Secretary of State for Communities and Local Government (Greg Clark): I believe that our gloriously diverse country will prosper more if the districts, counties, towns and cities that make it up have more power. If we accept that, it follows that we must believe councils to be capable of exercising that power.

Over the past five years, councils have shown great responsibility. Given that local authorities account for a quarter of public spending, it was always going to be the case that they would have to carry their share of the burden of reducing the largest deficit in peacetime history. Not only have they done so, but public satisfaction with their services has been maintained or has improved. I especially want to thank the staff of councils most deeply involved with the recent floods: their commitment to their residents is exemplary. However, I cannot credit councils with acumen and then deny them candour. More savings need to be made as we finish the job of eliminating the remaining deficit.

I listened carefully to councils as I prepared this settlement. Councils asked for the right to spend locally what they raise locally; for help with adult social care costs; for expenditure savings that recognise what has already been achieved by local government; for recognition of the higher costs of providing services to sparsely populated rural areas; for encouragement for cost-saving innovation; for rewards for new homes; for complete transparency with regard to resource allocation; and for a move beyond one-year-at-a-time budgeting. As I will explain, this provisional settlement meets all those objectives.

Local government will be transformed by localism. In 2010, councils were 80%-dependent on central Government grants. By 2020, they will be 100%-funded by council tax, business rates and other local revenues. The retention of 100% of business rates will forge the necessary link between local business success and local civic success. To support that further, we will increase the local growth fund to £12 billion by 2021. This is a Conservative-led revolution, transforming over-centralised Britain into one of the most decentralised countries in the world. Authorities will also be able to spend 100% of capital receipts from asset sales to fund cost-saving reforms. We will publish guidance for local authorities on that matter.

The spending review set out that, based on the forecasts of the Office for Budget Responsibility, overall local government spending would be slightly higher in 2019-20 than in 2015-16. In this settlement, the core spending power for councils will also remain virtually unchanged at £44.5 billion in 2015-16 and £44.3 billion in 2019-20. In real terms, that requires savings of about 6.7% over the spending review period, compared with the 14% required at the beginning of the spending review period in 2010.

The unanimous view across local government is that the biggest cost pressure is care for our growing elderly population. In September, the county councils and the Local Government Association wrote to me, estimating that those costs would require an additional £2.9 billion by 2019-20. Some local government leaders proposed an innovation: a social care council tax precept of 2% a year, guaranteed to be spent on social care. That is
equivalent to £23 per year on an average band D home. In the spending review, the Chancellor and I agreed, and we will ensure that the precept is transparently itemised on residents’ bills.

However, we will go further. We know that for some councils, the precept will not raise enough to meet the growing costs, so we have announced a fund of £1.5 billion a year to support councils in working with their local NHS to address the pressures on care. Today, I allocate that £1.5 billion to complement the new precept, so that more goes to councils that raise least from the precept. We recognise in the distribution of resources the particular needs of councils with social care responsibilities.

Local government has asked for £2.9 billion by 2020 as a contribution to the costs of social care. In this settlement, we make up to £3.5 billion available by that year, distributed fairly towards local authorities with social care responsibilities. I applaud the maturity of local government as a whole in telling me that it accepts that this prioritisation implies that, over the next few years, those councils with social care responsibilities should have relatively more resources than those councils which do not have them. Some district councils—those with low council tax bases or those which serve the most rural areas—face particular pressures, so while this settlement maintains the core referendum threshold at 2%, the threshold for the lowest cost district councils will be £5 a year, so that they are not punished for being economical while those who have spent more in the past are allowed to spend more now.

I will increase support for the most sparsely populated rural areas by more than quadrupling the rural services delivery grant from £15.5 million this year to £65 million in 2019-2020, by which time, when 100% business rate retention has been achieved, we will be able to consider what further correction is due. I will also protect, in real terms, the £30 million funding for local flood authorities, and the £2 million for those authorities to act as statutory consultees in planning sustainable drainage systems.

The new homes bonus provides valuable funding and, as importantly, encourages house building. I can announce today that I will extend the new homes bonus indefinitely, but with some changes on which I am consulting. All savings will be retained by local government to contribute towards social care.

In a world in which only a small proportion of councils’ funding will come from central Government grant, we require transparency on the components of the financial resources available to councils. I have noted the criticism from the Public Accounts Committee and the Communities and Local Government Committee of previous inclusions of the existing better care fund and the public health grant in councils’ spending power. I will follow their advice and, henceforth, report only resources over which councils have discretion.

In addition, in all the figures in the settlement, I have chosen to underestimate the maximum resources available to councils. For example, in line with the OBR, I assume that councils will increase council tax in line with inflation, rather than the referendum threshold of 2%. I expect that, as previously, councils will increase bills by less than their full entitlement. Had I assumed the maximum figure, more than a quarter of a billion pounds extra in total resources would have been recorded as being available to councils.

The main reason councils keep liquid reserves is as a buffer against unpredictable year-to-year budgets. Local government has consistently told me, and for generations told my predecessors, that greater certainty about their income over the medium term would allow local authorities to organise more efficiently and strategically, and to put some of those safety-net reserves to more productive use.

Therefore, in this settlement, I do something that local leaders have yearned for. For the first time ever, I offer a guaranteed budget to every council that desires one and can demonstrate efficiency savings, for next year, and every year of this Parliament—a four-year budget to give certainty and confidence. It is a settlement that maintains the financial resources available to councils in 2020 at around the same level as they are today, while giving incentives for local government to make significant savings, and it directs up to £3.5 billion to care for our elderly citizens. This historic settlement does what campaigners for devolution thought they would never live to see: local councils answerable to local people, rather than to central Government, and I commend it to the House.

11.50 am

Jon Trickett (Hemsworth) (Lab): I am grateful for advance notice of the statement. That is particularly welcome given that the Secretary of State’s predecessor rarely turned up in person on these occasions, and when he did it was often with a snarl, rather than with the Secretary of State’s customary smile.

Labour Members join the Secretary of State in rightly paying tribute to local councils and all their staff. The statement contains a number of details that look welcome, and we shall return to them in due course. Sadly, however, the central message is the same as always: cuts, cuts and more cuts.

The Secretary of State admits to a cash decrease of £200 million between now and 2019-20, but he forgets to say that the additional spending pressures amount to at least £6.3 billion, according to the Local Government Association. That is the scale of the cuts that will be inflicted on our communities by this settlement. What calculation has he made of the additional cost to local government caused by inflation? What about demographic change, which means that more elderly people need support than ever before? What about the additional statutory duties that he is giving to local government? How will all that be paid for?

This settlement massively reduces the central Government grant to local government. Does the Secretary of State agree with the House of Commons Library, which has calculated that even if the central Government grant was maintained at its current level throughout this Parliament, the Government would still run an overall surplus on the revenue account of more than £4 billion a year in 2019-2020? Is it not the truth that these cuts are a political choice made in No. 11, rather than an economic necessity?

Does the right hon. Gentleman agree with his Conservative colleague, Lord Porter, chair of the LGA, who said:
“It is wrong that the services our local communities rely on will face deeper cuts than the rest of the public sector yet again and for local taxpayers to be left to pick up the bill for new government policies without any additional funding. Even if councils stopped filling in potholes, maintaining parks, closed all children’s centres, libraries, museums, leisure centres and turned off every street light, they will not have saved enough money to plug the financial black hole they face by 2020.”

The Government promised not to cut the budget for the NHS, but then they delegated public health functions to councils. Now they have cut that budget. Does the Secretary of State think that anyone is fooled when the Government act in such a way? Is it not a false economy to cut council funding for adult social care and public health? What is his estimate of the impact of those local government cuts on the NHS? Is it not obvious that if there is less care in the community and preventive health action by councils, there will inevitably be more pressure on more expensive acute provision within the NHS? Is that not the worst kind of Osbornomics? It is short-termist and tactical, rather than strategic and long term.

Does the Secretary of State accept that some of the councils facing the greatest needs in social care have the least ability to raise extra funds by levying the 2% precept? What about the northern powerhouse? Does he agree that cuts to northern local councils amount to tens of millions of pounds more than the relatively small sums that constitute the so-called powerhouse? No wonder the latest economic indicators show the north falling further behind.

The Minister mentioned council reserves, as if he thinks that councils are underspending on the revenue account and thereby building them up. What is his estimate of the quantity of the reserves earmarked by the Government for the Government’s specific objectives? What is his estimate of the amount of the reserves that are in schools’ accounts, and therefore inaccessible to councils? In any event, is it not the case that the reserves are often built up from asset sales and should not generally be used to prop up day-to-day spending?

The Secretary of State mentioned business rates. It is right that the money should be directed into town hall budgets—we welcome that—but there remains a question as to how the Government intend to make an equitable distribution of those funds. Does he accept the wise words of the Institute for Fiscal Studies:

“If you’re somewhere like Westminster, it’s easier to win from this system than if you’re somewhere like Wolverhampton?”

What estimate has he made of the distributional impact of the settlement on different councils? Does it maintain the trend of the past five years, when poorer urban councils lost out relative to more prosperous areas? Does some of his announcement not make the situation worse? The Joseph Rowntree Foundation has said that local authorities in deprived areas have seen cuts of £220 a head while more affluent areas have seen cuts of £40 a head.

Will the Secretary of State agree to look once more at the formula by which the Government distribute support to local government? He was not the author of the formula, but will he now re-examine the patent injustice in the way in which the money is distributed?

Finally, the country needs a new political and democratic settlement. A renaissance of democracy, relatively fiscally autonomous and locally accountable councils needs to be at the heart of a new settlement. The recent floods showed councils and their employees at their best. We welcome any additional funding to help with flooding, and we also welcome the multi-year funding that the right hon. Gentleman talked about—the Opposition proposed it in the Cities and Local Devolution Bill but the Government voted against it. Will he come back to the House with more details as soon as possible?

The Secretary of State pays lip service to local government renaissance, but does not announce, with top line cuts of billions of pounds invariably falling on the poorest areas, reveal that the Treasury’s heavy hand means that the Government are unlikely to deliver the renaissance that is so necessary for our country?

Greg Clark: In the spirit of Christmas, I will be charitable to the hon. Gentleman, who understandably wrote his response before hearing the statement. Far from it being a tactical settlement—that is how he put it—there could be nothing more strategic than a settlement that, for the first time ever, gives what local council leaders have long called for: the certainty of a four-year funding settlement, previously denied them, which gives them the chance to manage their affairs in exactly the way they want.

As the hon. Gentleman might have expected from our previous exchanges, during the past few months I have spent a lot of time with local government leaders, listening to them talk about the most important pressures on them and the most important concerns that they would like to see reflected. They communicated very clearly that funding adult social care was the major priority for all kinds of councils, and in this settlement we deliver the extra resources that we promised. The distribution among the authorities reflects that—something I would have thought he would give us credit for.

On the overall settlement, few authorities would even a few months ago have expected the Secretary of State for Communities and Local Government to be able to announce, in effect, a flat cash settlement for local government for the whole of the spending review period.

The hon. Gentleman mentioned reserves. The fact is that local council reserves have increased over the past five years from £13 billion to more than £22.5 billion—a 71% increase. We do not assume in the settlement that local councils will make use of them, but they have the opportunity to do so because of the four-year settlement we have granted them.

The hon. Gentleman also mentioned the head of the LGA. I have met all the leading groups in the LGA, including his Labour colleagues. Because we are the biggest party in local government the hon. Gentleman suggests that the LGA is Conservative-controlled, but I have met local government leaders of all sorts. Lord Porter regards our discussions as fruitful and thinks that this is a fair financial settlement for all types of council and addresses the concerns they have put to me during the past few years.

Let me just refer to the expectations and the advice we received from those on the Labour Front Bench. When we had the financial statement last year, the
previous shadow Secretary of State said that what councils needed was help with longer-term funding settlements so they could plan to protect services, and more devolution of power so they could work with other public services locally to get the most out of every pound of public funding, and that nowhere was that needed more than in social care. That is exactly what we deliver in this spending review settlement: prioritising social care, exactly what local government asked for; multi-year settlements, for which local government campaigned for many years; and the devolution of power to councils through the localisation of income, with councils responsible to electors and not to Whitehall.

Robert Neill (Bromley and Chislehurst) (Con): May I, too, wish you, Mr Speaker, and other Members a happy Christmas? I wish I could wish a happy Christmas to those on the Opposition Front Bench, but given that they look as flat as a soufflé that has gone off, we need not bother.

I congratulate my right hon. Friend on delivering what is, frankly, the most imaginative local government settlement I have heard in my time in the House, including those that I had to deliver myself. He has listened to local government. I particularly welcome the reflection he has made on the importance, stressed by the London Borough of Bromley and others, of the pressures on adult social care. Will he ensure that the same can-do attitude, which my local authority and all the people he talked to in the LGA have, is reflected in the health sector? Where we have co-terminosity with clinical commissioning groups, we really need the drive of local government, and the accountability of local government, to take those partnerships forward.

Greg Clark: My hon. Friend is absolutely right and characteristically self-effacing. During his time as a Minister in the Department, he made an enormous contribution to reforming and driving forward decentralisation.

I can confirm that part of the point of the money we have secured for the better care fund is that local authorities and the NHS work closely together, and to recognise that our elderly people, whether they are cared for in hospital, care homes or at home, are our joint responsibility. This provides the opportunity for councils to work together in the interests of our growing elderly population.

Mr Clive Betts (Sheffield South East) (Lab): To show there is some charity, at least on the Labour Benches, I welcome what the Secretary of State says about the ending of double-counting of the Better Care fund. On the four-year settlement, we may have disagreements about the details, but the principle is correct.

May I draw the attention of the Secretary of State to the 6% real cuts figure? According to the LGA, it does not take account of increasing demand from the growing number of elderly people, nor of the extra costs imposed on local government by specific central Government policies. I also draw his attention to two other things: the increase in the minimum wage will have a particular impact on the cost of social care, and the pension changes will have a cost in national insurance. Do the Government recognise them as new burdens? If they do not fund them as new burdens, does the right hon. Gentleman recognise there will be extra cuts to local government services that are not recognised in his statement?

Greg Clark: I am grateful to the hon. Gentleman for his comments. His Select Committee and its predecessors have long called for four-year settlements and the devolution of powers. We have made a choice, advised by local government, on a flat cash settlement over the spending review period to prioritise adult social care. That is what we have done in this settlement. As I made clear when I talked about candour at the beginning of my statement, that of course means that authorities need to continue to make savings in areas outside those for which we have provided extra funds. That is accepted and understood. We have also agreed that they should be at a lower rate than was necessary at the beginning of the previous Parliament. I think local councils will welcome that.

David Tredinnick (Bosworth) (Con): Conservative-controlled Leicestershire County Council is one of the best in the country, but its funding is the worst. I am sure the Secretary of State’s innovative statement today will be welcomed in the county, not least because it gives additional freedoms. Market Bosworth is now world-famous since the reinterment of Richard III, something my right hon. Friend can check when he goes overseas and asks anybody. The initiatives for rural areas will be very welcome. In the rural parts of my constituency, there is a feeling that they have been neglected. Will my right hon. Friend explain a little more about the social care precept of 2% and how it will affect hard-pressed Leicestershire, which has terrific difficulties in meeting its social care targets at the moment?

Greg Clark: I join my hon. Friend in welcoming Leicestershire County Council, which was one of those that made representations asking that its substantial social care costs be recognised. As a result of the settlement, by the end of the spending review period, in 2019-20, the resources available to Leicestershire will have increased by 3.5%, which will help to meet the costs he describes. I am certain that a council as well run as Leicestershire will make use of that to the great benefit of his elderly constituents.

Jack Dromey (Birmingham, Erdington) (Lab): Erdington, which is rich in talent but one of the poorest constituencies in England, lies in a city, Birmingham, suffering the biggest cuts in local government history. The consequences for the city will be serious: for children’s safety when travelling to school, with the cutting of school crossing patrols; for vulnerable families, with the end of Home-Start after 25 years; and for vulnerable and disabled people in need of social care. In my experience, the Secretary of State is a decent man, and he said today he was prepared to listen. Will he therefore agree to meet me and my Birmingham colleagues to hear the case for a fair deal for Birmingham?

Greg Clark: Of course I will. I am always delighted to meet the hon. Gentleman and his Birmingham colleagues, as well as my right hon. Friend the Member for Sutton Coldfield (Mr Mitchell) who shares his commitment to that great city. The spending review recognises the increased
costs faced by social services authorities such as Birmingham; and in recognition of those pressures, by the end of the spending review period, in 2019-20, his city will have a spending power per dwelling £200 higher than the national average.

Dr Tania Mathias (Twickenham) (Con): Mr Speaker, I wish you and everyone else in the House a very merry Christmas.

I ask the Minister not to penalise councils that are already very efficient. In the £3.5 billion made available for social care, will he please take into account Richmond upon Thames Council, which is efficient but has great needs because of the disproportionate number of over-65s living alone? Will he please meet me and council leaders to discuss next year’s budget?

Greg Clark: I think that my colleagues and I are going to be busy after Christmas meeting many hon. Members, but I am certainly happy to meet my hon. Friend. I pay tribute to the efficiency of Richmond upon Thames Borough Council. The two contributions—the proposed precept and the addition to the better care fund—will be allocated in complementary ways, which is what local government leaders across the country have recommended to us.

Mr Nicholas Brown (Newcastle upon Tyne East) (Lab): This is a highly political statement dressed up as localism. Will the Secretary of State acknowledge that the distributional effect of his proposal means that every single local authority in the north-east of England will lose out? Will the intervention he announced on social care cover children in care as well as adults?

Greg Clark: The right hon. Gentleman must have second sight to know what the impacts will be before he has looked at the figures for those particular authorities. Of course, by prioritising social care we are directing resources to authorities with responsibility for children’s social services as well as adult social services. Compared with what would have happened in the steady state, as it were, authorities such as his own in Newcastle upon Tyne will benefit.

Mrs Anne Main (St Albans) (Con): Conservative-led Hertfordshire County Council and St Albans District Council are among the most efficient councils in the country, but they face a large problem in the form of a sinkhole that is costing millions and will be an ongoing event. This is a big deal in St Albans. Will recognition be given to special events, such as the Cumbria floods, that require from councils a significant ongoing commitment to emergency repairs?

Greg Clark: I understand that every local authority has unique circumstances and faces unique pressures. Part of the responsibility of local government is to anticipate and prepare for them. In the course of the consultation on the settlement, either I or one of my ministerial colleagues would be happy to meet my hon. Friend to understand the particular circumstances of her council.

Mr David Winnick (Walsall North) (Lab): I do not know what happens in Tunbridge Wells, but let me tell the Secretary of State that in the real world of the Walsall borough hardly a week goes by without news of further cuts to essential services and facilities or of services being abolished altogether. Even the Tory leader of the council has made it known how concerned he is at the impact of these cuts on the borough. Would it not be wise to understand that in areas of deprivation and low income, it is essential for the Government to adopt a different direction of policy? Otherwise, it will certainly not be a merry Christmas or a happy new year for the people most vulnerable to the cuts.

Greg Clark: I have some news that might cheer up the hon. Gentleman—it looks as though he may need it. By 2019-20, as a result of this settlement that, as I have said, recognises the pressure on authorities with social care responsibilities, the resources available to the hon. Gentleman’s council in Walsall will have increased by 1.5%.

Nusrat Ghani (Wealden) (Con): Yesterday, together with my hon. Friend the Member for Lewes (Maria Caulfield), I met the leaders of East Sussex County Council to discuss their budget plans and priorities. They will welcome today’s announcement, especially the focus on longer-term funding and the recognition of the difficulties of rural councils. East Sussex has the highest number of 85-year-olds of any county in the country, and I believe that my Wealden constituency has the highest number in the country. Will the Secretary of State give my council further confirmation that the differing demands on local authorities in respect of adult social care will be taken into account?

Greg Clark: I know my hon. Friend’s constituency very well as she is my parliamentary neighbour. I understand that the pressures on adult social care for elderly people are significant. She will be pleased to know that by 2019-20 the resources available to East Sussex County Council will increase by 1%.

Clive Efford (Eltham) (Lab): My local authority faces cuts of £77 million next year, and as the Secretary of State has indicated, there will be precious little left to invest back into social care costs. If my council is to meet the growing demand for social care, it certainly needs to be able to ensure that extra funds are made available from the savings it can make. Is the Secretary of State confident that the funds made available will mean that people will not miss out on social care over the next five years?

Greg Clark: These are, of course, decisions for the local council. In the settlement we have prioritised councils that have social care responsibilities. In his own borough, the un-ring-fenced reserves are nearly a fifth of a billion pounds, so the council can itself make some contribution to meeting those costs.

Jason McCartney (Colne Valley) (Con): The Secretary of State is absolutely right that local councils are answerable to local people. As he is aware, there is a very lively debate going on in Yorkshire at the moment about the relative merits of a West Yorkshire model and a Greater Yorkshire model of devolution. Will my right hon. Friend update us on when he sees a deal eventually being done in Yorkshire?
Greg Clark: I am keen to see a deal in that great county. I know that discussions are at an advanced stage. I do not think it is going to be an early Christmas present for my hon. Friend, but I hope that early in the new year, the good people of Yorkshire will agree to take on the powers and resources on offer through our devolution programme.

Valerie Vaz (Walsall South) (Lab): A merry Christmas to you, Mr Speaker, and thank you for calling me earlier. I am afraid I came into the House after the start of the statement, so I did not deserve to be called in that way.

In Walsall South, libraries are closing, there is a disproportionate cut to the public health budget, and it is difficult to recruit and retain social workers. Will the Secretary of State confirm that under the settlement that he has just announced, all those services will be protected and there will be no need for further cuts in those areas?

Mr Speaker: The hon. Lady is a model of candour, whose example should be imitated by all Members.

Greg Clark: I am happy to answer the hon. Lady’s question. As I said to her hon. Friend the Member for Walsall North (Mr Winnick), the resources available to Walsall will increase by 1.5% by 2019-20. Of course, as I said in my statement, savings will continue to need to be made in other areas right across local government. It is for the councils themselves to make those decisions, but they now have the ability with the certainty of four-year budgets and a possibility of reform within those years to make those savings, to protect those services and to make sure that elderly and vulnerable people are well looked after.

Graham Stuart (Beverley and Holderness) (Con): I welcome today’s statement and the increase in the rural services delivery grant, which will increase the amount per head from around £1.10 to about £5.50, I assume. I also note that in comparison with urban authorities the gap in central Government grant will remain at £130 per head. Will the Secretary of State meet me and other colleagues to discuss the next steps beyond this to make sure that we get a fair settlement for rural and urban alike, and so determine whether rural colleagues will be able to join the Secretary of State in the Lobby in support of the settlement in February?

Greg Clark: I pay tribute to my hon. Friend, who has been a persistent and effective campaigner, drawing attention to the special costs that the most sparse rural authorities face in providing services. We have gone a long way, based on the evidence we have seen, to address those needs. I and my colleagues will be happy to meet my hon. Friend and other colleagues to discuss how it will work out in practice.

Mr Graham Allen (Nottingham North) (Lab): Does the Secretary of State accept that the paradox of the statement is exemplified by my own city council, which has had a reduction of nearly 50% in its central Government grant since 2010, yet also a massive increase in responsibilities? Pretending that adult social care can be picked up by a 2% increase in council tax is obviously nonsense. He realises, I am sure, that to resolve his dilemma, he should enable—as every other western democracy has—local authorities throughout England to retain and raise funds of their own so that they can effectively no longer be an agent of central Government. That, surely, is the difference between devolution and decentralisation.

Greg Clark: The hon. Gentleman will know more than most that simply looking at central Government grant in an age in which local councils, at their own request and following their own campaign, are increasingly in charge of their own resources, is not the right way to consider the issue. We should look at the total resources available, including the business rate revenues, in respect of which Nottingham and Nottinghamshire authorities are doing very well, rightly attracting more businesses and expanding businesses. That is a buoyant source of income for his city and his county.

Maria Caulfield (Lewes) (Con): As my hon. Friend the Member for Wealden (Nusrat Ghani) said, we met local councils yesterday and we were told that the counties of East Sussex, West Sussex and Surrey are joining together for a devolution bid, called “The three southern counties” bid. Currently the area’s contribution to the Exchequer’s revenue is second only to that of the City of London. Can the Secretary of State inform us what influence, if any, devolution bids such as “The three southern counties” bid will have on today’s funding settlement?

Greg Clark: I am grateful to my hon. Friend for her question, and I look forward to the discussions with the council leaders about the devolution deal. Today’s settlement does not include the effects of those deals. One proposal that we will consider is for the earlier retention of business rates. I am delighted that such imaginative proposals have been put forward locally.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): The Secretary of State said that he would take account of demography: the ageing population and the density of population. I also urge him to take note of the few places in the country that have an extremely young population. In Birmingham, 30% of the population is below the age of 15. When he meets the group of MPs, can we discuss how his settlement will affect the special needs of the city?

Greg Clark: Of course I will, and when we have that conversation, the right hon. Lady will make the case for Birmingham. As I have said, it is important to recognise the need to help with social care pressures, and that is what we have done in the settlement.

Bill Wiggin (North Herefordshire) (Con): I welcome this excellent statement on behalf of the people of Herefordshire, but may I ask the Secretary of State to keep a watching brief? I know that he has set four-year budgets, but each county faces specific challenges.

Greg Clark: I will certainly consider the case that my hon. Friend has made. However, one of the advantages of a four-year settlement is that local authorities can prepare for the future and manage their resources well, rather than being subject to occasional year-to-year variations in the national Government income. It gives
them a greater proof against the uncertainty that they have experienced for a long time about what is coming each year.

Karin Smyth (Bristol South) (Lab): I am pleased that the Secretary of State has noted the criticism by the Public Accounts Committee of the handling of the better care fund and the public health grant. However, a year ago the National Audit Office reported that his Department had “a limited understanding of the financial stability of local authorities”, and the position is being made worse by the complexity of devolution.

The Public Accounts Committee, of which I am a member, considered city deals, the Care Act 2014, and—as was mentioned by my hon. Friend the Member for Sheffield South East (Mr Betts)—the new burdens that are being imposed. Bristol’s people service was already £6.3 million overspent by November. What assurance can the Secretary of State give us that he is heeding the Committee’s recommendations, and that, given the various announcements about policy and cuts, he really understands and has a grip on the financial sustainability of local authorities?

Greg Clark: The hon. Lady suggests that uncertainty is a source of concern in local government. That is exactly why we heeded the calls of local government for us to provide the certainty of four-year budgets.

Mr David Burrowes (Enfield, Southgate) (Con): Enfield Council lays the blame for the cuts in adult social care provision fairly and squarely at the Government’s door. It has already consulted my constituents, and it says that the cuts will amount to some £10 million by 2018, including £900,000 of transport cuts that will affect vulnerable people. Can the Secretary of State confirm—not least to Enfield Council and my constituents—that the council will have the resources and the choice that will enable it to protect the vulnerable?

Greg Clark: We responded to what local authorities had said about the need to recognise the importance of social services. My hon. Friend’s borough council has both upper-tier and lower-tier responsibilities, and in respect of the activities that it is required to perform in order to discharge its social services responsibility, it will benefit from this allocation.

Ruth Cadbury (Brentford and Isleworth) (Lab): My best wishes for Christmas to you and all your staff, Mr Speaker.

I do not think that the Secretary of State answered the question asked by my hon. Friend the Member for Bristol South (Karin Smyth). Let me repeat, according to the National Audit Office, “The Department has a limited understanding of the financial sustainability of local authorities”. The NAO advised the Department to “look for evidence of financial stress in local authorities” to assure itself that they were able “to deliver the services they are responsible for.”

May I give the Secretary of State another opportunity to explain in detail—rather than repeating his mantra about a four-year budget—what work he did, before making his announcement, in order to understand the financial sustainability of different authorities?

Greg Clark: Every council has a statutory responsibility and a section 151 officer who is required to report, in real time, on the financial sustainability of the council. I have received no representations from a section 151 officer suggesting that a council is unviable. In recent years, the Local Government Association has been helping councils that require advice and assistance, and I expect that it will wish to go on doing so.

Martin Vickers (Cleethorpes) (Con): The Secretary of State is shortly to visit my constituency to discuss generation in the local economy. Will he expand a little on how the settlement will help local authorities in that regard? The other major challenge facing my authority is adult social care. When he visits the constituency, will he also discuss that with council leaders?

Greg Clark: I will indeed. My hon. Friend is a long-time campaigner for more independence and autonomy in local government. I know that his council will welcome the certainty of a four-year budget, and I shall be happy to meet its representatives when I visit his constituency again.

Mr Chuka Umunna (Streatham) (Lab): Whatever the Secretary of State says about available resources and reserves, he should be in no doubt that, in Lambeth and elsewhere, the reduction in central Government grant has led to, and will continue to lead to, cuts in front-line services. It is important that those who object to those cuts, and who demonstrate against them peacefully, protest not about our Labour councillors who have been forced to make the cuts, but about this Tory Government. Protesters should not be doing the Government’s dirty work by misattributing blame.

May I ask the Secretary of State how he expects my borough of Lambeth to carry on providing basic services when the Government have cut its budget by 50% since 2010?

Greg Clark: I think the hon. Gentleman’s local residents will be relieved that a Labour Government were not returned after the general election, not least because it was the Labour party’s stated commitment to cut local government funding. As for Lambeth, we have, against all expectations, been able to protect the resources available to the council so that it can make decisions that will help vulnerable residents, as I know it will wish to do.

Bob Blackman (Harrow East) (Con): I commend my right hon. Friend’s wise decision to heed the recommendations of the Select Committee on Communities and Local Government. I trust that that will continue into 2016 and beyond.

My right hon. Friend will be aware of concern about the fact that councils are increasing charges for monopoly services above the rate of inflation. What action is he taking to ensure that residents are not overcharged for services that they cannot obtain anywhere else?

Greg Clark: I entirely agree with my hon. Friend. When councils charge for services, the general principle should be cost recovery and no more. I would expect
councils then to become more efficient and to pass on their efficiency savings to their residents, as they ought to do.

Mr Iain Wright (Hartlepool) (Lab): Hartlepool Borough Council’s grant has been reduced by 40% over the past five years. That equates to a cut in spending power of £313 per Hartlepool resident, which is twice the national average. In addition, the council has lost — this year, and in recurring years — £3.9 million from the business rates of the nuclear power station, which previously equated to a quarter of all business rates collected in the town. The council had no say, no power and no influence in regard to that decision, which makes a mockery of the Secretary of State’s claim in his statement that retaining 100% of business rates would “forge the necessary link between local business success and local civic success.”

Given the real threats to the provision of local services, and the somewhat distinctive nature of the local economy and the business rates base, will the Secretary of State acknowledge that Hartlepool faces a real problem, and will he agree to meet me and discuss ways of mitigating the massive pressure on the council’s budgets?

Greg Clark: Of course I recognise that in particular instances — such as the nuclear power station that the hon. Gentleman mentioned — there is a very specific impact, and I shall be happy to meet him to discuss that. However, as Chairman of the Business, Innovation and Skills Committee, he will know that businesses have long called for a closer connection between councils and the businesses in their areas. The 100% retention of business rates will create an unbreakable link between the success of businesses and councils, and I would expect the hon. Gentleman to welcome that in his capacity as Chairman of the Committee.

Kevin Foster (Torbay) (Con): Coastal communities such as Torbay, which has both an ageing and a younger population, face a range of unique challenges. How will the settlement deal with the needs of such communities?

Greg Clark: My hon. Friend has made a good point in drawing attention to the fact that coastal communities such as his contain a high proportion of elderly people, and often require child social services as well. The settlement will direct funds to authorities such as his for the needs of such communities.

Mr David Nuttall (Bury North) (Con): Does the Secretary of State agree that the ongoing need to control costs means it is more important than ever for local councils to look at innovative ways of combining back-office functions across local authority boundaries?

Greg Clark: I agree with my hon. Friend and, as I have said throughout the statement, prioritising social care means savings do need to be made in other parts of councils’ operations. An excellent way to do that is to combine councils’ administrative services that cross borders.

Mr John Spellar (Warley) (Lab): May I put it to the Secretary of State, the Member for Tunbridge Wells, that while the Government talk about the revival of our great cities of the north and midlands, this statement follows the long-standing policy of discrimination against the metropolitan boroughs, with disproportionate cuts not only to local council budgets, but to police and fire services as well? Will he now answer the question posed by the Opposition spokesman as to how he will deal with the dramatically different income levels from the business rate to boroughs, especially those in central London compared with the rest?

Greg Clark: I would have thought the right hon. Gentleman would have taken the opportunity of being here today to applaud the success of the west midlands. It has agreed a devolution deal that will bring £1 billion of extra resources into his area. On the 100% business rate retention, of course that needs to recognise that some places will need to contribute to others. That is well understood and during the months ahead we will be working with local government to find the best way to address that requirement. That is not part of this settlement because that comes in from 2019-20.

Tim Loughton (East Worthing and Shoreham) (Con): I applaud the certainty of long-term budgeting that the Secretary of State has brought in, but what is not certain is how the 2% precept for elderly social care will stretch for areas with very high very elderly populations such as mine. Some 4.6% of the population of Worthing is over the age of 85; they live a long time in Worthing, thank goodness. What consideration has he given to those additional costs on social care for the very elderly?

Greg Clark: I understand the point my hon. Friend makes. In moving money within the system to authorities with social care responsibilities, we have taken account of the pressures. I am sure he will want to meet me and my colleagues to talk about the particular circumstances of Worthing. West Sussex as a whole has the responsibility
for this, and I can tell my hon. Friend that its funding will increase by 2.9% by 2019-20, which will provide a big help in meeting these costs.

Andrew Gwynne (Denton and Reddish) (Lab): The full integration of health and social care in Tameside has already led to £30 million of recurring savings being identified, but that still leaves £40 million to go through other efficiencies. The Chancellor’s social care levy on the council tax only raises £1.4 million because of the lower council tax base, against a social care shortfall of £16 million. So how much of that extra money announced today will Tameside receive—not as a percentage, but in real cash terms—and how much of that £16 million social care gap does the Secretary of State anticipate will be filled?

Greg Clark: What I can tell the hon. Gentleman is that the allocation of the better care fund is done in a way that is complementary to the 2%, to recognise the particular pressures in authorities such as his. The answer to his question is that the package for adult social care, including both elements, will add almost £16 million to Tameside by 2019-20.

Marcus Fysh (Yeovil) (Con): Somerset County Council, of which I am a member, has faced significant challenges over the last few years both on account of the fact that it is a rural council, which means it has not had as much money as some of the urban ones, and because it has had to deal with nearly £400 million-worth of debt, which the previous Liberal Democrat administration had run up. Will my right hon. Friend meet me and the council leaders to help to welcome this, and also to talk about how things will work for Somerset in practice over the next four years?

Greg Clark: I and my team stand ready to meet colleagues to discuss local circumstances. I can tell my hon. Friend that as a result of this settlement Somerset will receive an increase in its spending power of 4% by 2019-20, which I know will be a big help.

Christian Matheson (City of Chester) (Lab): Cheshire West and Chester Council’s budget is being cut by central Government by £47 million. I hope the Secretary of State is clear that when local services are scrapped or cut, responsibility for that will lie squarely at the feet of himself and the Chancellor.

May I ask the Secretary of State about the new homes bonus grant, particularly in the light of his longer-term and four-year budgetary proposals? I understand that when it was first introduced, payments were to be made to councils for six years, and councils have planned their income on that basis. We understand now that payments might be made for only four years, which will of course restrict the ability of councils to respond to that grant. Will the Secretary of State clarify the situation?

Greg Clark: If the hon. Gentleman believes councils should be in charge of their own destiny and count on their own resources, he will need to understand that we are moving into a world in which councils are financed locally, not centrally. He will want, I am sure, to discuss with his council how it is going to make spending decisions.

On the new homes bonus, the good news for councils across the country is that we are continuing that very successful policy. We are consulting on some possible changes, and one option is to reduce the period from six years to four for new developments. Councils will continue to receive the funding that they have expected for developments they have approved. If we do go with that option, the funds that are released will be invested in social care.

Matt Warman (Boston and Skegness) (Con): The people of Lincolnshire will particularly welcome increased funding for rural, sparsely populated areas, but may I ask the Secretary to State to continue—he has done this previously—to bear in mind that in areas such as Fenside in Boston and Skegness there is also genuine deprivation? Can he tell us a little more about what he will be able to do for those areas of deprivation through means such as the attendance allowance?

Greg Clark: One of the things we will be doing over the years ahead is looking at what services and responsibilities can be devolved to local councils, recognising the fact that if we are going to devolve 100% of business rates, it is an opportunity to devolve some functions that have previously been in central Government. Attendance allowance has been suggested, and we will consult on that, alongside other services that could potentially be in the hands of local councils.

Stephen Pound (Ealing North) (Lab): I congratulate the Secretary of State on the appointment of his Parliamentary Private Secretary, the hon. Member for Burton (Andrew Griffiths), who has demonstrated the most remarkable level of assiduity this afternoon, ripping off crib sheets on every single constituency—and let me just say, for the sake of clarity, Ealing. [Interruption.] And here it is! But my question is not about Ealing—we have suffered enough. My question is about the new homes bonus, which has not been markedly successful. The Secretary of State has announced that he is extending it indefinitely, but at the same time he says he is consulting. Why is he extending before the consultation period finishes, what form will the consultation take, and how will he report it to the House?

Greg Clark: I am very disappointed that the hon. Gentleman has not asked me about Ealing, as I now have lots of information about Ealing that I could have shared with him. Perhaps I will give it to him at another time. The answer to his question on the new homes bonus is very simple: we are going to continue it, but in doing so, there will be different options as to how it might work. That is what we are consulting on, and we will publish the consultation. I am sure that the Select Committee will want to give its advice, as will other hon. Members.

Julian Knight (Solihull) (Con): In Solihull, we have an average age of 43 compared with a UK average of 39. We have an ageing population, so the focus on adult social care is particularly welcome for my constituency. Can my right hon. Friend tell the House what specific discussions he is having with local government on the funding of adult social care? What assurances can he
[Julian Knight]

give us about councils not using up the £22 billion of reserves, bearing in mind that it is six weeks’ worth of cash?

Greg Clark: In the case of Solihull, there will be £12 million available from the social care package for it to use. The great advantage of a four-year settlement is that reserves can be used to smooth the transition over the spending review period with the certainty and confidence that comes from knowing what the budgets are going to be for each of those years.

Mr Dennis Skinner (Bolsover) (Lab): In the hour since the Secretary of State got to his feet, he has not once acknowledged that this statement today is set against a background of Derbyshire, for example, having a 40% cut in its grant a few years ago. It has still not recovered from that £157 million cut. That is what he does not recognise. And I will tell him something else, in a question. Does he understand that this is like a Budget statement made by his pal Osborne, of the northern poorhouse variety? It is going to unravel as it goes along. The Minister had better glory in these few moments because by tomorrow, and certainly by next week when the detail is out, people will realise that it is nothing but another Tory con.

Greg Clark: The hon. Gentleman is characteristically churlish. If he had listened to my statement, he would have heard me pay tribute to the savings that councils have made, and of course they had to make them because we had the biggest deficit in peacetime history bequeathed to us by the party of which he is a member. What we are doing in this settlement is providing extra resources to meet the pressures on social services that have been identified. In the case of Derbyshire, that includes an increase of nearly £50 million in funding for adult social care from the package announced in the spending review.

12.43 pm

The Leader of the House of Commons (Chris Grayling): With permission, Mr Speaker, I will make a statement on Lord Strathclyde’s review. The Government have today published “Strathclyde Review: Secondary legislation and the primacy of the House of Commons”. On behalf of the House, I should like to thank Lord Strathclyde for his work.

The Prime Minister invited Lord Strathclyde to undertake this review after constitutional questions were raised about the primacy of this elected House of Commons. There is a balance to be struck between the interests of proper parliamentary scrutiny and the certainty that Government business can be conducted in a reasonable manner and time. The House of Lords is a revising Chamber with an important core purpose: to complement the House of Commons and, in doing so, give the public confidence in what Parliament decides. On primary legislation, it can fulfil this purpose by asking the House of Commons to think again, through the process known as ping-pong. But ultimately, with the backstop of the Parliament Acts, the will of the elected House can prevail.

That is not the case for secondary legislation, in relation to which the House of Lords can only approve or withhold its approval. Given this, Lord Strathclyde was asked whether there was a better way to handle secondary legislation that would give the elected House of Commons the decisive say. He consulted parliamentarians in both Houses and from across the political spectrum in the course of the review.

In his report, Lord Strathclyde has outlined three options to provide the House of Commons with that decisive vote. Option 1 would remove the House of Lords from the statutory instrument procedure altogether. Option 2 would retain the present role of the House of Lords but clarify the restrictions on how its powers to withhold approval or to annul should be exercised. Option 3 would create a new procedure in statute. That is a compromise option that would provide the House of Lords with the ability to ask the House of Commons to think again but would give the final say to the House of Commons. This would be achieved by allowing the Commons to override a vote by the House of Lords to reject a statutory instrument. Lord Strathclyde has recommended the third option. He also recommended that the Government, with the involvement of the Procedure Committee, should review the circumstances in which statutory instrument powers should be subject to Commons-only procedures, especially on financial matters, and that the Government should ensure the appropriate use of primary and secondary legislation.

The Government will need to consider Lord Strathclyde’s review and his recommendations carefully, and we will respond fully when we have done so. Clearly there will be views in both Houses as to the best way forward, and we will want to listen to those views as we decide on our preferred approach. We have begun doing so today by making oral statements in both Houses.

We are very clear that all Governments require, and indeed benefit from, a strong Parliament holding them to account and providing scrutiny. As Lord Strathclyde’s report highlights, the House of Lords has long played
its scrutiny role effectively. It provides that scrutiny and challenge, but we also think it important that the elected House should be able to have the decisive say on secondary legislation as well as on primary legislation. Such a balance will allow the other House to deliver its core purpose more effectively. We will therefore study Lord Strathclyde’s review in detail and respond fully next year. I commend this statement to the House.

12.46 pm

Chris Bryant (Rhondda) (Lab): I am grateful to the Leader of the House for giving me advance notice of his statement, which I received in exemplary fashion before 10 o’clock this morning.

I am afraid that this has all the hallmarks of government by fit of pique. The Leader of the House says that the review was set up “after constitutional questions were raised about the primacy of this elected House of Commons”. What utter tosh! The only people who were raising constitutional questions were the Prime Minister, the Chancellor and the Leader of the House himself, who were stamping their little feet because they had not got their way. There were protests, yes, but people were not protesting against the Lords. They were protesting against the Government’s miserly attempt to cut working tax credits. The truth is that this is payback time. It has absolutely nothing to do with principle. Maybe the Leader of the House is still smarting from losing more votes in the House of Lords as a Minister than any other Minister in the last Parliament—24 in all, or a quarter of the total number of lost votes.

The most astonishing thing, however, is how Lord Strathclyde has done an about-turn. In 1999, when in opposition, he said of the convention that the House of Lords did not strike down statutory instruments:

“I declare this convention dead.”

But now he wants to resurrect it. There’s a word for that. Between 2001 and 2010, when Lord Strathclyde was Leader of the Opposition in the House of Lords, he led his colleagues through the Division Lobby to defeat the Labour Government 390 times, including once on a fatal motion on a statutory instrument. Now he thinks that that is a disgraceful way to behave. There’s a word for that.

This was meant to be all about the financial privilege of the House of Commons, but can the Leader of the House confirm that the review makes no distinction whatever between secondary legislation where financial privilege is concerned and any other form of secondary legislation? In essence, the Government are seeking to stop the Lords having any right to oppose any secondary legislation, whatever they might put through in it.

Does the Leader of the House accept that the other problem with secondary legislation is that because it is unamendable, each House is simply asked to say aye or no, content or not content? So ping-pong does not make any kind of sense. The report does not make sense, either. It seems to imagine a statutory instrument being sent back to the Commons, but the two Houses have completely distinct processes for deciding on secondary legislation. Every piece of secondary legislation that is now advanced depends on a parent Act. Each of them specifies whether the regulations shall be subject to the affirmative or negative decision process and whether there has to be a vote in one or both Houses before coming into force. Are the Government really intending retrospective amendment of each one of these Acts of Parliament? There is a simple answer to this problem: use less secondary legislation and only use secondary legislation for non-contentious matters—do not use it for significant matters that dramatically affect households in this country.

The House of Lords is far from perfect—the Prime Minister has packed it with 240 new Members, doing so faster than any Prime Minister in history—but surely it would be wrong to deal with aspects of the powers and the role of the Lords without considering its composition. Is it not time we had a constitutional convention and proper, thoroughgoing reform? There is a pattern here: the Government have changed the voting rights in this House; they have curtailed the rights of trade unions and voluntary organisations to campaign; they have made it more difficult for the poor and the young to register; and today we learn that they have increased the number of Conservative special advisers from 74 to 96, costing an additional £1.6 million a year, even as they want to cut the support for Opposition scrutiny of this Government by 20%. Where there is dissent, they crush it. Where a body opposes them, they neuter it. That is not a Conservative Government; respectful of the constitution, dutiful in their dealings with their opponents, cautious in advancing radical change and determined to govern for the whole nation. It is not a Conservative Government; in the words of one of their former leaders, Disraeli, it is an “organised hypocrisy”.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Gentleman knows that I will not allow him to use that word that he has just used—the very last one.

Chris Bryant: Those were words used by Disraeli in this House. I am not maintaining that any Member has acted hypocritically, but I am saying that this set of proposals is an organised hypocrisy.

Madam Deputy Speaker: I accept what the hon. Gentleman is saying, but the fact that Disraeli was also wrong does not make him right. I am sure he will find a better way of putting that last sentence he used.

Chris Bryant: Well, Madam Deputy Speaker, what word would you use for it? Let me make it absolutely clear that I am not imputing any sense of dishonourableness to any hon. Member of this House or any other House, but I am saying that the Government are trying to get something through the back door and that that is not fundamentally, for the Government, an honest way of behaving.

Madam Deputy Speaker: I accept that the hon. Gentleman is not impugning any Member of this House, so for the moment I will let him away with it.

Chris Grayling: It does not feel as though we are trying to move anything through the back door, given that I am standing in front of the House making a statement and setting out a report that has been prepared with a number of options for the Government to consider and undoubtedly for this House to debate before any legislative change could happen—if legislative change
were to be adopted as a result of this report. There is a degree of faux outrage from the other side on this matter.

Let us be clear about what happens. This House has an elected mandate, unlike the House of Lords. Our majority Government have a democratic mandate to implement our manifesto, and that is what we have sought to do. The conventions that have guided the relationship between the House of Lords and the House of Commons have existed for a very long time, and they have indeed broken down over many years. The Government’s view is that it is time to re-establish a framework for the relationship between the two Houses which reflects the fact that this is the elected House of Commons. That is the purpose of the report, and it sets out three options for all of us to consider. Of course it makes specific reference to the issue of financial matters. The Commons has had primacy over financial matters for centuries; there are already Commons-only statutory instruments on financial matters. What occurred this autumn was the first time that a financial matter that had come before the House of Lords had been rejected—it was the first time a fatal motion had been used. Over the previous decades there had been hardly any fatal motions on SIs. On reading this report—I again thank Lord Strathclyde for his work—it is my view that in many respects it gives the Lords a clearer and broader role in the consideration of secondary legislation, while also making it clear that ultimately the democratically elected Chamber has to have the final say.

When the shadow Leader of the House talks about using less secondary legislation and about the composition of the House of Lords, I simply look back to my first few years in this House, and indeed yours, Madam Deputy Speaker, given that you were first elected in 1997, and I can say that I have no memory of a shortage of SIs being brought forward under the Labour Governments. I also have no memory of a shortage of appointments by Tony Blair of his friends and cronies to the House of Lords over an extended period, so I will take no lessons from Labour Members.

Mr Bernard Jenkin (Harwich and North Essex) (Con): May I welcome my right hon. Friend Strathclyde for his report? The Government could not have chosen a safer pair of hands for such an inquiry, and of course it does avoid the whole issue of the composition and other aspects of the House of Lords. Perhaps that is timely and convenient, but we will have to address those things.

May I welcome the proposal for dealing with this by primary legislation? The Public Administration and Constitutional Affairs Committee will wish to look at this, just as the Procedure Committee will. We have some questions. How often will this procedure be used? What kind of behaviour of the two Houses will we adopt? Would it be justified in using this procedure to deal with particular SIs that amend primary legislation through the so-called Henry VIII clauses? Would it be right to be able to use what one might call a “ding-dong” procedure, as opposed to a ping-pong procedure, simply to force through amendment to primary legislation in this way? I assure my right hon. Friend that we will be looking at these matters in great detail.

Chris Grayling: I am grateful to my hon. Friend for his comments about the report and the work done by Lord Strathclyde. I would expect nothing less of my hon. Friend’s Committee or of the Procedure Committee than the approach he has set out—both will want to express views on this. In Lord Strathclyde’s comments about financial matters, he expressly makes reference to the need to work with the Committees of the House of Commons to do these things. I look forward to seeing my hon. Friend’s work on this subject, as debate and discussion will be an important part of shaping a better relationship between the two Houses.

Pete Wishart (Perth and North Perthshire) (SNP): May I thank the Leader of the House for early sight of his statement? Rarely has there been a review of such pointlessness, with such a pre-arranged outcome, as this endeavour in absolute uselessness. In the battle of blue verses ermine there was only ever going to be one victor, and it was not going to be our unelected friends down the corridor. The House of Lords as the be-ermined tribunes of the people was always an unlikely concept, but this Government have decided that they will never allow themselves to be embarrassed by the Lords again.

I quite like option 1. I like it up to a certain part, as it says it would “remove the House of Lords”.

Why could we not just leave it at that and get on with it? Let us be frank: the House of Lords is perhaps the most absurd, ridiculous legislature anywhere in the world. Stuffed full of unelected cronies, party donors, hereditaries and Church of England bishops, and with its 800 Members, it is becoming a national embarrassment. The only thing I can take comfort from in this statement is the fact that we may be starting to get rid of the whole ridiculous circus. We are poorly served with an unelected House whose rules a Government can simply change when it does not do their bidding, just because they can and because that place is accountable to absolutely nobody. Let us work together, and if we need to retain a secondary Chamber, let us make sure it is one equipped for the 21st century, not the 16th.

Chris Grayling: The hon. Gentleman talked about pre-arranged outcomes, but I think I could have written his speech in advance by anticipating what he had to say. He spoke with his customary flowing prose, talking about a pre-arranged outcome for the review. He knows Lord Strathclyde well enough to know that he is the last person to be given a script and then told to write a review around it and publish it. He has done a lot of work, he has talked to a lot of people and he has thought about it carefully. I understand the Scottish National party’s position of not wanting the House of Lords, but it is here and it is not about to disappear. It makes good sense for us to make sure that the relationships and workings between the two Houses are well structured and appropriate, and that is what we intend to do.

Iain Stewart (Milton Keynes South) (Con): I also welcome my right hon. Friend’s statement. I wonder whether the views of the Opposition would be somewhat different if the other place had blocked a left-wing financial measure, rather than the measure that was introduced. May I urge him to give serious consideration to option 1? I suspect that my motives in that regard are
different from those of the hon. Member for Perth and North Perthshire (Pete Wishart). The advantage of that option is its simplicity and clarity, and I fear that the other two options, although they would be an improvement, would still be open to different interpretations, as with the current convention.

Chris Grayling: I heard the shadow Leader of the House say that what took place has happened to a Labour Government many times. This of course was the first time that a financial measure has been blocked in the way that it was in the House of Lords. Although my hon. Friend and the hon. Member for Perth and North Perthshire (Pete Wishart) share the same accent, I suspect that they do not share the same view for quite the same reasons. I take on board what my hon. Friend says. We will have to consider all three options very carefully, and we will bring forward our proposals in due course. None the less, I note the point that he makes.

Mr Graham Allen (Nottingham North) (Lab): It is a pleasure to be in the Chamber today for the First Reading of the Punishment of the Tax Credit Whistleblowers (Lords) Bill. I fully support what you said, Madam Deputy Speaker, in taking to task the shadow Leader of the House when he used the words, “disorganised hypocrisy.” [Interruption.] I meant organised hypocrisy. I have never seen anything more disorganised—other than me trying to make a joke out of it.

Once again, we have crisis management and firefighting instead of a clear strategy on what the Government want to do on democracy and constitutional change. We are in the middle of great change with English votes for English laws, Scottish devolution and the mess around English devolution, and the Government do not quite know what to do, so they are doing it bit by bit. I urge the Leader of the House to bite the bullet and create a constitutional or citizens’ convention that can look in the round at all those issues together—whether they involve the composition of the Lords and how they affect federalism in the United Kingdom and English devolution—and take a strategic view, rather than having this constant piecemeal firefighting.

Chris Grayling: I will not use any words to describe the views of the Opposition party, but given that, after 13 years of Labour, I was left with the clear impression that what it did was to take our constitutional arrangements and throw them up in the air with no idea of how they would land, it is a bit ripe to talk about our having a piecemeal approach to constitutional affairs. What we are trying to do is to sort out some of the mess that was left behind and to put back some stability into our constitutional arrangements, and this is a part of doing that.

Dr Andrew Morrison (South West Wiltshire) (Con): Whatever happens to the Lord Strathclyde’s workman-like review, all of us who believe in democracy will have to agree with his conclusions. Does my right hon. Friend agree that, since we are in the business of quoting literary and political figures, it is important that we should at least try to see ourselves as others see us? Democracies, especially nascent democracies across the world, look somewhat aghast at some of the more archaic features of our constitutional arrangements.

Chris Grayling: There is always a case for modernisation in a parliamentary or constitutional process, and that should continue to be the case. None the less, the long-standing traditions of this House and of our constitutional arrangements provide a bedrock to how this country is governed and how this country works, which makes it admired around the world, and it should continue to be so.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I am afraid that, yet again, when we need comprehensive review and reform, the Government are offering us piecemeal change. I deeply regret how this matter has been brought forward. The Leader of the House speaks of this as if it is something for the Government alone. It is not; this concerns Parliament as a whole. If change is to be required, it must be owned by Parliament as a whole. This matter was last dealt with in 2006 in a Joint Committee report on recommendations. The Leader of the House threatens to drive a coach and horses through that. If he is to achieve anything, he will need to reconstitute some sort of Joint Committee between this House and the other place; otherwise all his efforts will come to naught.

Chris Grayling: I am not trying to drive anything through this House. We are considering a report that has been produced by a senior and respected member of the House of Lords with an expert panel that is drawn from some of the most experienced past officials of this House—people who have great knowledge of parliamentary process. He has brought forward a series of recommendations for us to consider, which we will duly do. Those recommendations will be discussed again in this House when the Government make clear their own view about which option to take. It seems that that is an entirely right and proper way to do this.

Tim Loughton (East Worthing and Shoreham) (Con): This latest constitutional skirmish is just another symptom of a second Chamber that is far too large and that lacks a democratic mandate. Will the Leader of the House say when in this Parliament he will bring forward substantive reforms to make that Chamber democratically accountable with clearly defined powers vis-à-vis this House?

Chris Grayling: The reason I have not in the past supported an elected House of Lords is that it would create significant constitutional problems for this House. This matter has been considered three times since I was first elected in 2001. This House has not yet reached a clear view. What we do have in the House of Lords is an enormous wealth of expertise that adds to the value of our democratic process. I absolutely accept what my hon. Friend says about some of the issues and challenges around the structure and nature of the House of Lords at the moment. Right now, the best people to make proposals about how to address those are the Lords themselves, and I know that there is a move for them to do that.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): Madam Deputy Speaker, may I wish you a happy new year and a merry Christmas?

It is a fine review, except that it is into the wrong thing. Would it not have saved the Leader of the House a lot of trouble if his Ministers had gone on a weekend
course on when it is appropriate to use primary legislation and when it is appropriate to use secondary legislation? That would have saved us a lot of effort.

**Chris Grayling:** I can only repeat what I said earlier: Governments use primary and secondary legislation. When the right hon. Lady’s party was in power, we were deluged with secondary legislation. I suspect that Governments in future will continue to use such legislation on a widespread basis. We will do so now—if some of these recommendations are enacted—in a more structured and balanced way between the two Houses.

**Martin Vickers** (Cleethorpes) (Con): I echo the words of other Members who have spoken and urge my right hon. Friend to move forward with a fundamental change to the upper House, rather than tinker at the edges. Can we please think again on how we can move forward towards a mainly elected upper House?

**Chris Grayling:** I do not imagine that we have heard the last of this debate, but when it comes to enacting our manifesto and the measures in the spending review, our legislative priority is to do things that will make a real difference to the country. That is what the country expected of us when it elected us in May.

**Mr David Winnick** (Walsall North) (Lab): Is the Leader of the House aware that people will recognise this as one big sulk, because of the decision taken by the House of Lords on tax credits? The Lords were right, and they were sustained in their decision by Members on the Opposition Benches, by public opinion and even by Members on the Government side. That is why this nonsense has come before us today.

**Chris Grayling:** The reason this matter has come before us today is that, by general acknowledgement, the conventions that have existed for a long time between the House of Lords and the House of Commons have somewhat broken down. It is time to sort that out and to put in place arrangements that give certainty and continuity for the future.

**Marcus Fysh** (Yeovil) (Con): As a new Member of this House, I must say that I find the other place a completely ridiculous anachronism. The people of Somerset are very confused as to why it should have any power at all in this place. I would rather see a much more wide-ranging review of what is going on with it. To limit our powers to countermand it to financial matters with regard to statutory instruments is too narrow. In my constituency, we have one elected Member of this Parliament, which is me, and three appointed residents, all of whom are Liberal Democrats with no mandate whatsoever, claiming £900 a day to be there. It is a purely political House now, and it is completely unacceptable that its Members do not need to be elected.

**Chris Grayling:** My hon. Friend expresses a sincerely held view and one which I know is shared by many in the House. The matter has been debated on many occasions. Right now, the important thing is to ensure that he has the final say. As a result of what is set out in the Strathclyde review, we will return to a situation in which he does indeed have that final say as the elected representative of his constituency.

**Patrick Grady** (Glasgow North) (SNP): As people have been wishing the occupant of the Chair a happy Christmas, having been at the Star Wars movie last night I feel I should say, “May the force be with you.” Having watched the dark lords of the Sith at their nefarious business—I am not referring to the other place amending the Scotland Bill—may I ask the Leader of the House what impact the procedure that he is introducing today will have on the procedures for English votes for English laws that were introduced recently in this House?

**Chris Grayling:** If the hon. Gentleman went to both the Star Wars movie last night and the Scottish National party’s Christmas party, he is doing well to be here today. That is perhaps why he has a glass of water in his hand. The proposals will not change the EVEL procedures. If a matter is an English-only statutory instrument, it will be passed in the ways described in the EVEL process. What will change is not the process for EVEL, but the process for statutory instruments. Every statutory instrument would therefore operate in a different way in future, not just English-only ones, but all of them.

**Ben Howlett** (Bath) (Con): Given that the House of Lords barely pays regard to a convention these days, I welcome the statement today and the report by Lord Strathclyde. Echoing the comments of many of my hon. Friends, does my right hon. Friend agree that the first option, removing the House of Lords from statutory instrument procedure, would be the best option?

**Chris Grayling:** I note what my hon. Friend and others have said today. That is something the Government will have to take into account as they consider how best to respond to the report, so I thank him for his contribution.

**Clive Efford** (Eltham) (Lab): Thank you, Madam Deputy Speaker, and merry Christmas to you and to everyone in the House. The power under discussion is one that the Lords seldom use. The fact that it has been used so rarely in its history probably proves why it should be there for a House that is required to make the Government think again. The Lords knew that what the Government had claimed at the Budget was wrong, and they discovered with the benefit of hindsight that the claims of the Chancellor that people would not be worse off were incorrect, and that working families with children would have been thousands of pounds a year worse off. It was not just the Opposition who were pointing out that to the Government. A significant number of Government Back Benchers were doing so as well. The Lords listened to that and used the power that they rarely use to make the Government think again. The Chancellor came back to the House and wanted to be cheered for saying that he would never do it again. The Lords were proven to be correct, so the power was proven to be useful. This is just a spat and a tantrum from the Government because the Lords had the temerity to make the Government think again.

**Chris Grayling:** I remind the hon. Gentleman that the changes that he is referring to were voted on and passed five times by this elected House. There comes a point
where the elected House needs to be able to assert its will. Lord Strathclyde has recommended a number of options that enable it to do that.

**Kevin Foster** (Torbay) (Con): If we have a revising Chamber in the form that we have, it makes sense that it still has a role in secondary legislation, much of which is of a more technical nature. I therefore welcome the fact that option 3 has been chosen. Will the Leader of the House confirm that this will not stop the Government looking at options to deal with some of the things that make the other place almost a laughing stock, such as those who do not attend and others whose reason for being there has perhaps now disappeared?

**Chris Grayling**: Of course, we need to look at all three options carefully before we respond. On other matters related to the House of Lords, there has been a push for reform in the House of Lords in recent years. A Bill was introduced by Lord Steel in the previous Parliament and I suspect that we will see further proposals for change over the next few years from that House. Right now our priority is to implement the manifesto that we were elected on, and the country expects that of us.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): I listened carefully to the Leader of the House when he talked about the House of Lords giving the public confidence in what Parliament decides, and it will come as no surprise to the right hon. Gentleman if I urge him to seriously consider the abolition of the House of Lords. That would give the public confidence in democratic accountability. I remind the right hon. Gentleman that the House of Lords is the only legislature in the world, with the exception of Iran, whose Members include unelected clerics. It is unelected and unaccountable, and the public do not have confidence in it. Will he consider abolishing this museum piece, which is filled with cronies and failed politicians who have been rejected at the ballot box?

**Chris Grayling**: If we talked to the public about the way our Parliament works and said that we have an elected House which, as a result of these proposals on secondary legislation, will have the final say, but that we also have a group of people who have been eminent in their very different professions—people ranging from Lord Lloyd-Webber in the arts to some of the most senior business people—whose job it is to advise and guide the elected House about when it might be getting it right and when it might be getting it wrong, I think they might form a different view. I accept that there are strong opinions about this, but right now this is about solving a structural problem in the relationship between the two Houses that has emerged in the past few months. Lord Strathclyde has given us three sensible options to work with.

**Stephen Timms** (East Ham) (Lab): Surely the episode that gave rise to the report was simply an example of Parliament functioning as it is supposed to do. The Chancellor has since been trying to take the credit for the change. Will the Leader of the House accept, as I think the great majority of his hon. Friends now do, that the other place was right on tax credits?

**Chris Grayling**: What really happened was that having set out some tough decisions that we said we would have to take—we have always been clear about the tough decisions that we were going to have to take—and having discovered that the public finances were doing better than expected because of the success of his economic policies, the Chancellor was able not to take some of those difficult decisions, and that is a good thing.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): Since I was elected democratically in May, 62 new Lords have been appointed to the other place. That includes 11 Liberal Democrat Lords. There are more new Liberal Democrat Lords than there are elected MPs of the same party, which stinks of the word that the hon. Member for Rhondda (Chris Bryant) was not allowed to use earlier. The Leader of the House knows the position of the SNP, which is to abolish the House of Lords. Will he come clean and get Lord Strathclyde to print the real option 4, which is to continue stuffing the other place with cronies and donors?

**Chris Grayling**: I know that the Scottish National party believes in abolishing the House of Lords, and I know it uses the language of cronies and donors, but if the hon. Gentleman looks across the House of Lords, he will find people who have contributed vastly to our public life, have achieved great things for our society and have a role to play in advising the elected House on the final decisions it should take.

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): The removal of the veto from the House of Lords effectively leads to the formation of the most expensive, over-subscribed think-tank in history. I seldom see the point of the current unelected affront to democracy, but how could any rational person justify spending such a disgraceful amount of taxpayers' money on an impotent talking shop? Surely this is the ideal opportunity to abolish the House of Lords and create a democratically elected second Chamber. Although I welcome any recommendation that seeks to remove legitimacy from an institution that lacks any, it does not go far enough.

**Chris Grayling**: Scottish National party Members are both consistent and not terribly shy in their views on the House of Lords. I know these views exist and those hon. Members are not alone in the House in holding those views of the House of Lords. Our priority is to get on with the job of sorting out the mess that we inherited in 2010. We have done much of the job up till now; we still have further to go and our priorities should be to deliver the rest of the changes that will transform this country.
Points of Order

1.18 pm

Mr Graham Allen (Nottingham North) (Lab): On a point of order, Madam Deputy Speaker. A number of colleagues are here for the two debates later today. I understand that there may be a number of speakers in the first debate and that it is a time-limited debate. Every colleague who wishes to speak would get in if there was some rough guidance from the Chair that 10 minutes for Back Benchers and Front Benchers would allow everyone to make their points in the debate.

Madam Deputy Speaker (Mrs Eleanor Laing): The hon. Gentleman makes a reasonable point. I will consider how much time is available and how many Members indicate that they wish to speak. When the House is operating at its best, there should be no need for me to set a formal time limit because all hon. Members ought to be courteous to all other hon. Members and limit their remarks to a reasonable amount of time, which is usually less than 10 minutes, as the hon. Gentleman suggests.

Mary Creagh (Wakefield) (Lab): On a point of order, Madam Deputy Speaker. On 21 July I asked the Secretary of State for Defence how many UK troops were embedded with the armed forces of the US and other countries and whether that was paid for from the Department for International Development budget. In September I was told that the Department was compiling an answer. I chased that answer in November but have still not received it, five months after asking my original question. Surely Members of this House deserve timely answers to questions. More importantly, we need to understand the role that our troops are playing on the ground around the world and which arm of Government is paying for that involvement.

Madam Deputy Speaker: As the hon. Lady knows, how Departments and Ministers organise their answers to parliamentary questions is not a matter for the Chair, but I will happily repeat what Mr Speaker and his predecessors have said for many years: Ministers must answer questions from Members of Parliament in a timely and reasonable fashion. I understand that the Procedure Committee is looking into the matter, because this is not the first time—I am sure that it will not be the last—that a Member has had no alternative but to ask the Chair to intervene in such a case. At the same time, I am sure that those on the Treasury Bench will have heard what the hon. Lady has said, and what I have said, and I expect that she will receive a proper answer to her question as soon as possible.

BILL PRESENTED

Marriage Registration Bill

Presentation and First Reading (Standing Order No. 57)

Mrs Caroline Spelman, supported Caroline Lucas, Victoria Prentis, Julian Knight, Frank Field, Christina Rees and Huw Irranca Davies presented a Bill to make provision about the registration of marriages.

Bill read the First time; to be read a Second time on Friday 22 January 2016, and to be printed (Bill 113).

Backbench Business

Sexual Exploitation: Protection of 16 and 17-year-olds

1.22 pm

Kit Malthouse (North West Hampshire) (Con): I beg to move,

That this House notes the findings of The Children's Society's report entitled Old enough to know better? which looked at the sexual exploitation of 16 and 17 year olds; further notes the particular vulnerability of that age group as they transition from childhood to adulthood and the role that aggravated offences and harsher sentences have in deterring crimes against 16 and 17 year olds; calls on the Government to clarify for prosecution and sentencing purposes the role drugs and alcohol, mental health problems, being in care and learning disabilities have in adding to the vulnerability of that age group; and further calls on the Government to give police the same tools to intervene when a 16 or 17 year old is being targeted and groomed for exploitation as they have for younger children.

Over the past few weeks it has been said a number of times in this House that our success as parliamentarians is measured by how we defend the vulnerable. In recent years we have seen all too clearly that children fall into that category. On the subject of this debate, the horrendous crime of child sexual exploitation, our first instinct is to recoil, and our next is to hide our children away, wrapped up so that no harm could ever come to them. But hiding from the problem because it is too grisly or, even more improbably, stopping our children growing up would be markers of neither a brave society and brave lawmakers nor good parents.

As well as recognising that children are especially vulnerable, our approach must reflect the fact that they are also fully fledged adults in waiting, steadily gaining the experience, knowledge and mental development they need to take up all their rights and responsibilities. The protection of children and the maintenance of the environment in which they can grow therefore go hand in hand. On the whole, we do that well for most children, even if we need to think hard about how new technologic developments, such as the internet and social media, and cultural issues, such as body image problems and academic pressures, will impact on them.

However, our efforts to protect children and maintain that healthy environment run into the greatest difficulty at the very end of childhood—the transition to adulthood between 16 and 18—and on the issue of sex. It is a time of life that requires nuance, a nuance that does not come easily in laws that must deal in precision and defines. The age of consent for sexual activity is set at 16, and we are not suggesting that should be changed. But we start this debate in the light of the Children's Society report "Old enough to know better?", which shows that we still do not get the balance right in the case of the sexual exploitation of 16 and 17-year-olds. The report highlights the particular vulnerability of that age group and the awkwardness that exists between the fact they are children, their position over the age of consent and the expectations that society has of them.

Our motion therefore looks at what we can do in law to better protect 16 and 17-year-olds from being sexually exploited without changing the age of consent. In particular, we look at the role that aggravated offences could have
in better deterring sexual exploitation of those children and clarifying in the mind of the public their special vulnerability as they stand on the threshold of adulthood. If we cannot learn from the pain and suffering of others, the guidance for judges and juries on the role that drugs, alcohol, mental health problems, learning disabilities and being in care have in adding to the vulnerability of that already vulnerable age group, I believe we can achieve some progress. The motion also suggests that the powers that the police possess to enable them to intervene when a child under 16 is in danger should be extended to situations in which a child over 16 is under threat. I cannot stress enough how necessary all this is. I suspect that I do not need to do so for those present in the Chamber today.

At that age, abuse and exploitation can cause profound damage that can last a lifetime. It will irrevocably shape how a child grows to see both the world and themselves. They will see the world as forever hostile and threatening. They will cling to any security or affection, no matter how bad it is for them or how malevolent the source—a vulnerability that many predators exploit in the first place. It risks their forever seeing themselves as a victim or as someone who cannot take the risk of trusting anyone. It can stop them ever becoming a healthy, independent adult.

We also know from research conducted by the Children's Society that those young people can end up feeling that they deserve the abuse, and that on occasion juries have not taken the fact of their vulnerability seriously enough: they have refused to recognise that the fact that the child was over the legal age of consent did not mean that their attacker was not guilty of sexual exploitation. When they did that, they failed and betrayed those young people.

All sexual crimes are extremely serious, but I think we can all agree that those committed against children are doubly cruel. That is why we must achieve some changes in the law. Although the proposed changes would protect all 16 and 17-year-olds, this is particularly pressing in the case of children in care. I expect that all Members of the House will agree that we could and should do better for them. The Prime Minister said as much recently. He noted that children in care today are almost guaranteed to live in poverty, and that 84% of them leave school without five good GCSEs. He noted in a speech this year that 70% of prostitutes were once in care and that, tragically, care leavers are four times more likely to commit suicide than anyone else. We cannot go on setting those children up for a life on the streets, on alcohol, mental health problems, learning disabilities and clarifying in the mind of the public their special vulnerability as they stand on the threshold of adulthood. Child sexual exploitation affects, and is perpetrated by, all races, colours and creeds. The papers focus on the big cases, but there are thousands of individuals whose lives have been turned upside down by these crimes. As I have said, these children do not have parents who can look after them or family to care for them, so it is our collective duty as a society to be those parents and that family. We, us, you and me have to be the arms that catch them if they fall and the voices calling them back when they wander and stray. Now, too often, we fail them just when they need us most.

More broadly, these issues point to a wider problem in the way we protect children. To reflect the importance of ending this national scandal, it is time that we tilted the law and the criminal justice system decisively in favour of children and those who wish to protect them, not just in this instance but across the board. In thinking about protected groups, it seems strange to me that children are not among them. Gay people, minority racial groups and religious groups are all protected specifically in law, and rightly so, but children are not, and they should be. We have to add them as a category for special protection, at least to send a signal to society and the justice system that more effort is required. The forthcoming policing and criminal justice Bill that was announced in the Queen's Speech offers just such an opportunity.
On the distinct matter of child sexual exploitation, the crux is that 16 and 17-year-olds are not protected in the same way because they are over the age of consent. Children under 16 are already protected by the fact that they cannot consent to sex, and the rightly harsher sentencing that exists because of this is a strong deterrent. Sexual crimes against children under 16 are further prevented by the extra powers and tools that the police possess to intervene when someone is targeting and grooming them for exploitation. These include child abduction warning notices, which are used to disrupt an adult’s association with a child under 16. We should take note of this deterrent effect and extend the power to 18. There is already backing for this.

In 2012, the Office of the Children’s Commissioner asked the Government to extend the use of these notices and allow them to be served without parental consent where necessary. There is solid statistical backing for this change too. In 2012-13, 306,118 incidents of missing persons were reported to the police in England, Scotland and Wales. During that year, children accounted for 64% of all missing person incidents, and 15 to 17-year-olds were the most common missing persons, accounting for 36% of all such incidents. This means that in over a third of cases, the police did not have the right powers to intervene to protect a child. That must change.

The fact that 16 and 17-year-olds are still children, and that children are vulnerable and more likely to be targeted, is enough to warrant extending these protections to them.

Mr Sheerman: Does the hon. Gentleman agree, requires particular attention from a legal and a parliamentary point of view.

Kit Malthouse: I realise that the House is divided over this issue of votes at 16. My personal view is that we should stay at 18. I am trying to illustrate the fact that the two years between sexual consent and legal majority is a particular zone of childhood which, as I hope the hon. Gentleman agrees, requires particular attention from a legal and a parliamentary point of view.

We also have to consider the psychological impact that the lack of protection has on society. It makes people think that these children should not have this protection, that they are not really vulnerable, and that they are, in the words very deliberately chosen by the Children’s Society, “old enough to know better”. Furthermore, in many cases, because they lack these protections and are above the age of consent, they are all the more likely to be denied justice, and that is why predators are drawn to them. The fact that they are above the legal age of consent has had a big psychological impact on how crimes committed against them have been interpreted. There is evidence that juries have lacked sympathy with their cases when these crimes have come to court. Their vulnerability and the cruel effectiveness of grooming are not well understood across the population, and attackers are aware of the public’s complacency.

Mark Durkan (Foyle) (SDLP): On the topic of public attitudes and misperception, is the hon. Gentleman aware of the case of Maria Cahill, who bravely came forward to the authorities, and eventually to the media, with her story of abuse within the republican movement, as a member of that movement, and how her story was suppressed? Ever since the BBC revealed it, she has been subjected to punishment tweeting by Sinn Féin supporters and, indeed, by Sinn Féin politicians, who have cast slurs on what age she was to imply that she did “know better” and was somehow complicit in her own victimhood.

Kit Malthouse: I am sad to say that I do not know of that particular case, but the hon. Gentleman makes a powerful point.

This point is so obvious that it should not need stating, but I will do so anyway, because even when it is intellectually understood, people still do not “get it”: not fighting someone off, not objecting vociferously, or not attempting to take oneself away from a situation does not equal consent. That is even more obvious when we think of common factors in the cases that have come before the courts. We are talking about victims with mental health problems and learning disabilities. We are talking about children recovering from traumas and encouraged to take drugs or drink alcohol so that they would submit. Complacency about this matter is the biggest encouragement that the attackers look for. It needs to be in law that these children are to be considered vulnerable and that the targeting of vulnerable people will never be accepted in the United Kingdom.

All this points to the fact that the sudden removal of protections at 16 is not working, and that we can protect children better with our actions in this House. Let me reiterate what we are asking for: the Government must clarify, and put the clarification in statute, that when a victim of sexual assault is aged 16 or 17, it is an aggravated offence. They must make it clear that drugs and alcohol can never be viewed as consent for a sexual act. They must recognise that vulnerable people are deliberately targeted, and that this should be further considered as an aggravating condition. Passing this motion will move us towards doing a better job of helping parents, police and child protective services to look after children, and we must do so.

I do not advocate these reforms as a Conservative but as a father and as a Member of Parliament. I believe that it is in that spirit that other hon. Members joining us today also back this motion. As we do so, we lay claim to the best traditions of social reform that Britons have offered from within and without these walls through the ages. Every party in this House can lay claim to this, the most honourable of political traditions—the tradition that looks the vulnerable in the eye and says to them, “I will use the good fortune and power that society has given me to protect you.” When it comes to this kind of reform, I do not believe that any Member is sitting on a particular side of the House.

1.39 pm

Patricia Gibson (North Ayrshire and Arran) (SNP): I am grateful to have an opportunity to speak in this debate and grateful that it has been secured.

The focus of the debate could not be more serious. Protecting our young people from sexual exploitation as they make the transition from childhood to adulthood
must be a priority of this House. It goes to the heart of the kind of values we have—the value we place on our young people, the value we place on protecting the vulnerable, and the values we have around dignity, fairness and consent.

Child sexual exploitation is abhorrent and can have devastating and lifelong consequences for those who are victims of it, not to mention the effects on their families and those closest to them. All children and young people have a fundamental right to be cared for and protected from harm, and to be able to grow and thrive in an environment where they feel safe and where their rights are respected, as outlined by the United Nations convention on the rights of the child, which applies to all young people up to the age of 18.

Yet the report “Old enough to know better?”, which was published in November, makes for truly harrowing reading. The Children’s Society report examined why older teenagers are particularly at risk of child sexual victimisation and the extent to which 16 and 17-year-olds are victims of sexual offences. It also considered why they find it so very difficult to disclose their experiences and to access help and support.

We know that the justice system is not always as kind and supportive as it should be to victims of sexual crimes, and nowhere is that more true than in its treatment of our young and vulnerable. Of course, the law recognises that those in the age range under discussion can legally consent to sexual relationships, but under the Children Act 1989 they are still considered to be children. As such, professionals and, indeed, wider society have a legal duty to safeguard those young people from exploitation.

Although 16 and 17-year-olds continue to be protected from sexual abuse within the family or by those in a position of trust, and from sexual exploitation offences such as child prostitution and pornography offences, they simply, and appallingly, do not receive the same kinds of protections as younger children if they are targeted for sexual abuse by predatory adults. That is shocking and it is put sharply into focus by the Children’s Society report, which shows that 16 and 17-year-olds are more likely to be victims of rape or sexual offences than any other age group. That situation demands our considered response.

Just as we find it appalling and evil when young children are sexually exploited, mistreated and abused, so too we should be outraged when those going through the transition from childhood to adulthood face such exploitation. It is concerning that it seems that professionals are more likely to see those in the age range of 16 and 17 as complicit in their own exploitation. Such a view fails to understand the targeted and intense nature of grooming, and it mistakes consent to drink alcohol or to participate in risky behaviours as consent to having sex. Clearly, professionals need more training so that young people who need support and understanding—not to mention justice—receive it. Pointing to the age of legal sexual consent cannot be the means by which we fail to live up to our collective duty to protect our young people on the threshold of adulthood.

In England and Wales there is no specific offence of child sexual exploitation, and that is worth examining. In Scotland the definition of child sexual exploitation states:

“Any involvement of a child or young person below 18 in sexual activity for which remuneration of cash or in kind is given to the young person or a third person or persons. The perpetrator will have power over the child by virtue of one or more of the following—age, emotional maturity, gender, physical strength, intellect and economic and other resources e.g. access to drugs.”

Under Scots law, there are specific protections for those aged 16 and 17 who are at risk of exploitation, with offences specifically to protect that particular demographic. The offence of sexual abuse of trust makes it a criminal offence in Scotland for a person in a recognised position of authority to engage in sexual activity with anyone under the age of 18 in their care. The Protection of Children and Prevention of Sexual Offences (Scotland) Act 2009 makes it a criminal offence to involve children in child pornography, extends protection against indecent images to 16 and 17-year-olds, and provides for restrictions to be placed on sex offenders.

The Scottish Government introduced Scotland’s national action plan to tackle child sexual exploitation, which represents a comprehensive and ambitious strategy to address that complex challenge. The “Getting it right for every child” strategy aims to improve outcomes in Scotland’s public services that support the wellbeing of children and young people. It is part of a framework for responding to sexual exploitation and it applies to young people up to the age of 18. That, as well as the sex offender community disclosure scheme, also offers protection for 16 and 17-year-olds. The keeping children safe scheme enables parents, carers and guardians of those under the age of 18 to make a formal request for disclosure of information about a named person who may have contact with their child, if they are concerned that he or she might be a registered sex offender.

The Scottish Government will launch a campaign to raise awareness of child sexual exploitation in the week beginning 25 January 2016. This high-profile campaign will be aimed primarily at parents, carers and those aged between 11 and 17 years old. It will include TV advertising and poster material that will run for three weeks. In addition, partnership material is being developed in order to reach the youth audience, and a campaign website, which is also being developed, will highlight the risks, as well as offer advice and support. A practitioner’s toolkit will be made available on the website ahead of the launch, so interested parties will be able to download material for use in their local communities.

We must continue to be vigilant in the protection of our young people, wherever they live in the UK. The Scottish Government have done much good work in this area, but there can be no room for complacency and we must always examine all protections offered with a critical eye, to ensure that they continue to offer robust protections for all our young people, including those in the 16 and 17-year-old age bracket. I am not going to stand here today and argue that in Scotland we think it is job done—absolutely not. We must continue to be vigilant, as are those who would exploit young people. As the hon. Member for North West Hampshire (Kit Malthouse) pointed out, those in care are at particular risk. Moreover, the Children’s Society’s call for increasing the age for the application of child abduction warning notices is eminently sensible.

I sincerely hope that Members can learn from the good work and initiatives being undertaken by the Scottish Government, because I know that the Scottish
Government will examine all measures taken by this House, to see what they can learn in turn. We should also be learning lessons from how countries further afield tackle the issue. As technology grows ever more sophisticated and those who would exploit our young people become ever more creative, we must all continue to be vigilant. We must not let our young people down. We must not allow the law to let our young people down.

Young people travelling down the road of transition from childhood to adulthood are not being protected as they should be. They are not telling those in authority when they experience sexual exploitation. The Children's Society report points out how chronically under-reported such exploitation is to the authorities. We know that young people often feel that it is their fault when they are sexually exploited, and we know that it can have huge consequences for their development into full adulthood. The more we talk about it, and the more we recognise it as a problem that actually exists, the more likely those who are exploited will feel able to report their ordeals.

This is an issue that must be brought out of the shadows. We must talk about it, how it can occur and the ways and means through which these young people may be sexually exploited. We must remember that the onus for what happens to them cannot be placed on the shoulders of young, vulnerable people who can be manipulated by others who are far more worldly wise and cunning than them. Concluding that vulnerable young people of 16 and 17 years of age are complicit in their exploitation lets the exploiters and sexual predators off the hook, and that serves only to heap insult on to injury.

Let us not kid ourselves: child sexual exploitation is as much a reality in Scotland and across the UK as it is anywhere else around the world. That is the reality we cannot ignore, and we must tackle it collectively. No one is saying this will be easy, but it must not and cannot be beyond the wit of politicians to draft laws to be vigilant. We must not let our young people down. We must not allow the law to let our young people down.

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Several hon. Members rose—

**Madam Deputy Speaker (Mrs Eleanor Laing):** Order. In his point of order, the hon. Member for Nottingham North (Mr Allen) was a little generous in estimating that 10 minutes might be the correct amount of time that hon. Members can take to speak. If everyone who has indicated that they wish to speak is to have an opportunity to do so, I ask hon. Members to take no more than eight minutes each.

**Tim Loughton** (East Worthing and Shoreham) (Con): I will quickly knock two minutes off my speech, Madam Deputy Speaker.

It is a pleasure to follow the hon. Member for North Ayrshire and Arran (Patricia Gibson) and to hear about some of the good work going on in Scotland. I congratulate my hon. Friend the Member for North West Hampshire (Kit Malthouse), ably supported by the hon. Member for Stockport (Ann Coffey), on securing this debate.

I also congratulate the Children's Society on its “Old enough to know better?” report. As a former Minister with responsibility for this area, I did a lot with the Children’s Society, including meeting the victims of child exploitation whom it was taking care of, as well as runaways. I saw at first hand the excellent work that it did, and which it continues to do.

I am delighted that the Under-Secretary of State for the Home Department, my hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), has taken over the Government’s cross-cutting role on this whole very important area of child sexual exploitation. I am delighted to say that she is very ably shadowed by the hon. Member for Rotherham (Sarah Champion). It is good to see the shadow children Minister, the hon. Member for Washington and Sunderland West (Mrs Hodgson), in the Chamber as well.

This subject is not aired enough in the House, despite the fact that the profile of child sexual exploitation in this country has never been higher, thanks to high-profile celebrity prosecutions and the series of virtually weekly reports of historical sexual abuse coming from the BBC, celebrities, care homes, schools, boarding schools, music schools, churches, church institutions and so on. As my hon. Friend the Member for North West Hampshire said, the trouble is that the vast majority of child sexual exploitation still taking place in this country is done not by celebrities or by people in high-profile positions, but by ordinary people and, in many cases, relatives of the victims.

At long last, the Lowell Goddard inquiry, which many of us called for, is taking place. Its work will take a long time, and it will continue to put a lot of pressure on the police investigating historical cases. Putting the historical sexual abuse cases aside, however, we have a problem—here and now—with contemporary child sex abuse, and specifically for those transitioning from childhood to adulthood.

The age at which one becomes an adult has always been a grey area. Through the all-party group on children, we have done some work on the relationship between children and young people and the police. That work has led to a recognition that, in the eyes of the law, and certainly for young people taken into custody, a 17-year-old is a child and must be treated as such. The Home Secretary has reacted very favourably to that work and its recommendations. The status of 16 and 17-year-olds has been problematic since the age of consent was raised to 16 back in 1885.

My hon. Friend mentioned the introduction of child abduction warning notices. When there are concerns, they can be used to disrupt contact between a vulnerable child and an adult. Children under 16 are protected, but 16 and 17-year-olds are covered only if they are in the full care of a local authority under an order under section 31 of the 1989 Act. That leaves an awful lot of children who might be exposed. The recent report by the Children’s Commissioner on child sexual abuse in the family network highlighted the extent and complexities of the problem.
Some 70,000 children are in the care system, and this is still a very big problem, despite the changes to residential children’s homes, through regulations that I instituted some years ago, to prevent children’s homes from being sited in areas where there are a lot of sex offenders as well as other temptations and dangers to young children. Children in care still suffer from huge poverty of achievement, and the Government still need to go a long way towards addressing that.

I have mentioned the Children’s Commissioner’s excellent report, which came out last month. The most shocking finding she came up with is that, between 2012 and 2014, there were between 400,000 and 450,000 victims of child sexual abuse, but only 50,000 of them were known to statutory agencies. That means that only one in eight cases of sexual abuse are actually picked up by the authorities. Some 11.3% of young adults aged between 18 and 24 had experienced contact sexual abuse during their childhood. About two thirds of all child sexual abuse occurs in or around the family—involving relatives or close and trusted family friends—with all the implications that has of cases being swept under the carpet, of victims being afraid of speaking up or bullied into not doing so, and of family discord. It is likely that children from black and minority ethnic backgrounds, and boys in particular, are under-represented in the data. As my hon. Friend mentioned, children with learning disabilities are particularly vulnerable and are particularly unlikely to be able to report, even if they wish to, or to understand that they have been the victims of a crime.

There is a bigger issue in that, in many cases, children do not really appreciate that they are victims, but feel that they have, in some way, brought it on themselves. A few years ago, disgraceful comments were made about how a 14 or 15-year-old girl in care could in some way bring sexual abuse on herself. That is absolutely outrageous, and anybody who agrees with such comments has no place anywhere near child social care. They are children, and if someone old enough to be a girl’s father or grandfather has sexual relations with her, that is a crime. Such people must be treated as criminals, and prosecuted and persecuted as such.

There is also the issue of how children actually tell someone. The report by the Children’s Commissioner revealed that a failure to listen to children and young people has resulted in a failure to identify abuse. Indeed, child sexual abuse often comes to the attention of statutory and non-statutory agencies as a result of a secondary presenting factor that becomes the focus of intervention.

There is a big role for schools in this whole issue. According to the report, the majority of respondents said that they tried to tell their mother, a friend, a peer or a teacher. There is a problem of parents being in denial about the involvement of close relatives in child sexual abuse, or being ill-equipped to detect it or to know exactly what is going on. In schools, we need to get much smarter about how we pick up or detect it. I remember going to a school in Stafford and having the privilege of sitting in on an interview with a full-time social worker employed by the school. A young girl—a 15-year-old—who had come to see the social worker broke down halfway through the interview and revealed that she was being abused by her stepfather. Nobody had had any clue about that, so there was clearly something wrong. We need to be able to pick such things up in schools, and we need better training for teachers and school staff to detect such things.

There is also the hoary old chestnut of sex and relationships education: the Children’s Commissioner’s report showed that not having had any sex education or having had only poor quality sex education undermined the ability of vulnerable youngsters to understand that the abuse was wrong and should be reported. We need to do more to ensure that young girls have the confidence to say no when sex is forced on them, and to understand that they have the right to say no. There is also the issue that about a quarter of cases involve perpetrators who are themselves under the age of 18. There is a real problem of young-on-young sexual abuse.

The Government have a good record in starting to approach this issue. The child sexual exploitation action plan, which I launched back in November 2011, has produced many practical results. The Home Office produced a CSE report earlier this year. Since last year, there have been new sentencing guidelines for courts, enabling courts to give individuals more severe sentences in cases where the victims were particularly vulnerable, such as 16 and 17-year-olds.

Much has happened, but much more needs to happen. The Children’s Commissioner’s report is very relevant to this debate. It highlights the need for the Government to step up their response to this huge problem with a truly cross-Government strategy. In this debate, we have rightly raised serious concerns about 16 and 17-year-olds, but that is only part of a much bigger issue that we are only just beginning to get on top of. However, I congratulate my hon. Friend on bringing this matter before the House.

1.59 pm

Ann Coffey (Stockport) (Lab): It is a great pleasure to follow the hon. Member for East Worthing and Shoreham (Tim Loughton), who did so much excellent work as children’s Minister to tackle child sexual exploitation.

“Old enough to know better?” is, indeed, a thought-provoking report by the Children’s Society, which has long been concerned about the vulnerability of this age group. It should be congratulated on its campaigning work in this area.

The last Parliament saw high-profile child sexual exploitation cases in Rochdale, Rotherham, Oxford and Telford, among other places. The public were shocked as the graphic details of the offences were reported, with children and young people being passed around for sex by groups of men, their plight made worse by the attitude of those working in the agencies charged with protecting them, who regarded them as making a lifestyle choice to exchange sex for gifts.

Those cases led to an increasing awareness of grooming and what constitutes consent, and an examination of the wider issues around child sexual exploitation and vulnerability. They also led to a better understanding of online grooming, sexting, peer-on-peer exploitation, the impact of the digital age on how young people communicate and the pressures that that can place upon them.

The last Government introduced a number of measures, such as the new offence of sexual communication with a child and the reduction in the number of occasions on
which the defendant must initially meet or communicate with the child before a prosecution may be brought to only one.

Because of the high-profile cases, child sexual exploitation has been identified predominantly with the exploitation by Asian men of white girls, so some of the more common kinds of sexual exploitation are not well understood, particularly how vulnerable young people can be groomed one-on-one by much older adults, either online or in person, or both, into performing sexual acts in which they feel complicit. Neither is the extent of peer-on-peer sexual exploitation fully appreciated. It is the ruthless exploitation of vulnerability—arising from a craving for love or acceptance, a dependence on drugs or alcohol, a disability or the inexperience and immaturity of childhood—for sex that needs wider understanding if we are really to protect children and young people by holding their exploiters to account.

That brings me to 16 and 17-year-olds. Sixteen is the age of consent to sex in law. A 16-year-old can marry with permission and at 17 a young person can drive. Although children can leave school at 16, they cannot work full time unless they are in part-time education or training. We recently debated in the Houses of Parliament whether 16-year-olds should be able to vote in the European referendum. Those differences reflect our ambivalence in respect of that age group. It is an age at which young people want the right to be respected for the decisions they make on their pathway to independence, but at which they still need protections. That is reflected in the different levels of protection that are offered by the law, which recognises that they are still immature in terms of life experience.

That vulnerability in respect of immaturity and age was recognised in the passing of the amendments by the last Government that consigned the term “child prostitute” referring to those under 18, to the history books. Those amendments came into force on 3 May 2015. One important implication of those measures is that a child of 16 or 17 can no longer be seen as contracting to sell sexual services. Section 47 of the Sexual Offences Act 2003 clearly recognises in law the vulnerability of this group as a result of their age and makes it clear that alleged consent to specific acts will not be a defence when an offender sexually exploits a child of this age group.

That recognition of the vulnerability of this age group needs to be extended and made explicit elsewhere in the law to make it clear that when a sexual offence of any kind is committed against a 16 or 17-year-old, it will always carry a harsher sentence than if the victim had been an adult. The sentencing guidelines for rape, for instance, list a number of factors that determine the category of the offence for sentencing purposes, one of which is that the “victim is particularly vulnerable due to personal circumstances”. Along with mental health issues and disabilities, that has been interpreted to include age, but we need to make its inclusion explicit and unambiguous.

No scope should be left for a 16-year-old to be considered not vulnerable, despite their being a child, when we know that there have been significant problems with professionals and the justice system treating people in this age group as adults or as “resilient” or “asking for it”, particularly when the victim is involved or is seen to be involved in criminal activity. The message should go out to perpetrators loud and clear that if they sexually exploit, abuse or rape a 16 or 17-year-old, they will automatically receive a harsher sentence.

Altering the sentencing guidelines in the way I have outlined and in the ways proposed by the report of the Children’s Society, so as to make the vulnerability of this age group clear and consistent across all sexual offences, is an important first step in strengthening their protection in law. I would hope that something could then be done to decrease the disparity in the starting point for sentencing in cases of rape. If the victim is 15, the sentencing range is eight to 13 years, whereas for a child of 16, the range drops to only six to 11 years. There is no reason to make that distinction for offences such as rape, where the age of consent is clearly not relevant, given that rape cannot be consented to. There is every reason to afford 16 and 17-year-olds the same protection we give to children of a slightly younger age.

Last year, I was asked by Tony Lloyd, the Greater Manchester police and crime commissioner, to undertake an independent inquiry into the work that has been done to tackle CSE in Greater Manchester since the shocking Rochdale case. As I said in the report, which was published last October, we cannot prosecute our way out of the problem of CSE. The report highlighted figures for the previous six years in Greater Manchester, which revealed that there were only about 1,000 convictions out of 13,000 reported cases of nine major sexual offences against under-16s.

We know that there is under-reporting of sex crimes against 16 and 17-year-olds because victims are frightened that they will not be believed or because they feel complicit or ashamed. As the “Old enough to know better?” report shows, the police received 4,900 reports of sexual offences against this age group last year, but the crime survey for England and Wales shows that an estimated 50,000 girls alone said that they had been victims. In the last year, Greater Manchester police recorded 311 sexual offence cases against 16 and 17-year-olds, but I believe that there is a much higher level of offending.

Children who are sexually exploited can suffer lifelong harm and everybody agrees that prevention has to be the goal. By the time of prosecution, it is already too late for that particular child, and yet they have to face delays in cases coming to court and challenging and sometimes bullying cross examination, which can add further to their trauma.

Therefore, an important part of the strategy of tackling CSE must be better prevention. To ensure that that happens, we need to listen to children and young people about their experience of the world and support them to inform other young people. We need to build on a new approach to preventing CSE that is spearheaded by young people themselves. One of the things that young people told me again and again was how they valued talking to their peers, because they felt that their peers understood the pressures they faced.

My central proposal was for a multimedia digital network led by young people to spearhead the fightback against CSE, including a high-profile weekly radio show on CSE-related issues produced and hosted by young people. It is a peer mentoring session, writ large. We now have a very successful weekly radio show on CSE...
on Unity Radio. For two hours on a Thursday evening, this dance and urban music radio station is taken over by 11 to 16-year-olds for the “Next Gen Youths” show, which has serious but accessible discussions on child sexual exploitation, led by young people. The strapline of the NGY show is “helping young people lead safer and happier lives”.

Its aim is to spread awareness of CSE so that young listeners are better able to understand what a healthy relationship is. The shows have included discussions on what grooming is, how fashion is part of CSE and how pop stars influence the way in which young people dress. Greater Manchester is also developing an app, funded by a Home Office grant, called CTZN, which is a mobile-based digital platform created by and for young people.

Educating young people and effecting a sea change in culture is the only way forward. I believe that all those initiatives show that Greater Manchester is one of the leaders in the fightback against CSE. Public attitudes are fundamental to the protection of children and young people, but the criminal justice system is key in reflecting our attitudes to children and young people. We know that 16 and 17-year-olds are a difficult and challenging age group, but we must understand that during those two years, they often inhabit a dangerous twilight world between childhood and adulthood. Their vulnerability needs to be recognised and the clear message needs to go out to sexual predators that if they commit sexual crimes against people of this age group, they will receive a tougher sentence. That is not the solution, but it is an essential part of a wider strategy to tackle the child sexual exploitation of 16 and 17-year-olds.

2.9 pm

Kelly Tolhurst (Rochester and Strood) (Con): I thank my hon. Friend the Member for North West Hampshire (Kit Malthouse) and the hon. Member for Stockport (Ann Coffey) for securing this debate, and I congratulate my hon. Friend the Member for North West Hampshire on his speech, which he made with great passion.

Sixteen and 17-year-olds sometimes believe that they are adults, but they are one of our most vulnerable groups. We all remember what those years were like. We were thinking about our futures, making decisions about what to study or where to go on to work, and we all experienced a range of emotions in that period of our lives. Many young people of that age are worrying not at home at all for a number of different reasons, including domestic, emotional or physical abuse, or because of neglect. That child may have been moved from foster carer to foster carer, and they could also have gone through an adoption failure, or had a period in a children’s home with a number of different social workers over that time. They may have no strong positive relationship with an adult who has been there through all their challenging circumstances. Given the nature of those formative experiences, those young people will often be extremely emotionally vulnerable and will have had few long-term, positive and meaningful relationships with adults, and few—if any—clear role models or mentors.

The Children’s Society found that half of supported accommodation providers are not consulted by children’s services when they plan how a young person’s care package will change as they approach independence. I have seen at first hand how vulnerable that group of young people are and, as we have seen recently in south Yorkshire, they are extremely susceptible to being targeted by predatory individuals who are looking to exploit and abuse our youngsters. I believe that individuals who seek to exploit that age group should be subjected to aggravated offences and harsher sentences. At any age, people can be at risk of abuse and exploitation, but 16 and 17-year-olds are legally still considered to be children. It is naive to believe that because a young girl or boy has reached the age of consent, they will automatically understand if they are being targeted or groomed.

Predatory individuals seek out vulnerable youngsters and pose as people who can be trusted and relied on. Often those individuals were once vulnerable young people themselves. The damage that can be done to young people subjected to those offences has a long-lasting impact on their individual future and on our society as a whole. I therefore call on the Minister to take forward the recommendations in the Children’s Society, “Old enough to know better?” report. I would also welcome particular focus on and consideration of the risks of safeguarding children in supported accommodation, to ensure that those settings can effectively protect vulnerable children from harm.

We are about to break for what can be a happy time for many, but one group of young people will be alone...
and experiencing some of the abuse that we have spoken about today. We must do all we can to ensure that, whatever their circumstances, our young people are supported to thrive and go on to enjoy the best possible future that any young person should expect.

2.15 pm

Mr Graham Allen (Nottingham North) (Lab): I declare an interest as the founder of the Early Intervention Foundation. It is a great privilege to follow the hon. Member for Rochester and Strood (Kelly Tolhurst), who made an eloquent speech. Those who see Members of Parliament from the end of 140 characters on Twitter would do well to follow colleagues such as my hon. Friends the Members for Stockport (Ann Coffey) and for Rotherham (Sarah Champion), and the hon. Members for East Worthing and Shoreham (Tim Loughton), for North West Hampshire (Kit Malthouse) and for Oxford West and Abingdon (Nicola Blackwood)—unfortunately she is not with us today. They are exemplars of what Members of Parliament can do when they get their teeth into an issue that they care about, and refuse to let go until something is done. I hope that this debate will be another demonstration of how Members of Parliament from across the House can be effective when we work together as parliamentarians, pushing Governments of all colours in the right direction.

I am not going to talk about 16 to 18-year-olds, because we will help those people by intervening much earlier. If we only help a 16 to 18-year-old, we are firefighting. That has to be done and fires have to be fought, but if we are to get a strategic grip on this issue we must eliminate the causes of child exploitation, as well as tackling the consequences. That, in essence, is the definition of early intervention, and it is important to consider this as an intergenerational problem.

This problem is so big and deep rooted that we must have not merely a set of tactics, but a set of strategies to take us forward. One of the best ways to do that is to consider the example of What Works centres in this country, where people collect together best practice and evidence to discover what kinds of programme work most effectively to help victims, and indeed to help perpetrators from re-offending. We have that all in one place, so that instead of reinventing the wheel, whether in the police, the health service or as a Member of Parliament, there is a place to go where we can rely on other people’s experience and practice that has accumulated over many years. Every instinct in a normal human being to the awful sexual abuse of children and 16 to 18-year-olds is an emotional response, but this is about evidence and science.

I first called for a national institute to consider how to reduce the perpetration of sexual abuse 26 years ago, together with the then right hon. Member for Finchley—the Prime Minister, Mrs Thatcher. I say that only to bring us up to date and to urge us to ensure that our successors are not sitting here in 26 years’ time demanding exactly the same thing. It is now time for us to help the next generation.

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): In the interests of time, let me put on the record that the Department for Education has recently announced a new What Works centre for child protection. That will build an evidence base to show us the best practice available to help social workers, health workers, the police and other practitioners, and give better support to children and families—something I know that the hon. Gentleman has been calling for.

Mr Allen: I was just about to make that point and the Minister has made it very eloquently for me. I have served in the House with Governments of all political conclusions. Ministers are concerned and empathetic. We are fortunate to have her as a Home Office Minister as well as having her colleagues, the Minister for Children and Families; the Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison), who has responsibility for public health; and the Under-Secretary of State for Justice, the hon. Member for North West Cambridgeshire (Mr Varah). All of them have been involved in pulling together the idea that there should finally be a national institute or centre of excellence to look at the sexual abuse of children and how to help them and perpetrators.

I raised that with her colleague the Minister for Children and Families in an Adjournment debate in June—I did it as fast as I could after the general election. The Minister has already said as much, but in that debate, the Minister said that there would be a centre of expertise to identify and share high-quality evidence to tackle child sexual abuse. That must include 16 to 18-year-olds.

I am conscious of the announcement, but I will tee this up for the Minister as the willing smasher of volleys over the net that I know she can be: will she tell the House how that is going and when we can expect it to be established? I hope the centre can be productive before the next general election, producing reports on best practice in particular situations and in the field, and producing reports for the agencies—the police and the health service—Members of Parliament and everyone who has an interest. Above all, I hope it can give Justice Goddard a head start by doing an interim report that calls for and supports the institution, so that, before what could be a Chilcotian length of time before he reports, he can influence the necessary political developments and changes.

I hope the Minister will inform the House that, as well as doing valuable work pulling together departmental interests, such an institution will listen to the voluntary sector, which does so much work in the field, and those out in the individual local authorities. There is a great body of work, but it is all over the place and it is never quite there when we need it. I suspect that many colleagues who have been through the awful experience of raising constituency cases are powerless and frustrated for a fair period because they cannot quite lay their hands on what somebody did earlier that would save them a lot of time and victims a lot of grief.

I should highlight the work of the Early Intervention Foundation. It is working closely with the Home Office, as the Minister knows, and has commissioned a review of the evidence on the indicators that suggest that a child under the age of 18 is at heightened risk of becoming a victim, or even a perpetrator, of sexual abuse or exploitation and many other things. The foundation will undoubtedly do a first-class job on that commission but, in the long term, the answer for us all is to get
behind what the Government are doing, which I applaud from the rooftops, in putting together a What Works institution. We should ensure that its work is spread far and wide and that there is a connection with local authorities. From the top of my head, I suggest to the Minister that perhaps there should be 30 champion local authorities—they could be health authorities or police services—that can take forward the best measures that are pulled together in that central place.

The House can have an impact, working closely with the Government. The Government have been very receptive to representations made to them and will do something that will resonate and help children—it will also help perpetrators not to offend—in a way that could last several generations. That is an incredibly worth while thing to do. I congratulate all Members of the House who have led us to the conclusions that the Children's Society has put before us today, and who have led to the Government introducing a national institute for the study and prevention of the sexual abuse of children, including 16 to 18-year-olds.

2.24 pm

Marcus Fysh (Yeovil) (Con): I congratulate my hon. Friends who have been involved in securing the debate on this excellent topic.

I want to lend a little of my experience as someone who has been involved in thinking about how to do things better in Somerset. Somerset has had its challenges recently and has tried to improve the standards of care that it provides to children in its care and to children in the county generally. It is right that the Government have raised the Ofsted standards with which councils must comply to ensure that that improvement happens correctly. Although we know of no serious cases in Somerset, the Ofsted inspection found that because of some of the structural arrangements and the way things were happening there, some of what had been happening in other parts of the country could in theory happen somewhere like Somerset.

I am interested in the issue both as the father of young daughters and as a Somerset councillor who has that corporate duty of care to children in care—the council is the corporate parent to them. I have talked to children in that age group about some of the challenges they face and some they could face as they move out of care at that vulnerable age. The risk comes in different ways. In a rural area such as Somerset, young people are very dependent on friends and family for lifts in cars—I am not talking about children in care because there are stricter rules. The problem is hidden in all sorts of ways.

It is right that we are trying to raise standards and to do some of the things that hon. Members have mentioned. In Somerset, there is a potential devolution deal. One aspect proposed in the draft devolution bid is more local control of mental health budgets and services. Somerset is currently under-served by child and adolescent mental health services. The thought is that, if we can control those budgets better and apply them in the local environment, we might be able to help children who currently do not have as much help as we might like.

Kevin Foster (Torbay) (Con): My hon. Friend refers to the devolution deal that will cover both Devon and Somerset, including Torbay. One bonus of such a deal would be that it allowed more co-ordinated work across different areas. However, there is still a need to ensure that those budgets are well monitored and accounted for to local people.

Marcus Fysh: My hon. Friend makes an excellent point. That is one of the things that I am keen to work on with him through the devolution process—ensuring that there are clear lines of accountability and that the governance aspects work well. As MPs, we can be involved in those things in future.

The recommendations in the excellent report—I congratulate the Children's Society on it—do a good job of making it clear that the fact that children are aged 16 to 18 and have some element of personal responsibility does not absolve the authorities of their responsibility to look after them. One key problem we have seen in what has gone wrong in other parts of the country is that agencies did not talk to one another—the police, healthcare and social services did not always talk to one another—and it will be good to put the onus on them to do so.

We should always be mindful of the people involved—the children. We do not want them to feel like they are young offenders. Given the scale of the problem, it is obvious that young people are victims as often as they are young offenders. We need to be much more sensitive to the realities of the life that some of those young people face and the circumstances they unfortunately find themselves in.

2.29 pm

Siobhain McDonagh (Mitcham and Morden) (Lab): In the light of the restriction on time and a desire to allow everybody to make a contribution, I would like to concentrate my remarks on this very sad subject on the incredible work done by the WISH Centre in helping the victims of sexual exploitation. I was delighted to open its new centre in Merton just a few weeks ago, extending its pre-existing site in Harrow. The centre is already having a wonderful impact on my local community. The centre's work is made possible by funding from Comic Relief and is supported by its excellent director, Rowena Jaber. I am indebted to my friend Michael Foster for making me aware of the work of the centre and allowing me to work on bringing it to my area.

Having the courage to speak out after sexual abuse is the beginning of a long journey, but there is a terrible shortfall in therapeutic support for children who are victims. We need at least another 55,000 clinical therapeutic support places to make sure that all children who have displayed suicidal or self-harming behaviour receive this vital support. The provision of non-clinical early support is inadequate, even though such early intervention has been proven to be cost-effective, particularly when a child enters the criminal justice system.

That is why institutions like the WISH Centre are so important. The centre has been supporting those who have suffered from sexual abuse on the road to recovery for over 10 years. It specialises in support for those who self-harm, but it works extensively with young people who have experienced sexual abuse. This is because self-harm is a key indicator of sexual violence and abuse, as young victims struggle to cope with the trauma of their experience.
The centre has a tremendous history of success. In the past year, the centre supported over 220 young people on a long-term basis—mainly female and mainly from black, Asian and minority ethnic communities—recording an 89% increase in safety from sexual exploitation and abuse. The emphasis on BAME communities is particularly welcome, given the different problems around the reporting of child sexual abuse in some communities. There are a number of commendable ways in which the WISH Centre supports young people. It has an independent sexual violence advocacy service for young people who have experienced current or historical sexual violence, including rape, sexual exploitation, sexual harassment, gang-related sexual violence and child sexual abuse. This confidential, emotional and practical support helps young people to understand how the criminal justice process works and explains what will happen if they report crimes to the police.

The centre also works very closely with schools, so they are immediately notified on anything they need to act on regarding a vulnerable young person. It builds connections between schools, social services and the police to raise awareness. This is very important because a staggering proportion of young people still believe that if a teenager is too drunk or high to give sexual consent to sex, the sexual act is not rape, according to the law. I fully agree that child abduction warning notices should be amended so that they can be used to protect vulnerable children of this age. We also desperately need the law to recognise that 16 and 17-year-olds can be groomed for sexual abuse through coercive and controlling behaviour, such as through the use of drugs and alcohol, and the fear of intimidation. Furthermore, the need for additional safeguards for children with learning disabilities of this age is clear.

I sincerely hope we will hear in due course how the Government plan to develop, revise and implement the legislation, policy and guidance for all children and young people who experience, or are at risk of, child sexual exploitation. It is high time that these victims received our full support and proper protection under the law.

Nusrat Ghani: Will the hon. Member give way?

Siobhain McDonagh: I will not, just because I want to get on.

The centre’s response strategy is focused on three main points: prevention, identifying early and responding appropriately. An excellent example of this work is its Shield campaign in Harrow. A shocking 44% of teenagers in Harrow know someone who has been stalked, sexually harassed or attacked. Funded by the Mayor’s office of police and crime, the campaign has been raising awareness of the rights of young people and where they can go for help or confidential support in a crisis.

Other fantastic programmes specifically help those who self-harm with their recovery. Safe2Speak and the award-winning Girls Xpress! provide out-of-hours support, mentoring and creative therapies to help young women express themselves in productive and positive ways. The girls can take part in self-defence courses and healthy relationship workshops to discuss concerns surrounding young people, power, choice and safety. Guidance with regard to healthy relationships is particularly important, given that the most serious sexual assaults are usually committed by someone known to the victim, most often a partner or ex-partner.

The girls who attend these groups will have experienced self-harm, but are likely to have also faced issues such as exposure to domestic violence, sexual assault, depression, bullying, rape, neglect and low self-esteem. They are often at risk of sexual exploitation. Furthermore, by assessing and reviewing how well these services are supporting young people, the centre is constantly improving its techniques and provision in the light of the responses of service users. I am sure that this House will want to join me in commending the tremendous work of the WISH Centre, and I invite the Minister to visit the centre in Merton and see for herself the excellent work it does.

Despite the hard work of groups such as the WISH Centre, however, there are still gaps in the provisions and protections available to 16 and 17-year-olds. Older teenagers, as we have heard, are at the highest risk of being victims of sexual crime. It is clear that they desperately need to receive better protection. I hope this protection will be delivered when the policing and criminal justice Bill is considered in the new year. Sexual offences against children at the age of 16 and 17 should always be treated seriously.

I fully agree that child sexual exploitation regrettably remains a problem, one that must be tackled collectively. A report released just this week from the National Crime Agency entitled, “Strategic Assessment of the Nature and Scale of Human Trafficking in 2014” lays bare a persistent problem. Of all the types of exploitation, child potential victims of trafficking aged 16 to 17 most commonly experienced sexual exploitation, with almost 100 cases reported in 2014. One child suffering in this manner is one too many; 100 is a failure that needs to be urgently addressed. That is two young people aged 16 or 17 every week falling through the cracks in the system and being preyed upon by some of the most despicable criminals in the UK. This only scratches the surface: countless more will doubtless have gone unreported.

Today’s debate focuses on legislation and research covering England and Wales, but child sexual abuse is not a crime that stops at borders. It is important, imperative even, for jurisdictions to look at one another to share practices. The vast majority of children in Scotland live safe, healthy and happy lives, but child

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I would like to begin by thanking the Backbench Business Committee for approving this debate, and by expressing my gratitude to the hon. Members for North West Hampshire (Kit Malthouse) and for Stockport (Ann Coffey) for bringing it forward. We are all indebted to the Children’s Society, which is to be commended for its work that seeks to prevent children from suffering heinous abuse and neglect. Child sexual exploitation is a truly reprehensible crime and one that has a lifelong impact on the lives of victims. I am sure Members on all sides of the House can find common cause today and unite behind this important issue.

Child sexual exploitation regrettably remains a problem, one that must be tackled collectively. A report released just this week from the National Crime Agency entitled, “Strategic Assessment of the Nature and Scale of Human Trafficking in 2014” lays bare a persistent problem. Of all the types of exploitation, child potential victims of trafficking aged 16 to 17 most commonly experienced sexual exploitation, with almost 100 cases reported in 2014. One child suffering in this manner is one too many; 100 is a failure that needs to be urgently addressed. That is two young people aged 16 or 17 every week falling through the cracks in the system and being preyed upon by some of the most despicable criminals in the UK. This only scratches the surface: countless more will doubtless have gone unreported.

Today’s debate focuses on legislation and research covering England and Wales, but child sexual abuse is not a crime that stops at borders. It is important, imperative even, for jurisdictions to look at one another to share practices. The vast majority of children in Scotland live safe, healthy and happy lives, but child
sexual exploitation is as much a reality there as it is in the rest of the UK. The Scottish Government have introduced Scotland’s national action plan to tackle child exploitation, a far-reaching and ambitious strategy to tackle the problem. Embracing the kind of joined-up approach required, the plan was developed with a working group that included police Scotland, the Care Inspectorate, Barnardo’s, the Crown Office and others. Real progress has been made in implementing the plan in Scotland.

A national summit, which brought together key service providers to share best practice, was held in February. Another such summit is due to be held in a couple of months. Police Scotland’s national child abuse investigation unit is now fully operational, and a programme of work will be developed across child protection to be agreed by February 2016 and presented to the Scottish Parliament.

As my hon. Friend the Member for North Ayrshire and Arran (Patricia Gibson) mentioned, the Scottish Government will also be launching a campaign to raise awareness of child sexual exploitation week. That campaign will involve television and poster campaigns aimed primarily at parents, carers and children. The plan forms part of a wider strategy and legislation aiming to get it right for every child.

Getting it right for most, but not all, children simply is not good enough. No child, at any age, should be able to slip through the net in society. Children who have reached the age of consent are still children, and today’s debate importantly highlights the disparity in how authorities deal with older victims. We have a moral duty to ensure that every child is protected from exploitation. Article 34 of the UN convention on the rights of the child lays clear our responsibilities. We must undertake to protect the child from all forms of sexual exploitation and sexual abuse and to take all appropriate measures to prevent the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of children in prostitution or other unlawful sexual practices, and the exploitative use of children in pornographic performances and materials.

Older children cannot be excluded or forgotten. It is arguable that older children are more at risk of grooming. The motion notes the role drugs and alcohol, mental health problems, being in care and learning disabilities can play in adding to the vulnerability of the age group. A true understanding of these complex issues is required in order accurately to target those who prey on vulnerable young people and to protect all those at risk. These issues span social work, policing, justice, the health service and the third sector. That should emphasise the need and importance of a collective and joined-up approach. Interworking between agencies, authorities and stakeholders is vital. It is also crucial that police be able to do their job properly and protect all children, including those who are older. One of the most impactful pages in the Children’s Society’s report is that which contains a single statement in large print:

“The police currently lack the tools they need to intervene early to disrupt sexual exploitation of older teenagers”.

The report contains several recommendations on how police can be better equipped to deal with child sexual exploitation, and I ask that the Government give these serious consideration. Resourcing authorities should be of paramount importance, and I hope the Government will reflect on this debate and the report and come forward with proposals.

The hon. Member for East Worthing and Shoreham (Tim Loughton) made a good point about this being part of a much wider issue. We hear that the Goddard inquiry could take up to 10 years. Does that mean that victims of child sex abuse have to wait 10 years for justice? No one, no matter what their standing in society, should be shielded from prosecution for sexual abuse crimes. Victims deserve justice. Now is the time to act, and I ask that the Government do not delay. If even one more child is saved through expedient action, it will have been worth while.

2.43 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): Thank you for your indulgence, Madam Deputy Speaker, and a very happy Christmas to you too. I also thank hon. Members for securing this debate and the Backbench Business Committee for allowing it to happen today.

Many Members have mentioned the excellent Children’s Society report, “Old enough to know better?” They have rightly described the situation for already vulnerable children—those in care, suffering mental health difficulties or dangerously exploiting drugs and alcohol, for example—but I shall focus on mobile and online sexual exploitation, to which all young people with smartphones are vulnerable. By not tackling that effectively, we risk setting another set of young people on the path to vulnerability, serious mental health problems and drink and drugs exploitation.

We also have to recognise that many young people, while being victims, could also, if we are not careful, be defined as perpetrators. The law has to be right and work in tandem with other approaches.

I thank Kevin Prunty, an experienced headteacher in Hounslow and executive head of the successful Cranford schools partnership, for helping me to prepare for this debate. He has direct experience of this situation and has some solutions I know he wants to share with the Minister.

The Children’s Society report recommendations apply to child sex abuse wherever and however it occurs, but there is justification for further consideration of mobile and online culture and the ways of helping to prevent the abuse, and to reduce the vulnerability to abuse, of 16 and 17-year-olds. In particular, the report does not address aspects of proactive prevention crucial to success in this field. Some important aspects of child online and mobile safety and of the equalities agenda are totally ignored, not just in the report, but seemingly by all the agencies and initiatives that Mr Prunty has come across.

We need to work in key areas, with cross-political support, to help schools and parents to safeguard children much more effectively than is possible merely by amending the law. The guidance says that child sexual exploitation can occur through the use of technology without the child’s immediate recognition. The definition of child sexual exploitation in the Sexual Offences Act 2003 includes merely the recording of an indecent image of a young person. The key findings of “Old enough to know better?” focus on strengthening the law. This age group is particularly vulnerable and inadvertently more vulnerable because of the potential for clumsy, inappropriate or disproportionate use of regulation and legislation.

It is right to strengthen the law to afford these children the same protections as younger children, but it is the continuum with the circumstances prior to the age of 16.
that makes them so vulnerable as they mature, particularly online. Tackling offenders and strengthening the law, while important, are only a small part of what needs to be done and are not, on their own, the real solution. Merely strengthening the law will do little good for the majority and will not address those who could become victims. We need to protect children earlier, as my hon. Friend the Member for Nottingham North (Mr Allen) said, and proactively to prevent abuse.

The law in this area is designed primarily to tackle the serious offences committed particularly by adults against young people. The Children’s Society report and the work of most agencies and organisations tasked with online safety, although extremely valuable, focus too narrowly on already vulnerable children and fail to address the context of young people’s lives more widely. The recommendations in the report focus on reaction rather than prevention. I want more resourcing, more strategies and action to provide an appropriate adult presence—not necessarily the police—in the mobile and cyber world, in which many young children spend huge amounts of their time growing up without us.

In this respect, the law must not be used where young people are engaging in unwise activities, which many do, that relate to the expectation and culture of a mobile and cyber environment in which appropriate adults have virtually no presence and where we too often leave the young people abandoned to fend for themselves. Here is a quote from Mr Prunty on the issue:

“In running schools and elsewhere, I always contend that a strong positive culture must dominate any community, including online and mobile, because in its absence there will never be a strong positive culture must dominate any community, including online and mobile, because in its absence there will never be a

Mr Prunty’s schools subscribe to a restorative justice approach, and this may be appropriate in cases where mitigating factors are considered.

Naïve online activity by 16 and 17-year-olds, which would also be subject to any strengthening of the law, such as online and mobile communication between peers, will be most frequent, is perhaps more detectable and could be easier to prosecute. It is important to remember, however, that in most cases 16 and 17-year-olds will actually remain victims even when they break such laws in the context and environment of the school and the world they occupy.

The vast majority of our young people are already mobile and already online victims in a largely unsupervised cyber world. Although the internet gets considerable attention from safeguarding organisations and in training, mobile activity and mobile-based abuse are, in fact, even more rife yet also more neglected by adults. Parents, teachers and other adults responsible for the routine safety of children are often best placed to supervise and guide young people, but they are largely absent from this dangerous environment. We tend to operate in Facebook, but young people are not on Facebook so much nowadays. The mobile world, and to some extent the dark web, get less attention, yet these are really part of most young people’s experiences—day and night.

I believe that the figures quoted in the Children’s Society report are actually a huge under-representation of the scale of the underlying problem. It is the underlying problem that contributes to a culture and environment that make identified sexual offences more probable and possible. In effect, it normalises them in the minds of young people, especially girls. I contest that a much larger proportion of 16 and 17-year-olds—boys and girls to differing degrees—experiences sexual and other harassment, abuse and pressure, and for many this is regular and unrelenting. Sometimes they take part in it, too. This normalisation, with no appropriate adult presence to challenge it, is what leads to the lack of reporting of sexual and other mobile, online and cyber-abuse. I support all the recommendations in the report, but feel that they are insufficient and incomplete without recommendations aimed at establishing a different online, mobile and cyberculture and skilling up children, parents and other adults.

I am short of time, so in conclusion I welcome the Minister’s announcement of the What Works review and hope that she will consider the specific issues of mobile and online sexual exploitation. I hope she will look not only at the already vulnerable children, but at the policies of all those who work with all our children, so that consistent, deliverable and effective solutions can be achieved, rather than just punishment under the law.

2.52 pm

Sarah Champion (Rotherham) (Lab): Let me first congratulate the hon. Member for North West Hampshire (Kit Malthouse) and my hon. Friend the Member for Stockport (Ann Coffey) on securing this important debate. I would also like to thank everyone who has spoken because they have done so with passion, on the basis of many years of experience and out of a real commitment to using the opportunity we have as parliamentarians to make a difference for the most vulnerable people. I am always most proud when we have debates such as this one.

The clear driver for this debate is improving the lives of the most vulnerable 16 and 17-year-olds. Too often, young people of this age are treated like adults and not afforded the additional protections given in law to younger children. However, teenagers of this age are more predisposed towards risk-taking behaviour. For the most vulnerable—for example, those with earlier experiences of abuse, trauma and neglect—this risk-taking can have serious consequences.

Yes, 16 and 17-year-olds can give consent to sexual acts, but is it always informed consent? The law does not recognise that in many cases where children aged 16 and 17 become victims of sexual offences, they are coerced into submission by perpetrators who supply them with drugs and alcohol or of whom the young people are scared. The capacity to consent is impaired through an imbalance of power between a child and a perpetrator, and by the young person’s use and/or dependency on drugs or alcohol prior to the offence.

As far as under-18s are concerned, the law is clear that the sale and consumption of alcohol from licensed premises and from licensed vendors is prohibited, but the law does not specifically address the fact that 16 and 17-year-olds, particularly vulnerable 16 and 17-year-olds,
can be coerced to submit to their own sexual abuse through adults supplying them with alcohol on private premises.

It is welcome that the Serious Crime Act 2015 has created an offence of coercive and controlling behaviour in intimate and family relationships, which protects vulnerable individuals, including 16 and 17-year-olds, in cases of domestic abuse. However, similar changes are needed to recognise the fact that 16 and 17-year-olds can be coerced and controlled—either through drugs or alcohol, or through fear—for the purpose of sexual abuse in more transient relationships.

The Sexual Offences Act 2003 defines sex offences against adults and children. In the case of a number of sexual crimes, the Act views young people aged 16 and 17 differently from those under the age of 16, and differently again from adults. For example, young people aged 16 and 17 are recognised as children if they are victims of sexual exploitation. A person who is found guilty of such an offence will incur a shorter prison sentence—up to seven years—than a person whose victim is under 13. That person will be sentenced to life imprisonment, while a person whose victim is between the ages of 13 and 16 will be sentenced to up to 14 years in prison.

Despite the age-related gradation in the length of sentences for sexual exploitation, the sentences for offences of rape and sexual assaults do not reflect the age of the victim in the same way. They do not recognise that young people aged 16 and 17 are children, and are therefore more vulnerable than adults aged over 18. The current legislation provides no guarantee that a sexual assault against a 16 or 17-year-old will incur a more severe sentence than an attack on an adult aged over 18.

Child abduction warning notices are used by the police to disrupt contact between a vulnerable child and an adult when it is feared that the child may be at risk of sexual exploitation or harm. They are primarily used to protect children under the age of 16, with the consent of their parents or guardians. Currently, the law also affords protection to the tiny proportion of vulnerable 16 and 17-year-olds who are in local authority care under section 31 of the Children Act 1989. Police protocols specify that only that group can be protected by child abduction warning notices.

Last year 4,510 teenagers aged 16 or 17 became looked-after children, but only 190 were taken into care formally under section 31. The other 4,320 became looked-after children voluntarily, under section 20. As only those who are formally taken into care under section 31 are protected by child abduction warning notices, the vast majority of 16 and 17-year-olds in care are not protected. That denies the police a critical tool to keep them safe from sexual exploitation. For example, when two children are living in the same supported accommodation and facing the same risks of exploitation, and one is looked after under section 31 while the other is looked after under section 20, the police can protect only the first child; the second is left unprotected. As the Minister knows, there is clear evidence that children in care are more vulnerable to grooming and sexual exploitation. I ask her to look at the position again to see whether that highly vulnerable group of 16 and 17-year-olds could be protected by child abduction warning notices.

We must bear in mind that there are other vulnerable 16 and 17-year-olds who are not looked after by local authorities. They include “children in need” under section 17 of the Children Act, who could be disabled or young carers. Those aged 16 or 17 who are assessed as homeless under the Housing Act 1996 are not eligible either. Both groups are at significant risk, and would benefit from the increased protection provided by child abduction warning notices.

In Rotherham there are 2,360 young people aged 16 and 17, and analysis of Department for Education statistics shows that 160 of them have been assessed as “children in need”. I want those 160 to have the protection of child abduction warning notices, so that if they are being sexually exploited—even if the process of sexual exploitation is just beginning—the police can disrupt the perpetrators rather than sitting on their hands until the abuse happens. The Minister has the perfect opportunity to make amends in the upcoming policing and criminal justice Bill. It is an opportunity to send a strong message that 16 and 17-year-olds are children, and that sexual offences against children will always be treated seriously.

Let me end by asking the Minister some questions. Does she agree that the law should make it very clear that a young person who consents to drink alcohol or take drugs should never be seen as also consenting to a sexual act? Does she also agree that the sexual offences legislation could be strengthened with the introduction of a new offence of coercive and controlling behaviour for the purposes of sexual activity with vulnerable 16 and 17-year-olds?

The definitive sentencing guidelines on sexual offences, specifically on offences of rape or sexual assaults, do not include vulnerability due to the victim being under the age of 18 as the harm factor, the culpability factor, or even the aggravating factor. This means that those convicted of these horrible crimes against children aged 16 and 17 may not get a sentence reflecting the seriousness of their crime due to a victim being a child. Does the Minister agree that the sentencing guidelines on sexual offences should be amended to include a victim aged under 18 being listed as a category 2 harm factor? This would strengthen the message that targeting children for sexual crimes will not be tolerated and raise awareness of the vulnerability of children of this age.

3 pm

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): It seems incongruous to do this during this debate, but I would like to start by wishing you, Madam Deputy Speaker, and all hon. Members a very happy Christmas. May I also congratulate my hon. Friend the Member for North West Hampshire (Kit Malthouse) and the hon. Member for Stockport (Ann Coffey) on securing this important debate and all hon. Members on their very thoughtful contributions? It is clear from the genuine concern expressed that this is an important and challenging issue which deserves our careful consideration.

May I start by reassuring all hon. Members that, as the Minister for preventing abuse and exploitation, I can say that I and this Government share their desire to protect everyone, particularly vulnerable young people, from violence and sexual exploitation? Like my hon. Friend the Member for East Worthing and Shoreham...
demonstrates the demand for its services and the fact that we receive a huge number of calls, indicating the urgent need for this work. The length of its waiting list clearly shows the importance of this organisation and the need for us to ensure that it has the resources it needs to provide this vital service.

Social media was mentioned. Children feel that they cannot escape from social media. They do not feel they can turn off their devices if they are being bullied. If somebody is threatening them online, they do not feel they can escape from it. These are important points and we need to listen and to understand so that we can take the right action.

Nusrat Ghani: On the need to take young people seriously, has the Minister come across the Barnardo’s service report, which highlighted that when young vulnerable people go to authority figures, they must always be taken seriously, because they may also be engaged in antisocial behaviour? Can we do all we can to ensure that people in authority take our young people seriously?

Karen Bradley: My hon. Friend, who serves on the Select Committee, makes an incredibly important point. Barnardo’s has just completed a trial of child trafficking advocates for the Government—I have placed a written ministerial statement on that in the Library today—and it does incredible work to make sure children are listened to. My hon. Friend is absolutely right: we need to change the culture and change attitudes. A point was made earlier—by the hon. Member for Brentford and Isleworth (Ruth Cadbury). I think—about victims being perpetrators. It is too often the case that a victim becomes a perpetrator and is seen as a perpetrator, and is not seen for the child that they are. We need to change attitudes. This debate, and the contributions today, will go a long way to doing that, but there is still more to do.

Preventing abuse and exploitation and protecting the vulnerable present complex challenges, particularly when dealing with young people. We know that children are being deliberately targeted, manipulated and coerced, and consequently sexually exploited. In this context, the Government welcome the research and findings presented in the Children’s Society report “Old enough to know better?” The report rightly highlights a number of important areas, including prevention, identification, protection, support and prosecution—areas which absolutely require the co-ordinated focus of Departments across Government, and beyond.

Melanie Onn (Great Grimsby) (Lab): Survivors (Hull and East Riding), which serves victims of CSE with mental health support services in my constituency, has seen a 20% rise in clients over the last three years and its waiting list is now six months. Does the Minister agree that delays in providing mental health services for survivors are unacceptable and increase the risk of suicide and self-harm among CSE victims?

Karen Bradley: I join the hon. Lady in paying tribute to the work of that organisation. I will talk about mental health services later, if she will bear with me. I am absolutely sure that the organisation does incredibly important work. The length of its waiting list clearly demonstrates the demand for its services and the fact that it is tackling the issue in an effective way.

We need to work across Government, which is why we have established a cross-Government response to child sexual exploitation. I want to assure all hon. Members that this is a top priority for this Government. The Home Secretary launched the report “Tackling Child Sexual Exploitation” in March this year. It sets out a national response to the failures that we saw in Rotherham, which the hon. Member for Rotherham (Sarah Champion) described, as well as in Manchester, Oxford and elsewhere, where children were let down by the very people who were responsible for protecting them. It sets out how we will continue the urgent work of overhauling the work of our police, social services and other agencies together to protect vulnerable children.

I want to assure all hon. Members that significant work has been and is taking place across Government, but given the time available today, I will not go through all the points that have been raised. My door is always open, however, and all hon. Members are very welcome to come and see me to discuss their concerns and the work that is being done. I will be happy to share in detail the work we are doing across Government.

I want to touch on the issue of terminology in relation to child sexual exploitation. We know that there is an issue with the terminology. It is too often the case that people in authority take our young people seriously, but given the time available today, I will not go through all the points that have been raised. My door is always open, however, and all hon. Members are very welcome to come and see me to discuss their concerns and the work that is being done. I will be happy to share in detail the work we are doing across Government.

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that the Government removed the terms “child prostitution” and “child pornography” from the law. I know that the guidance has not yet been updated in some areas but we are working incredibly hard to ensure that that happens and to ensure that all agencies with responsibility for that guidance update it as soon as possible. This is the clear message: a child cannot consent to sex. They are forced into sex, they do not consent to it, and there can therefore be no such thing as a child prostitute.

My hon. Friend the Member for North West Hampshire talked about children in care, as did my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst). Children in care are particularly vulnerable, which is why the Children Act 1989 makes it an offence to take any child in care, including a 16 or 17-year-old, away from the person responsible for them without lawful authority or reasonable excuse. We also know that 16 and 17-year-olds can be vulnerable in a variety of ways, some of which may be directly or indirectly linked to their age. That is also reflected in the sentencing guidelines, in which additional aggravating factors include the use of alcohol or drugs on the victim and the targeting of a particularly vulnerable child.

Sarah Champion: I apologise for interrupting the Minister, but I want to go back to her last point. I do not believe that either the police or people working in care homes are aware of that piece of legislation. If there is anything she can do to make them aware, that would be great. When I speak to these workers, they say, “The child is 16, so I can’t intervene if they want to go off with this person.”

Karen Bradley: I hope they have been listening to the debate, but we will make sure that even those few people who are not watching the House of Commons on a Thursday afternoon are made aware of that piece of legislation. The hon. Member for North Ayrshire and Arran talked about a young person’s consent after taking drugs or alcohol. Let us be clear: the law is clear that a young person’s consent to take drugs or alcohol can never be viewed as consent to sexual acts.

I am making sure that I deal with the important points, so let me move on to the issue of mental health. Some children who experience the kind of trauma associated with child sexual exploitation will need support from mental health services. The Minister for Community and Social Care has just joined us on the Front Bench. He is a Health Minister, and I am working closely with him on the crisis care concordat to make sure that mental health services are appropriately delivered. It is crucial that we get this right for children, including 16 to 17-year-olds. That is why we have commenced a major transformation programme, backed by additional investment, which will improve the support provided to vulnerable 16 and 17-year-olds who have experienced sexual abuse and are in need of mental health and wellbeing services. The programme will place the emphasis on prevention and early intervention, which I know to be an issue close to the heart of the hon. Member for Nottingham North (Mr Allen), building care around the needs of children, young people and their families, including the most vulnerable.

May I thank the hon. Member for Mitcham and Morden (Siobhain McDonagh) for bringing the details of the WISH Centre to the Chamber today? I welcome the invitation she made and I hope that we can arrange time in my diary for me to visit.

Mr Graham Allen: We are all grateful for the Minister’s mention of a centre of excellence to look at dealing with sexual exploitation. Will she make it clear that this will deal not only with what people traditionally look at as the sexual abuse of children, but with programmes to help prevent perpetrators from reoffending? Can she confirm that all that best practice will be in one place?

Karen Bradley: I can assure the hon. Gentleman that the work will be done not just in the What Works centre, but in the Home Office and elsewhere, particularly on the perpetrator programme. He is absolutely right in that the academic evidence is patchy in this field and we need to get the right evidence, because we will not be able to deal with this otherwise. We talk about conviction rates, but actually a conviction is a failure, as it means that a crime has occurred. We want to stop those crimes happening. That means dealing with perpetrators, stopping the perpetrators and protecting young people so that they understand and know what abuse looks like and how to avoid being abused. The work he has done in this area for many years is incredibly valuable and has helped us in Government to form our views on this issue.

The Government recognise the terrible scale and impact of these crimes, particularly on vulnerable victims. I am proud of the progress we are making in tactics against all aspects of child sexual abuse and exploitation, but there is still much to do. That is why I commend the Children’s Society for its invaluable work in drawing attention to particular vulnerabilities and recommending actions. I acknowledge the helpful contributions that have been made in this debate; hon. Members from all parts of the House have advocated wonderfully on behalf of the vulnerable in society, and I commend them all for doing so.

3.13 pm

Kit Malthouse: With the leave of the House, I thank all Members who have taken part in this thoughtful and important debate, and I thank the Children’s Society for the support it has offered to a number of us in compiling our contributions. I also thank the Minister for her offer of an open door, which I took to mean a meeting to talk about perhaps putting together some clauses in the criminal justice Bill which might close some of these loopholes. More than that, I hope that this can be the start of an examination, before that Bill appears, of what more we can do to protect children, because it is obvious that the evidence is available to us.

As my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) said, the 2012 report of the Children’s Commissioner pointed to things that needed to be done. We now have the Children’s Society report with similar evidence. We also have the appalling cases that we see in the newspapers. Obviously, something needs to change. Much of the legislation around the protection of children is quite old, and has not been looked at since the 1980s, when there was a period of rapid change. I know from my own experience that children have just been through another period of enormously rapid change, and that the legislation has lagged behind. I would welcome working with Members,
Sexual Exploitation: Protection of 16 and 17-year-olds

[Kit Malthouse]

the Minister, and, hopefully, the Home Secretary and the Secretary of State for Justice to see what more we can do in the upcoming criminal justice Bill to protect young people.

Question put and agreed to.

Resolved.

That this House notes the findings of The Children's Society's report entitled Old enough to know better? which looked at the sexual exploitation of 16 and 17 year olds; further notes the particular vulnerability of that age group as they transition from childhood to adulthood and the role that aggravated offences and harsher sentences have in deterring crimes against 16 and 17 year olds; calls on the Government to clarify for prosecution and sentencing purposes the role drugs and alcohol, mental health problems, being in care and learning disabilities have in adding to the vulnerability of that age group; and further calls on the Government to give police the same tools to intervene when a 16 or 17 year old is being targeted and groomed for exploitation as they have for younger children.

Mr Graham Allen: On a point of order, Madam Deputy Speaker. The brilliant way in which you managed the debate meant that every single person who wanted to speak did speak, and they all kept to within 10 minutes. Can you work that magic again?

Madam Deputy Speaker (Mrs Eleanor Laing): Yes, including those on the Front Bench.

Mr Allen: Including those on the Front Bench.

Madam Deputy Speaker: Yes, including those on the Front Bench. I hope to accommodate everyone without the need for a formal limit on speeches.

Conception to Age 2: The First 1001 Days

3.16 pm

Tim Loughton (East Worthing and Shoreham) (Con): Old Whip's habits die hard, but we accept the overtures of the hon. Member for Nottingham North (Mr Allen).

I beg to move,

That this House calls on the Government to consider the adoption of the recommendations in the cross-party manifesto entitled The 1001 Critical Days, the importance of the conception to age two period.

In this my seventh contribution of the day, let me wish you a happy Christmas, Madam Deputy Speaker, when it eventually starts. I am grateful to the Backbench Business Committee for giving us this important debate, particularly as it is so close to the launch of this excellent manifesto, which I will also be promoting today. I know that every single Member in this Chamber and beyond has been sent a copy of it. I am also grateful to those Members who have stayed for the final debate on the last day before the Christmas recess.

It is perhaps appropriate that the final debate should be about babies and conception to age two just eight days before we celebrate the birth of one particular baby, albeit the subject of an immaculate conception and in which the confusion over paternity, a somewhat unprepared and astounded mother and inadequate birthing facilities could have given rise in normal circumstances to some attachment dysfunction problems.

It is good to see the Minister for Community and Social Care here. I know that his door is well and truly open to what we have been promoting. It is particularly good to see my old great friend the Minister of State in the Department of Energy and Climate Change, my hon. Friend the hon. Member for South Northamptonshire (Andrea Leadsom). I wish to pay tribute to her. Effectively, she conceived this whole manifesto, gestated it and gave birth to it, and has done so much to champion the cause of early years attachment and perinatal mental health in this House and for many years before she came to this House. She continues to combine her advocacy with her new day job in DECC. She championed “The 1001 Critical Days” manifesto, which is now three years old and which was relaunched this week with more support and recognition than ever before.

On Monday, no fewer than 200 people came to the House of Commons Terrace to support this manifesto. Those present included academics, senior practitioners in paediatric and mental health, commissioners, voluntary organisations and politicians of all parties. It is particularly gratifying that the manifesto has now been sponsored by Members from eight different parties across the House. There really is a genuine cross-party consensus to promote this manifesto.

There has been big progress since the manifesto was launched in 2012 and promoted in the party conferences in 2013. The manifesto is now becoming part of the mainstream. It was supported at its launch and continues to be supported by the WAVE Trust—I pay particular tribute to George Hosking and all the work that he has done well before our time in the House—the National Society for the Prevention of Cruelty to Children, and PIP, the parent and infant partnership charity. I declare an interest as the chairman of the trustees.
PIP is putting the “The 1001 Critical Days” manifesto into practical action through children’s centres around the country and changing the mindsets of commissioners. Our project is called Noro in Oxford with OxPIP. We now have Noro in the constituency of my hon. Friend the Member for South Northamptonshire, projects in Enfield and Liverpool, and others in Brighton, Croydon and Newcastle coming online in the near future. We want to spread that network across the whole country.

It is crucial to change mindsets in relation to how we intervene early and reconfigure our health—particularly mental health—services, education and children’s social care services to intervene earlier to prevent the causes of poor mental health for mother and baby from leading to indistinguishable life disadvantages that become mired in a vicious cycle of intergenerational underachievement. The alternative is that we continue to fight the symptoms at great cost to our society both financially and, more importantly, socially.

The Government have made good progress, largely through the troubled families programme, in acknowledging that if we recognise the problems of dysfunctional families early and intervene with intensive focus and joined-up support we can often get those families back on track and convert them to balanced, contributing members of society, rather than a huge challenge to it and drain on it. I am proud to have been involved with that work when it was started in the Department for Education in my time as a Minister there.

But we need to go further, with what I have termed a “pre-troubled families programme”. That is, in effect, what the “The 1001 Critical Days” manifesto is about, and this is why. Last year the Maternal Mental Health Alliance, so ably led by Dr Alain Gregoire, produced a report which estimated that the cost of perinatal mental illness at more than £8 billion for each one-year cohort of births in the United Kingdom. That is equivalent to a cost of almost £10,000 for every single British birth. Nearly three quarters of this cost relates to adverse impacts on the child, rather than the mother. Perinatal mental health problems are very common, affecting up to 20% of women at some point during and after pregnancy, yet about half of all cases of perinatal depression and anxiety go undetected and many of those which are detected fail to receive evidence-based forms of treatment.

As the Minister well knows, the current provision of services is patchy at best, with significant variations in coverage and quality around the country. Most alarmingly, just 3% of clinical commissioning groups in England have a strategy for commissioning perinatal mental health services and a large majority still have no plans to develop one. I am sure that with the new Minister’s laser-like focus and zeal, and the fact that NHS England has adopted perinatal mental health as a priority, this will start to change soon.

Why does this matter? Apart from the obvious major public health epidemic going largely under-appreciated at its extreme, the statistics are alarming. Just last week a report by the maternal research group MBRRACE, analysing maternal deaths between 2011 and 2013, found that one in four of those deaths between six weeks and one year after giving birth were linked to mental health issues, one in seven were a result of suicide, and mental health problems were instrumental in the deaths of one in 11 new mothers within the first six weeks after giving birth. At this extreme the figures are shocking, but they are also largely preventable with better and early detection and intervention, yet 40% of those women who committed suicide in that timeframe would not have been able to access any specialist perinatal mental health care in their areas.

For those who lived through pregnancy and the early years of a baby with a mental illness, the impact on that child can be considerable. Another major negative impact might be substance abuse, poor parenting skills—often inherited as a result of a young mum being poorly parented herself—and being exposed to domestic violence. Incredibly, more than a third of domestic violence cases begin in pregnancy. This is a statistic that many of us would find hard to believe. Sadly, these negative influences are all too prevalent among new parents. Those is by no means a problem limited to those from poorer backgrounds. Parents unable to form a strong attachment with a new baby come from all parts of society, and we need a multifaceted approach for detection and intervention at all levels.

Children need nurturing from the earliest age. From birth to age 18 months, it has been calculated that connections in the brain are created at a rate of a million per second. The earliest experiences shape a baby’s brain development, literally, and have a lifelong impact on that baby’s mental and emotional health.

A pregnant mother suffering from stress can sometimes pass on to her unborn baby the message that the world will be dangerous, and the child might struggle with many social and emotional problems as a result; their responses to experiences of fear or tension have been set to danger and high alert. That will also occur at any time during the first 1001 days when a baby is exposed to overwhelming stress from any cause within the family, such as paternal mental illness, maltreatment or exposure to domestic violence.

Attachment is the name given to the bond that a baby makes with his or her carers or parents. There is long-standing evidence that a baby’s social and emotional development is affected by his or her attachment to his or her parents. As the chief medical officer, Sally Davies, puts it in her foreword endorsing “The 1001 Critical Days”:

“The early years of life are a crucial period of change. Adolescence is a key moment for brain development. As our understanding of the science of development improves, it becomes clearer and clearer how the events that happen to children and babies lead to structural changes that have lifelong ramifications. Science is helping us to understand how love and nurture by caring adults is hard wired into the brains of children.”

The all-party group for conception to age two—the first 1001 days, which I have the privilege of chairing, produced a report in February called “Building Great Britons”. That, too, was sent to every hon. Member and it complemented “The 1001 Critical Days”. The report calculated the cost of child neglect to be some £15 billion each and every year. When combined with perinatal mental illness, that makes a cost of more than £23 billion every year for getting it wrong for our youngest children and their parents. That is equivalent to two thirds of the annual defence budget.

In concentrating on perinatal mental illness in young mums, it is also important to stress how a child benefits most from forming strong and empathetic attachments with both parents. We should not forget that 39% of
first-time fathers also experience high levels of distress during a child’s first year. We need a strong whole-family approach, and it is especially important to get that strong attachment with fathers in the second year of a child’s life as well.

Another big problem in this country is that it has been calculated that 1 million children suffer from the type of problems—attention deficit hyperactivity disorder, conduct disorder and so on—that are clearly increased by antenatal depression, anxiety and stress. Yet the cost of appropriate and timely intervention and support has been calculated at a fraction of the annual cost of failure. It equates to roughly £1.3 million per annum for an average clinical commissioning group with a budget of around £500 million.

The “Building Great Britons” report calculated that preventing these adverse childhood experiences could reduce hard drug use later in life by 59%, incarceration by 53%, violence by 51%, and unplanned teen pregnancies by 38%. It is not rocket science—technically, it is neuroscience. More and more people are coming to realise that this is an investment that we cannot afford not to make.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I congratulate the hon. Gentleman on securing this debate. He and I have worked on children’s issues for a very long time. This is a brilliant initiative. As we are listening to his brilliant analysis, we have to consider whether we have the right skills in the communities. Are we training people the right way? Are we depending too much on people with PhDs in educational psychology, rather than on trained people based in GP surgeries who can identify problems and support families at an early stage?

Tim Loughton: I am grateful to the hon. Gentleman for his support. He has been working on this stuff for even longer than I have and has great experience. We need to ensure that we are training the people who know about this stuff, appreciate its importance and know how to communicate with other professionals to have a joined-up approach. There is too much silo thinking going on. When Minister and shadow Minister, I saw families who seemed to be having all sorts of different professionals going in and out of the house but no joined-up approach to bring it all together and make the difference that the family needed.

We also need those professionals to be able to work with the parents, and to be able to communicate and empathise with them, because ultimately it is the parents who will have the biggest influence on the children. They need to be guided and supported. The state needs to take over only in extreme circumstances in which children might be at harm. We need to do more to ensure that parents know what good parenting looks like and are able to do it.

That is why “The 1001 Critical Days” manifesto is so important. It is not simply a political wish list; it has been endorsed by a very wide cross-section of children’s organisations, charities, practitioners, and academic and professional bodies, including the royal colleges of paediatrics and child health, midwives, psychiatrists, obstetricians and gynaecologists, and general practitioners; the NSPCC; Bliss; the Tavistock Centre for Couple Relationships; and the Centre for Social Justice. The Institute of Health Visiting said:

“As far as health visitors are concerned, the 1001 Critical Days Manifesto may yet prove to be one of the most important developments of the new millennium. It has created a long overdue focus on the essential first days of life when the blue print for an individual’s future health and wellbeing is laid down.”

I will not go into great detail about what the manifesto calls for, because every hon. Member has received a copy. In essence, it is about allowing vulnerable families to access specialist services; working closely together to share vital data between the different agencies I have spoken about; and making sure that every woman with past or present serious mental illness should have access to a consultant perinatal psychiatrist and specialist support in relation to mother-infant interaction, as required and in accordance with existing National Institute for Health and Care Excellence guidelines.

The manifesto has a truly holistic approach involving many Government Departments and agencies at a national level and a local level. In essence, it is about changing mindsets so that that should be the approach we ordinarily have and take for granted, because it is the right one. The aim is that “The 1001 Critical Days” becomes a recognised term with a recognised programme being delivered across every community, focused on children’s centres. I know that the Minister is already on board with this aim, and I urge him to promote and champion its adoption to his colleagues across Government. I commend the motion to the House.

3.31 pm

Mr Graham Allen (Nottingham North) (Lab): First, I declare an interest as the founder of the Early Intervention Foundation, and take this probably unique opportunity to put on record my thanks to its chief executive, Carey Oppenheim, its director of evidence, Professor Leon Feinstein, its director of policy, Donna Molloy, and all the fantastic staff there.

Secondly, I pay tribute to colleagues who secured this debate. If I may say so, the inspiration behind a lot of this comes from the hon. Member for South Northamptonshire (Andrea Leadsom). I do not suppose that she is allowed to contribute today, but we are getting thought beams from her as our speeches progress and drawing great inspiration from that.

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Member for South Northamptonshire (Andrea Leadsom) may, on this unusual occasion, acknowledge the praise being heaped on her, and rightly so, from around the House.

Mr Allen: I would gladly give way to the hon. Lady if it did not break all sorts of precedents.

I come to this issue as a constituency Member of Parliament representing the fifth most deprived constituency in the United Kingdom who is learning how to resolve some of the intergenerational problems that start with the very youngest in our communities—indeed, as “The 1001 Critical Days” implies, before birth. Trying to break some of these cycles is my own personal learning curve. I share that, surprisingly but very importantly, with the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), who has been on a similar journey to mine, in very different circumstances. I hope that those two strange bedfellows, he and I, have demonstrated that we must have an all-party view on
this. As with the previous debate on the sexual abuse of 16 and 17-year-olds, we will make no progress unless we agree across the House, in all parties, because getting something from one Government only for it to fall under the next is no progress at all. The problems we tackle are intergenerational and long-running. They require us to invest in individuals, whether with love or with money, and take a very long-term approach. We must all unite across the House to make sure that this moves forward.

Mr Sheerman: I absolutely agree. Throughout my time in the House, there has been cross-party support on issues affecting very small children and children before they are born. The one thing that I always stipulated when I chaired the Children, Schools and Families Committee was that we should determine policy on the basis of good evidence and what works in countries such as ours.

Mr Allen: I hope that my own journey has exemplified that approach. The two reports the Prime Minister asked me to do in 2010 and 2011 were signed off, as it were, with very nice pictures of the then leaders of all the main political parties. The reports are still valid and they are still available, albeit not at all good bookshops, but if anybody who is viewing wishes to contact me, I would be very happy to share them. I hope they have been of some help and influence to the excellent “The 1001 Critical Days” campaign.

Whenever I dig out such reports, having not looked at them for a couple years, I look to see whether they are still relevant. In an opening paragraph, I use the term “early intervention” to refer to “the general approaches, and the specific policies and programmes, which help to give children aged 0–3 the social and emotional bedrock they need to reach their full potential; and to those which help older children become the good parents of tomorrow.” I hope that is in line with the superb work of my hon. Friend, the influential former Chair of the Children, Schools and Families Committee.

For me, early intervention is a philosophy, not a set of programmes. It is about changing the way we do business, whether as a political party, a family, a community or an individual. That philosophy is essentially about giving the nought-to-threees the social and emotional bedrock to become great people in their own right, and to be able to grow and flourish. It is about applying what we wanted for our own children to as many children as possible, not least those throughout the United Kingdom.

Stephen Hammond (Wimbledon) (Con): Will the hon. Gentleman give way?

Mr Allen: I will give way, but I hope my virtual time limit will be extended by Madam Deputy Speaker.

Stephen Hammond: I will be extremely brief. The hon. Gentleman is absolutely right about ensuring that the nought-to-threees become great people in their own right. One of the things that can help is recognition of when in the school year they were born. Does he agree that the Summer Born campaign, which wants local education authorities to properly assess children born in July and August, and the anticipated change to the code of practice, which is welcome, will help those children?

Mr Allen: That is a classic case—we referred to this earlier—of the need to rely on the evidence and the science. Let us listen to people who know about these things, rather than do something because that is the way we have always done it or because it is a reflex reaction. That is why the Early Intervention Foundation is central. Best practice needs to be collected in and propagated from one place, so that anyone who visits the website or who makes a phone call can learn from the experience of all those who have gone before them.

I agreed with so much of what the hon. Member for East Worthing and Shoreham (Tim Loughton) said about how this will save us all not only a lot of grief, but a lot of money. I remember telling the Chancellor of the Exchequer that early intervention is the biggest deficit reduction programme he could possibly have. There are various views of the total amount that could be saved, but the Early Intervention Foundation puts the cost of late intervention at £17 billion a year. People are very quick to jump up and ask, “How much is this programme going to cost?”, but they are very slow to say that what we are currently doing is incredibly costly. If someone said, “I’ve got a budget for you: it’s called the late intervention budget and it’s going to cost you £17 billion a year,” there would be an uproar. People would cry, “We can’t afford that!” Of course we cannot afford it, but that is the cost of the criminal justice system having to deal with dysfunctional young people who could have had a chance earlier in life; of mental and physical ill-health; of the court system; and of educational underachievement.

We are wasting money, which we can ill afford, rather than spending a bit of money to start us off. It is received wisdom to talk about a stitch in time, and we often say that prevention is better than cure. In religious terms, we say, “Give me the boy and I’ll give you the man.” We use such phrases in our daily lives, but somehow we cannot bring them to bear on the political choices we make.

It is essential to support this 1001 days campaign. It is very important to underline that helping a child or a mum-to-be is money in the bank in terms of both the child’s development and financial prudence for us as a community and a society. Brain development was mentioned earlier. Given the plasticity of the brain, it is now absolutely without doubt—the neuroscience is incontrovertible—that if we can influence the development of a child’s brain pathways during the nought-to-three phase, we will be helping them for the rest of their life. It is absolutely essential to do so.

We will continue to do all this work together and to have overlapping campaigns, including with Governments of all parties. I must say that that was very difficult when my party was in government. I have to be honest and repeat that we made more progress with a Conservative Prime Minister in a coalition Government than we did with two Labour Prime Ministers.

This is an all-party campaign, and all parties need to use the vocabulary of early intervention. One thing that I and the right hon. Member for Chingford and Woodford Green did, if I may say so, was to make such vocabulary commonplace in this House. We now talk sensibly about early intervention, rather than about “ASBOs on embryos” or “hugging a hoodie”, and all the other terms of abuse bandied about, to no effect whatever, by both parties 10 years ago.
We are growing, improving and getting more mature. With the example of hard science and the example of practice—the Early Intervention Foundation has been involved in 20 local areas to prove what works—we are on the verge of breaking the philosophy out of purely children’s policy into something that we should do in every policy area of government.

Does devolution have anything to do with this issue? Of course it does, because if we allow people in our constituencies, boroughs or councils sensitively to develop things that they know will work, we will spend public money better, even when the early intervention grant is being abolished and austerity is striking at every local authority. At such times, we need to spend money more accurately and with more precision.

I would argue that there may be an early intervention aspect to confronting international questions. Some fascinating work has been done on trauma by Suzanne Zeedyk and Robin Grille from the National Consortium for the Study of Terrorism and Responses to Terrorism. What greater trauma is there for a growing child than to be involved in a civil war or appalling acts of violence? That is the very breeding ground of religious fundamentalism and terrorism.

Early intervention is a philosophy whose time is about to come. Let us make sure that late intervention as a philosophy is consigned to the dustbin of history. One of the best ways for us to do so is to continue to support early intervention, to back initiatives such as the Early Intervention Foundation and to give this motion on the 1001 most critical days a resounding cheer of support from both sides of the House as it is, I hope, approved unanimously.

3.43 pm

Fiona Bruce (Congleton) (Con): I must apologise to the Minister. I have a long-standing engagement in my constituency this evening, and I would be grateful to him if he released me to attend it. I will not therefore be able to listen to his winding-up speech.

I want to concentrate on the first part of the 1001 days—the period between conception and birth. A report was published earlier this year by a team from leading UK and US universities who had studied pregnant women in rural Gambia and the children to whom they gave birth. It is clear that the children conceived in the dry season, when there was not an abundance of leafy green vegetables, were seven times more likely to die in young adulthood than those conceived in the wet season, when their mothers’ diet was so much better. The research team said that later in life the impact could be seen in a much higher proportion of children are born with FASD than is currently recognised. Those children will have a variety of difficulties in childhood and in later life.

The tragedy is that, theoretically, FASD is 100% preventable if all pregnant women are given clear advice on the risks of alcohol intake to their unborn child. We were told that the best advice for young women is not to drink if they are considering becoming pregnant, since there are effects even at the earliest stage.

Equally tragic is the fact that in the UK there have been decades of mixed messages regarding the right level of alcohol intake during pregnancy. I remember that from when I had my children, which is well over 20 years ago. The all-party group was advised that a clear message should be given by Government Departments that, just as smoking during pregnancy affected the unborn child and should be avoided, so too did alcohol and it too should be avoided.

For the UK not to be sending that message is not only tragic for the families concerned; it goes against international best practice, which is to advocate that alcohol be avoided if a woman is pregnant, thinks she might be pregnant or is trying to conceive. In Canada, children as young as primary school age are taught that. Pregnant women in Denmark, France, Israel, Norway, Mexico, Australia, Ireland, New Zealand, Spain and the Netherlands are advised to abstain completely from alcohol. Since 1981, the USA has advocated that “no alcohol is safest for baby and you.”
Without such a clear message, pregnant women in the UK are left confused and uncertain. I know from my work as the chair of the all-party group on alcohol harm that few people can accurately measure one unit of alcohol. If a message is sent out that one or two units a week is okay, it is probably easy to think, “Well, why not three or even four or more?”

One of the reasons that women are confused stems from the unclear guidelines provided by UK professional and governmental bodies. Although NICE and the Department of Health warn of the potential for alcohol to harm an unborn child, incredibly they do not go on to stipulate that women should abstain from drinking during pregnancy. The Government are currently carrying out an alcohol review, and I hope they will seriously consider that issue. By contrast, the British Medical Association advocates that no alcohol should be drunk during pregnancy. As a result of those mixed messages, not only are women confused but many midwives are uncomfortable about giving advice on alcohol. A study that questioned 200 midwives found that only 60% asked women about their drinking habits, 30% advised against binge-drinking, and only 10% were aware of FASD. As our report says: “this is astonishing and deeply worrying, and something which must be rectified as a matter of urgency.”

More encouragingly, 93% of midwives said that they would be comfortable advising that no alcohol should be drunk during pregnancy if that was the consistent message from the Government. In the absence of such clarity, however, they are afraid to offer such advice.

Our inquiry also revealed a similar lack of in-depth knowledge about FASD across the medical profession. There is only one specialist FASD clinic in the UK, and it is wholly overstretched. That lack of in-depth knowledge means that children with FASD are often given multiple inaccurate diagnoses, such as ADHD, autism or an attachment disorder. Appropriate support mechanisms are rarely put in place, and families are left frustrated and confused. It is critical that FASD is given a higher priority within the NHS for research, diagnostic, and support services.

Mr Graham Allen: The hon. Lady is making a fascinating contribution. Given that the Minister is in his place, is this a good moment for her to comment on the failure to fund research into the prevalence of foetal alcohol syndrome? I am sure she is coming to that, but given that the Minister is paying great attention, perhaps this is a good moment to get that message sprayed on to the Department’s eyeballs.

Fiona Bruce: I thank the hon. Gentleman for that intervention. Our report states that because of inadequate research in this country, there is insufficient information to encourage those involved—including, we believe, Government representatives—to take action.

Several of our witnesses testified that there must be more appropriate training on FASD among the medical profession, and national standards must be adhered to. For example, we heard how diagnosis could take place as early as for a one-month-old child, or as late as at 10 years, or not at all. It appears to rely on which professional a child sees. Time and again we heard from families, including parents, grandparents, adoptive parents and foster carers, that they had to explain to medical staff the diagnostic nuances of FASD.

As I have said, the extent of this condition has been under-recognised by successive Governments. Research now indicates that 30% to 50% of children in foster care could be affected by FASD, and a study mentioned in our report from an audit in Peterborough, published in October 2015, showed that 75% of children referred for adoption had a history of pre-natal alcohol exposure. If those figures are extrapolated across the UK, that should have major implications for Government policy on fostering and adoption. Sadly, there are also impacts on the criminal justice system, and our inquiry heard of vulnerable young people with FASD who move into adulthood where they cannot meet societal expectations and behavioural norms. Those people are being exploited by criminal gangs and sexual predators, which is a result—certainly in part—of a lack of concern, understanding and support for them and their condition.

In conclusion, the seriousness of the problem cannot be overstated. Our report makes a number of recommendations that the hon. Member for Sefton Central may well go into in more detail. The impact on the early stages of a child’s life cannot be overstated. Even the alcohol industry has taken considerable steps to send warnings not to drink during pregnancy. Ninety-one per cent. of alcoholic drinks in bottles and cans now carry a warning.

That is not enough, however. A study by Drinkaware revealed that more than half of pregnant women in the UK receive no advice at all about drinking while pregnant. The original clinical diagnosis of FASD was made in 1973. Our inquiry showed that “in the four decades since then, the UK as a whole has still barely acknowledged its existence.”

That must change, and the Government must take a lead.

3.55 pm

Bill Esterson (Sefton Central) (Lab): I am grateful to the hon. Member for Congleton (Fiona Bruce), who has been an excellent vice-chair of the all-party group on foetal alcohol spectrum disorder. I congratulate hon. Members on bringing the debate to the House because it gives us a timely opportunity to talk about the initial findings of our inquiry, of which the hon. Member for East Worthing and Shoreham (Tim Loughton) was another valued member.

I want to repeat as forcefully as I can the point that the hon. Lady made about the need for a prevalence study. I have asked the Minister about it previously in questions, and I put it to him that such a study is essential. The evidence we took in our inquiry is backed up by evidence that has come from around the world over many years—the hon. Lady identified a number of those countries. The time has long since passed for us getting that evidence base in this country so that we can understand as well as possible exactly how great a problem it is and what solutions are needed. The Minister can intervene now, but perhaps he will address that point later.

The hon. Member for East Worthing and Shoreham referred to this. Friend the Member for Nottingham North (Mr Allen) mentioned brain development and the damage done by alcohol during pregnancy when a mother and baby are susceptible to that damage. They are frightening results.
Dr Philippa Whitford (Central Ayrshire) (SNP): One other area we need to consider is malnutrition and micro-malnutrition. Regardless of obesity or weight, we are seeing a more malnourished diet in this country from poor quality food and reliance on food bank food. Work done has shown low levels of iodine, which increases cretinism, and low levels of folate, in girls in their late teens, which means that, as they enter the child-bearing age, they are at high risk of having children who have major disabilities.

Bill Esterson: I am glad the hon. Lady managed to get that point on the record. That is an incredibly important part of the picture of the damage done to brain development. I want to concentrate my remarks on the damage from alcohol and the inquiry report that the all-party group has just published, but I am grateful to her. Her point is very complementary to my remarks.

My hon. Friend the Member for Nottingham North made a powerful point on the potential of early intervention—he said it could be the biggest deficit reduction scheme of all and mentioned the figure of £17 billion. That is an important point when it comes to foetal alcohol spectrum disorders. In Canada and the US, they use the term “million dollar baby”. It refers to the lifetime costs of the damage done by alcohol during pregnancy. The hon. Member for Congleton and others have mentioned many of those costs, whether it is the inability to engage socially or hold down a job. Many end up in the criminal justice system and many of us care for children and young adults who were damaged by alcohol during pregnancy. All of these things have huge economic and social costs. It is incredibly important that we take those points on board, whether on alcohol harm or other forms of damage and deprivation caused during pregnancy and in the early years.

The all-party group took evidence from a great many experts: Martin Clarke of the Adolescent and Children’s Trust; the consultant psychiatrist and nationally renowned expert on FASD, Dr Raja Mukherjee; Sir Al Ainsley Green, now President of the British Medical Association; SABMiller from the drinks industry; the British Pregnancy Advisory Service; Public Health Research; a midwife; and parents and carers, as well as young adults living with foetal alcohol spectrum disorders. We heard heartrending examples of damage done, difficulties faced and the life-limiting effects of alcohol during pregnancy.

I want to pay tribute to and thank the Foetal Alcohol Spectrum Disorder Trust for the secretariat support, and other organisations such as the National Organisation for Foetal Alcohol Syndrome, which has for many years attempted to improve the education of professionals in health, education and other sectors on what is needed to prevent the disorder and to support people who care for children and young adults; and Mencap, which advises GPs.

There have been some puzzling changes over the past 20 or 30 years, something the hon. Lady touched on. In the 1970s, alcohol consumption in the UK was one of the lowest in the western world. From that low base, however, there has been a steady increase. There is a remarkably strong correlation between the increase in alcohol consumption and the increase in the incidence of mental health problems, attention deficit hyperactivity disorder, autism, Asperger’s, and many different kinds of learning and physical disabilities. The remarkably close correlation suggests causality. Brain damage is not reversible and is clearly significant. As the hon. Lady said, the World Health Organisation estimates that 1% of people born today are affected by FASD. Even at 1%, that is 7,000 children affected every year. That is 7,000 too many.

For anyone new to this subject, there is a widely shared video of the effect of a small drop of alcohol on an embryo, which is compared with an embryo that does not experience the ingestion of a small drop of alcohol. The difference is stark. For two hours, the embryo stops moving altogether. We can only wonder at the damage done at that very early stage of pregnancy.

International evidence suggests that the damage is done in the early days and weeks in particular.

As the hon. Lady said, the advice is far from clear. On the one hand, people are told not to drink. That seems clear. From the evidence heard by the all-party group, that is the right advice. However, the advice also says that if a woman chooses to drink, she should drink only one or two units. The advice appears inconsistent and contradictory. We took evidence from health professionals, the vast majority of whom do not appear to be aware of the real level of risk and danger. They do not appear to be passing on advice to women planning to conceive or who are pregnant. That is why our inquiry recommended it be made clear that the best thing for mother and baby is for the mother not to drink at all.

I hope that the Minister—I am sure he will—and all who are interested will read the report and carefully consider its recommendations. It is only an initial report—we plan to continue our work—and I hope that he or one of his colleagues will come to one of our meetings to discuss this matter in greater detail. As my hon. Friend the Member for Nottingham North said, early intervention gives us a fantastic opportunity not only to improve the life chances of many people but to save a lot of money. When it comes to the damage done by alcohol during pregnancy, the 7,000 figure, which, from the evidence we received, might well be on the low side, suggests that there is a huge opportunity. I hope that, as a result of the work we have done and the fine work of those Members responsible for today’s report, progress can be made and that the Minister will agree to commission the prevalence study, so that we can start to reduce the number of children damaged every year in this country.

4.6 pm

Norman Lamb (North Norfolk) (LD): It is a pleasure to follow the hon. Member for Congleton (Fiona Bruce) and for Sefton Central (Bill Esterson), and I completely endorse their points about foetal alcohol syndrome. It feels like we have not caught up with the evidence, and we need to do so urgently, given the awful carnage being done to babies by this dreadful condition, so I congratulate the all-party group on foetal alcohol spectrum disorder on its work.

I also congratulate the right hon. Member for East Worthing and Shoreham (Tim Loughton)—

Tim Loughton: Hon. Member.

Norman Lamb: Oh, I do apologise. To me, he is right honourable. He has shown great leadership, both as a Minister and in his work since, and I applaud him for that. I also join others in acknowledging the fantastic
leadership shown by the hon. Members for South Northamptonshire (Andrea Leadsom) and for Nottingham North (Mr Allen).

Like the hon. Member for East Worthing and Shoreham, I had the one-to-one seminar with George Hosking from the WAVE Trust. I had it many years ago, but I remember it still very clearly: the evidence he showed me, from Australia and the United States, was compelling. He is right on a mission and has had a significant influence, which should be acknowledged, so I join the hon. Gentleman in thanking him for his amazing work.

I want to focus on perinatal mental health. Here, we are dealing with two lives: the mother's and the baby's. The impact of mental ill health in the first year after birth is profound. As the hon. Gentleman said, it affects up to 20% of women. We often think of it as post-natal depression, but it goes much wider than that. The London School of Economics' personal social services research unit and the Centre for Mental Health have produced an important piece of work on the economics of this. They refer to anxiety, psychosis, post-traumatic stress disorder and other conditions, including obsessive compulsive disorder. The impact of these conditions on the mother, but also on the baby and the wider family, can be very profound.

The cost of failure, as the hon. Member for Nottingham North made clear, is enormous. The report by the LSE and the Centre for Mental Health estimates the cost of perinatal ill health as being £8.1 billion at the very minimum. The basis for calculation was the mothers who suffered depression, anxiety and psychosis, but they recognised that other conditions were relevant, too, which have not been costed, so the overall cost is bigger. We must understand that. As the hon. Member for East Worthing and Shoreham made clear, this amounts to £10,000 for every baby born in this country. The cost of failure is just enormous.

How have we responded to this extraordinary impact? Slowly but surely, things are changing, but if we look at the recently published map on the availability of services around the country—this relates to the UK's specialist perinatal mental health teams—we see that in 2015, the map is still horribly red. This does not indicate constituencies held by the Labour party—/Interruption./ Thank goodness! This indicates the parts of the country where no specialist team is available. Let us imagine for one moment that this was the case for stroke care or heart conditions: there would be a national outcry.

No party or Government is responsible for this situation. We are dealing with an emerging understanding, and it is about developing a new service. When I look at the whole of East Anglia, my own region, I see that not a single specialist team is available. That is truly shocking. As the hon. Member for East Worthing and Shoreham said, people are dying, and some even take their own lives, yet these are deaths that could be prevented by the application of specialist services around our country. None of us can be comfortable with the fact that so much of our country does not have the ready availability of support for mothers in this situation.

There is an urgency to ensuring that we act to get the whole country covered. I was pleased when in response to the cross-party campaign for equality for mental health, we had the basic simple principle that there should be equal access to care and support—irrespective of whether people have a mental or a physical health problem. At the moment, that does not exist, but the campaign that we launched in the run-up to the spending review secured a response from the Chancellor of an extra £600 million for mental health. In his statement to Parliament, the Chancellor specifically mentioned the importance of perinatal mental health services. That money must be used.

I end by urging the Minister to do everything in his power to instil a real sense of urgency, with a programme and a timetable to get every part of the country covered by specialist services. I find it unbelievable in this day and age that the CCGs mentioned by the hon. Gentleman have not even started to think about this yet. These are the people who hold responsibility in our NHS for commissioning services for our populations, but a significant number of them have not yet even started the process of thinking about the problem. The message needs to go out from the Minister, but also from NHS England nationally, that this situation is intolerable and cannot be sustained. We must ensure that this Parliament reaches the point by 2020 when the whole of that map of the United Kingdom is green, so that every mother, when she is in need, following birth, can get access to the specialist services that can help her to recover.

4.13 pm

Mark Durkan (Foyle) (SDLP): It is a pleasure to follow the hon. Member for North Norfolk (Norman Lamb), who touched strongly on perinatal mental health. That is one of the issues addressed in the work of the all-party parliamentary group on conception to age two—the first 1001 days. In common with others, I pay tribute to the hon. Member for East Worthing and Shoreham (Tim Loughton) not just for his introduction to the debate, but for the way in which he has chaired that all-party group and the thorough way in which evidence has been drawn and accumulated from so many practitioners, academics and others. He has followed up the pioneering work done by the hon. Member for South Northamptonshire (Andrea Leadsom) in establishing the group, along with the right hon. Member for Birkenhead (Frank Field) and the hon. Member for Brighton, Pavilion (Caroline Lucas).

I have been a member of the all-party parliamentary group since its own conception, and I have been particularly impressed by the way in which so many different organisations, all of which have pledged their support to this manifesto, have engaged with its work with the aim of making us better informed about the policy questions that we raise, the policy priorities that we identify, and the ideas that we present.

It is great that the hon. Member for Nottingham North (Mr Allen) has been here to contribute to the debate, because in a number of respects he has been a policy prophet. For many years, people who talked about early years policy tended to mean the year or two before a child went to school, when the child was three or four years old. All too often, early intervention or early years policy has concentrated less on the role of parents as parents than on their role as workers who have parental responsibilities and are in need of childcare, and who, along with their employers, benefit from good childcare support. We need to support parents in their capacity as parents with key responsibilities
for their children, and that means supporting them when the children are experiencing those first, formative stages of their lives.

We have already heard today about all the scientific evidence relating to the plasticity of the brain and the key development of neurological pathways during the early stages of life. One of the academics who gave evidence to the all-party parliamentary group made the telling point that many of the experiences that affect people over their lifetimes can be traced back to childhood experiences that could have been averted, or prevented, by good early years support, and that means adequate support for parents during the formative years of their children’s lives. For instance, there may be a high correlation between child and adolescent mental health issues in the later stages of people’s lives and some of their experiences during their early years, when they may have faced challenges such as an upbringing in distressed circumstances or the absence of opportunities that could have been afforded if their parents had been given proper support.

That academic used a striking phrase. He was a north American, so perhaps it came from him all the better. He said, “Unlike what happens in Las Vegas, what happens in the early years does not stay in the early years.” For good or bad, what happens in the early years is with us throughout our lives, and many of those experiences may inform our expectations in life and of life. That is all the more reason for us to invest strongly in the early years, not just in terms of family love but in terms of policy and programme planning, and of actual support in the form of local services.

While I have been hugely impressed by much of the evidence that I have received as a member of the all-party parliamentary group—and, like the right hon. Member for North Norfolk (Norman Lamb), by the compelling case that has been put forward by George Hosking and others—I am happy to say that I have benefited from the presence in my constituency of the Lifestart Foundation, which was established in Ireland back in the 1980s and which operates active programmes in different parts of that country. Its essential mission is to provide high-quality parental support in order to produce better child development outcomes. It gives parents evidence-based information about the way in which young children learn and develop, and helps them to use the knowledge that they have gained.

The foundation also promotes the delivery of its Growing Child programme. Unfortunately time does not permit me to spell out the details of the programme, but they chime with all the points that Members have made today, and accord very strongly with the main points and principles in the manifesto that we are discussing. The foundation delivers a systematic evidence-based child development programme by means of home visiting, from which, as a parent myself, I benefited in my own area. That goes to parents of children from birth right up to pre-school, and indeed school entry. The outcomes are informed by sound empirical research, and they are designed and reviewed by child development and parenting experts.

There has been a randomised control trial conducted by Queen’s University from 2008 to this year and beyond. It involves 848 parents and children, and it has already proved the findings that argue for this manifesto. I encourage the Minister to look up those findings from the centre for effective education at Queen’s University in Belfast, because they prove that the Lifestart programme and the home visiting service work as predicted, with significant positive outcomes for parents and improved outcomes for children. Parents are less stressed, have greater knowledge of child development, demonstrate higher levels of parenting efficacy, are more confident around child discipline and boundary setting, report better parenting mood, have increased feelings of attachment with their children—the hon. Member for East Worthing and Shoreham stressed that earlier—and feel less restricted in their parenting role. Of course, for children there are better cognitive skills, better social and emotional development, improved behaviour, and fewer speech and language referrals, and these positive effects on children will be expected to continue through life. This research team will be following the children’s development through school.

This all goes to show what international research points to: the quality of parenting, the amount of time adults spend interacting with children, and the nature of the whole learning environment are critical to child development and ensuring we avoid many of the social stresses and problems and behavioural issues that affect us all, and inform some of our debates on other subjects in this House.

As well as giving that example of Lifestart and its work in my constituency and elsewhere in the north and south of Ireland, I encourage the Minister not just to look at this manifesto in terms of what he can do in his own departmental responsibilities and in talking to ministerial colleagues here, but to see whether he should have a wider conversation not just with devolved Ministers, but using the British Irish Council model which takes in all eight Administrations on these islands, to talk about how we might roll out truly effective early years and proactive early intervention policies more widely, building on the arguments in this manifesto and drawing on the evidential experiences from elsewhere. What this shows is that all the rendered science chimes with our most tender instincts about what is the best thing to do for children in these early years.

4.23 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): I congratulate the hon. Member for East Worthing and Shoreham (Tim Loughton) and the Backbench Business Committee on bringing this important debate and issue to the House.

“The 1001 Critical Days” document is an extremely important manifesto, attracting support from across the political spectrum as well as from a wide range of professional and third sector organisations. It highlights how vital the early days of childhood are for both parents and children, and the importance of acting early and focusing policies in order to enhance the outcomes for children both over the short term and the long term. This is of benefit for the individual child, their families and society as a whole.

The principle of early intervention encourages a holistic approach to meeting the needs of children and families, including though play, learning, social relationships, and emotional, psychological and physical wellbeing, along with health, nutrition, growth development and
Our party agrees that the early years are a crucial time for development and intervention because, when it comes to breaking the cycle of inequality, we recognise that prevention, resources and support are key. Throughout our time in government in Scotland, we have promoted an early years framework and been committed to strategies aimed at promoting and facilitating a stable and nurturing environment for children. In recent years, the Scottish Government have developed and introduced legislation in the form of the Children and Young People (Scotland) Act 2014, which gives Scottish Ministers and public bodies a legal requirement to issue reports on how they take the United Nations convention on the rights of the child into account. It also extends free pre-school provision from 475 to 600 hours a year of early learning and childcare for all three and four-year-olds and for just over a quarter of all two-year-olds—those from low-income households. It also gives children and young people access to a named person service. In the early years, that is the health visitor. The named person is a single point of contact who can help to co-ordinate support and advise families, and those working with them, when required. This can involve the monitoring of emerging perinatal mental health difficulties.

In 2010, through collaboration with a wide range of experts, the Scottish Government also launched their pre-birth to three strategy, based on four main areas: the rights of the child; relationships; responsive care; and respect. Those strategies are not all-encompassing, and there is room for continued improvement. However, the Scottish Government understand the importance of the early years of children’s lives and the benefit to society as a whole of trying to prevent future issues through early intervention. A child’s sense of interaction with the world develops at this time, alongside its learning of emotional regulation and well-being, and the development of its neurological functioning. As such, we are committed to continuing to make early years the key priority it deserves to be, focusing funding accordingly and trying to ensure that all children have the best start in life possible.

My party will work collaboratively across this House to ensure that in Scotland and across the UK children have the very best start, which they deserve. I am impressed and pleased that we have guidelines from the all-party group on foetal alcohol spectrum disorder and I am happy to share those with the Scottish Government and to look at key recommendations.

In finishing today, I would like to thank sincerely all of the House staff for their extraordinary efforts this year. I wish all Members of the House, the House staff and of course, you, Madam Deputy Speaker, a very merry Christmas and a happy new year from my party.

4.31 pm

Justin Madders (Ellesmere Port and Neston) (Lab):

First, I commend and congratulate the hon. Members for East Worthing and Shoreham (Tim Loughton) and for Dwyfor Meirionnydd (Liz Saville Roberts) on securing this debate. I also pay tribute to the members of the all-party group for conception to age two—the first 1001 days for developing the manifesto and raising the profile of these important issues. All the Members who have spoken today have done so with great eloquence on these issues.
Let me go through some of today’s contributions. The hon. Member for East Worthing and Shoreham, in his opening remarks, correctly said that this is about challenging the mindset and going beyond the troubled families programme, which has proved to be a success around the country. He rightly highlighted the shocking statistics on suicide among new mothers and rightly said that much of it is preventable. He gave us a volley of statistics and they all point towards this manifesto as being something on which there should be widespread agreement, and I think that agreement has been apparent from today’s contributions.

It was also a pleasure to hear from my hon. Friend the Member for Nottingham North (Mr Allen), whose work in this area I was a keen reader of before entering this place. I was glad to hear his contributions today. He rightly said that this is about investment in individuals, that a consistent approach has to be taken across changes of Government and that this is about a philosophy in the way we do things. He made an interesting point when he said that, if we proposed spending £17 billion on an early intervention programme, we may have a little difficulty in getting that past the Treasury, but that is actually the potential saving that might be realised if this is done correctly. Of course, this is about so much more than simply making savings. He said that early intervention should mean that late intervention is consigned to the dustbin of history, and we would all welcome that.

Mr Graham Allen: Like the hon. Member for East Worthing and Shoreham (Tim Loughton), and many others who spoke, including the hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), I did not have a chance to speak about a broad policy area in this field—social investment. There is now a way of monetising and finding out how much we can save ourselves, and the many social instruments and social investments out there are growing by the day. I hope my hon. Friend will consider that in his remarks, because massive savings can be made in this area—indeed, money can be made in order to reinvest in new services.

Justin Madders: I am grateful for that intervention, and my hon. Friend is right to say that this can be monetised. I recall that when my local authority carried out an examination of the early intervention scheme, a figure of about £100 million was mooted. There are challenges in getting different Departments to buy into that, because they are all quite protective about their own sources of money, but if we take a holistic approach, we can see that there will be savings right across Departments. I hope that we can begin to develop that approach.

The hon. Member for Congleton (Fiona Bruce) rightly highlighted the staggering and shocking statistics about alcohol intake during and indeed before pregnancy, and rightly said that a clear message needs to be sent out about the risks. She rightly paid tribute to the work of my hon. Friend the Member for Sefton Central (Bill Esterson) with his all-party group on foetal alcohol spectrum disorder. The group took a great deal of evidence in preparation for its report, which has been released today. It is unambiguous in its recommendations about the need for clear and consistent advice to be given on the dangers of alcohol during pregnancy and the need to improve training and education across the board. He has laid down a clear challenge for the Minister in this area and I look forward to hearing what his response will be.

The hon. Member for Foyle (Mark Durkan) spoke with his usual passion and sincerity on the subject. He gave us the memorable phrase, “What happens in our early years stays with us throughout our years.” I am not sure what he meant about the goings on in Las Vegas. Perhaps he will enlighten me outside the Chamber. He rightly pointed out the academic research that is set out in the manifesto. Clearly, an evidence-based approach is welcome, because the evidence is there and it is clear.

The hon. Member for East Kilbride, Strathaven and Lesmahagow spoke with great personal experience on this area. She rightly pointed out that early experiences can affect a child’s relationships throughout their lives. We have heard from a number of Members about how difficulties in relationships can perpetuate the cycle of despair that we currently see and have been discussing today. She made a valid point about early assessment of development disorders, especially autism. At the moment, that assessment does not happen quickly enough. She also talked about this idea of a named person being the point of contact for the families, and saw it as a positive development. I am certainly aware of a number of similar initiatives that have shown the benefit of such an approach.

We have had a great many informed, respectful and consensual contributions today. I will try my best in this season of goodwill to maintain that. I am speaking here as a member of the shadow Health team. The NHS is really where my focus is. It was first conceived to be a responsive treatment-based service that supports everyone in society from the cradle to the grave. It is only in recent years that we have begun to understand how that short time in the cradle—those very first few months—can ultimately decide how long, healthy and happy a newborn baby’s life will be.

I will keep my remarks quite brief as we have been squeezed out by other business today. Let me just touch on a few areas that highlight why this period is so vital and a few areas where we should be doing a little better.

As we know, the manifesto takes its title from the period from conception to age 2 when a baby’s brain is developing at its fastest. We know that the earliest experiences have a lifelong impact on mental and emotional health. We also know that, when a baby’s development falls behind the norm during the first years of life, rather than catch up with those who have had a better start, they are actually more likely to fall even further behind in subsequent years. More than a quarter of all babies in the UK are living in complex family situations that present heightened risks to their wellbeing. The sad reality is that babies are far more likely to suffer from abuse and neglect and up to seven times more likely to die in distressing circumstances than older children. We have a duty to give every child an equal opportunity to lead a healthy and fulfilling life.

“The 1001 Critical Days” manifesto is the best chance for us to make that happen. Not only is it the right thing to do for our children, but it is the right thing for the public purse. According to the Royal College of Paediatrics and Child Health, there is increasing evidence to show that spending on early years intervention can yield a
return on investment as high as 6% to 10%. My hon. Friend the Member for Nottingham North eloquently showed how that could be translated into significant savings across Government.

**Mr Allen:** I sense that my hon. Friend may be coming to the end of his remarks, so I am going to squeeze in one more intervention, if I may, and it is in respect of the next Government. There may be a change of Government in 2020. My hon. Friend has an opportunity to spend some time developing an early intervention philosophy across, as I mentioned, not only health and children’s services, but the economy and even international affairs. That preventive view, rather than attempting to cure, could be fundamental to the next Government, as it should be and increasingly is to the current Government. Will he give us an assurance that this will be in his thoughts as he develops policy in his area?

**Justin Madders:** I thank my hon. Friend for his intervention. I am certain that I will be able to take those comments on board. As I said, it is a subject in which I took an interest before I entered this place. I believe that is the right approach and I am confident that in four and a half years’ time we will have the opportunity to put it into practice. [Interruption.] Some may disagree about that. In the season of good will, a little latitude is surely permissible.

If it is done in the right way, early intervention can save money, save lives and improve the wellbeing of parents and children. The former Scottish Health and Finance Minister, Tom McCabe, summed it up perfectly when he said, “We have heard evidence, stacked from the floor to the sky, that this is the right thing to do.”

Focusing on the first 1001 days is not just about ensuring the healthy development of future generations of children, but about making our NHS and many other public services sustainable.

I want to say a few words about perinatal mental health, as I know this is an issue that many Members feel passionately about, not least the shadow Minister for mental health. Perinatal mental health problems affect up to 20% of women at some point during pregnancy or in the year after childbirth. We heard from the right hon. Member for North Norfolk (Norman Lamb), who pointed out the impact not only on the mother, but on the child and the wider family. About half of all cases of perinatal depression and anxiety go undetected and even those that are detected fail to receive evidence-based forms of intervention. This is important because severe perinatal mental health problems are bad not only for the women affected, but for the development of the children involved, as the right hon. Gentleman highlighted.

In particular we need to ensure that all women affected have access to appropriate treatment, and that variation in access is addressed. The right hon. Gentleman referred to a map which starkly highlighted that. It is worrying that 41% of maternity units have no access to a trained mental health worker, 30% are unable to offer psychological support, and on a wider but connected issue, about a third have no overnight accommodation. It is also regrettable the case that under this Government there has been a reduction in the number of specialist in-patient mother and baby units. The Government's pledge to spend £15 million on perinatal mental health was extremely welcome, but we need to see that pledge put into action. I would be grateful if the Minister could update the House on what he has been doing in that respect.

We will tackle the problems that parents and children might have in this period, and spot the problems early enough, only if we have joined-up multi-agency working between health services and local family support services. Children’s centres have a critical role to play in this mix in many areas. As a former member of the advisory board of the Stanlaw Abbey children’s centre in my constituency, I have seen at first hand what a welcoming and safe place it is for families to visit, as indeed are all children’s centres. In addition they have a wealth of experience and knowledge, and trained staff who have the skills to identify problems at an early stage, whether in bonding, the mother’s mental health or child development, so that that disadvantage can be tackled.

I have heard from Stanlaw Abbey the great strides made by children coming into the centre and how much they have made, as well the support given to the parents, many of whom have re-entered education and the world of work, thanks to the help of the centre. The one challenge that continually remains, though, is how to engage with those families who do not come through the door. We know that there are out of area placements, where there is a great deal of need, but some will, and despite extensive efforts to reach out to these families, they simply stay outside the system for too long, missing out on the crucial support that this debate is trying to highlight.

For me children’s centres have to be the cornerstone of a successful early years policy. That is why it is so concerning that under this Government we do not appear to have any strategy for children’s centres. The Prime Minister famously promised to protect such centres, but there are 700 fewer designated children’s centres than there were in 2010.

Alongside that, many of the local government services that families used to rely on are taking a massive hit. The transfer to local authorities in October this year of the healthy child programme for children up to five years of age presents an important opportunity for local authorities to integrate health, education, social care and wider council-led services and to focus on improving outcomes for children from birth. But I find it difficult to square the announcement alongside the £200 million in-year cut to public health that this Government have introduced.

There is a real risk that the decision could cost more money than it saves and that the good intentions behind passing responsibility to local authorities could be stymied from the off as a result of the short-term approach to funding that the cuts represent. I would therefore be grateful if the Minister updated the House on what support he is giving to local authorities to ensure that commissioning is properly resourced when they assume this new responsibility. What steps is he taking to ensure that the cuts do not affect front-line services?

As we know, many local authorities have been forced to pare back to the statutory minimum, which is totally against the grain of what we are trying to achieve. Taken together, the failure to invest in early help services and the lack of priority the Government give to this type of provision mean that Ministers will fail to support adequately the children and families in those critical 1001 days. The cross-departmental agreement we have heard about today needs to be matched by cross-departmental harmony across Government.
In conclusion, the evidence is overwhelming. It is so obvious that it should have underpinned Government policy decades ago. Anyone who is a parent will recognise the intensity of feeling when observing how their child is developing. That innate desire for one’s offspring to grow up to be happy, healthy and wise should be all the encouragement we need to support this incredibly important document, not just for our children but for everyone’s children. On that note, I would like to wish everyone in the House a very merry Christmas.

The Minister for Community and Social Care (Alistair Burt): I thank all colleagues who have taken part in what is a most important debate, despite being the last of this parliamentary term. It was handled in an exemplary way by a number of colleagues who know a great deal about the subject. I commend them for the breadth of interest and knowledge they demonstrated. I thank my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) for securing the debate through the Backbench Business Committee.

I also pay tribute, as others have done, to my hon. Friend the Member for South Northamptonshire (Andrea Leadson). The debate has been graced by a number of colleagues who have taken a huge interest in these matters over a lengthy period, often in quiet rooms, talking to people about the issues, and raising them on the Floor of the House. That often unsung work has been vital in giving us the information we need, and a number of hon. Friends deserve real credit for it, not least my hon. Friend the Member for South Northamptonshire.

I congratulate the all-party group for conception to age two—the first 1001 days on relaunching its manifesto, “The 1001 Critical Days”. I popped into the relaunch for a short time, but a few weeks earlier I was grilled by the group’s members on my interest in the subject. I am not the Minister responsible for children’s health, but one of the issues is that a number of different agencies are involved, and I understand very well that one of the requirements of the manifesto is to ensure that they work more closely together. I also have a particular interest in perinatal mental health, which I will spend a bit of time speaking about today. I certainly take the manifesto’s point about the range of different actors that need to be involved, and the fact that we need to work together more effectively. I will be glad to take that message back to colleagues. I thank the all-party group for its work.

I note that the manifesto includes a foreword by Dame Sally Davies, the chief medical officer. I must say that that is probably at least three quarters of the work done. I do not know how many Members have met Sally Davies, but they should know that anything she gets behind tends to happen. I therefore congratulate the all-party group on securing her support, which will be vital.

At the manifesto’s core is a clear and simple message: the first 1001 days of a child’s life are a critical window of opportunity. Prevention and early intervention at that stage can improve outcomes and transform life chances. There is no dispute about that across the House; there is perhaps sadness and regret that more was not done in the past, but we must all start from where we are and make progress. Much work has been done in recent years, and colleagues have been generous in their praise of it, but clearly there is more to do, and the manifesto sets out some of the challenges.

I will make a few general remarks about the speeches we have heard, and then I will refer to others as I go through my speech. The hon. Member for Nottingham North (Mr Allen), who has spent a great deal of time working on early intervention, spoke about the philosophy that was needed to understand this, and he is absolutely right—few could have done more than he has to bring that forward. Some of these issues are cultural; they are about taking people out of silos. He was generous in his praise of my right hon. Friend the Member for Chingford and Woodford Green (Mr Duncan Smith). My right hon. Friend, and I suspect a number of other Members, was much inspired by the work of a chap called Bob Holman—a family worker and an academic who chose to live in Easterhouse in the centre of Glasgow—on social justice. Bob is unfortunately quite ill at present. I would like to send good wishes to him for the remarkable work he has done. He is well known for his work in Scotland, and in the United Kingdom. We are sorry that he is ill and send our best wishes to him and to Annette.

The hon. Members for Foyle (Mark Durkan) and for East Kilbride, Strathaven and Lesmahagow (Dr Cameron)—thank you, John Ronald, who follows on me on Twitter, for helping me with the pronunciation—pointed out the importance of all of us in the British Isles looking to what work is done by one another. I will certainly inform ministerial colleagues of the work being done by the unit at Queen’s University Belfast, and that being done in Scotland, and we can follow that up. I said to the hon. Member for East Kilbride, Strathaven and Lesmahagow after her intervention on mental health that I am keen to see what is being done in other places, and I will follow that up as well. We do have parenting skills classes in England. That provision has been much boosted by the health visitor programme, and it is as vital to us as it is in Scotland. I am sure that others will be interested in looking further at that.

The manifesto highlights the importance of high-quality universal services from conception to age two, which have rightly been described as a “lynchpin”. For the vast majority of women and babies in England, NHS maternity services provide a positive experience and good-quality care. We also have a good, strong, evidence-based universal public health programme—the healthy child programme from pregnancy to age five—which is delivered by health visitors. To strengthen the delivery of the programme, we have increased the number of health visitors by almost 50% in the past four years—one of the most rapid workforce expansions in NHS history. At the same time, the landscape for delivering services to under-fives is changing. On 1 October, responsibility for commissioning nought-to-five public health services transferred to local authorities. This change is of course a challenge for services, but it also presents an opportunity for local leaders to commission and provide more joined-up services for young children and families, across health, education and social care, based on their understanding of local need.
The manifesto contains a number of recommendations, including one mentioned by my hon. Friend the Member for East Worthing and Shoreham about the attachment needs of families:

“Childminders, nurseries and childcare settings caring for under 2s must focus on the attachment needs of babies and infants, with OFSTED providing specific guidance on how this can be measured effectively.”

The Government absolutely agree. Personal, social and emotional development is one of the three prime areas of the early years foundation stage curriculum, and forming positive relationships, including with adults, is key to this. I will ensure that my colleagues in the Department look particularly closely at that recommendation, for attachment is absolutely crucial.

My hon. Friend the Member for Congleton (Fiona Bruce) and the hon. Member for Sefton Central (Bill Esterson) raised foetal alcohol issues. I commend them for the report that has, I think, come out today, following the inquiry by the all-party group on foetal alcohol spectrum disorder.

Bill Esterson: It is on its way to you.

Alistair Burt: Thank you very much.

It is too early to respond to the report, but I can say that it is really important. It is not like a Select Committee report, in that the Government do not have a duty to respond to it, but I would be extremely surprised if colleagues did not want to do so in due course, because it is so important. The official advice given is this:

“Our advice remains that women who are trying to conceive or are pregnant should avoid alcohol… If women choose to drink, to minimise the risk to the baby, they should not drink more than one to two units of alcohol once or twice a week and should not get drunk.”

We will shortly publish a consultation on the UK chief medical officer’s alcohol guidelines review. This will offer an opportunity to work with clinicians and other professionals to ensure that they are fully informed about the content of the guidelines and able to explain them to the women they care for and help them make informed choices on alcohol consumption. I would imagine that the substance of the inquiry ought to form part of that consultation and discussion. I think that the most important part of the advice is:

“Our advice remains that women who are trying to conceive or are pregnant should avoid alcohol”.

Bill Esterson: I am grateful to the Minister for those comments. The international examples given by his colleague the hon. Member for Congleton (Fiona Bruce) are very clear. The advice is not in two parts; it is a single, simple piece of advice: the best advice for mum and baby is to not drink at all. That is what happens around the world. The Minister has mentioned Dame Sally Davies. I hope she will agree with that and that is what we will end up with, because it would make a massive difference.

Alistair Burt: I absolutely understand the hon. Gentleman’s point and hope that comes to pass. The Government will respond in due course.

I am the Minister with responsibility for mental health, which was raised by the right hon. Member for North Norfolk (Norman Lamb) in particular and the hon. Member for Ellesmere Port and Neston (Justin Madders).

Mr Graham Allen: If the Minister is moving on from foetal alcohol syndrome, it is important to put it on the record again that, as of a couple of weeks ago, the attempt to have a prevalence study on foetal alcohol syndrome has not found funding. It is really important that we try to understand the issue in depth and get some evidence on how widespread it is. Will the Minister please consider looking at the matter in the light of the report he will receive today?

Alistair Burt: I take the hon. Gentleman’s point and I will raise it with the appropriate Minister.

I have only a couple of minutes left, so I want to cover a couple of other things. Perinatal mental health is really important to me. I am disappointed that we have lost a couple of perinatal mother and baby units over the past few years. The increased emphasis on the issue is absolutely right. An NHS England working group is doing some intensive work on the £75 million that was committed in the last Budget to improve perinatal mental health services over the next five years. The report will come to me in the early weeks of January, as we look at the first tranche of that funding and then beyond. It is not as simple as just providing the units; it is about the community support care and everything else.

I was horrified by last week’s MBRRACE report. The association between people taking their own lives and perinatal mental health issues is very stark. Both of those issues are a very high priority for me. We will return in due course to say more about the detail. I offer the right hon. Member for North Norfolk that assurance.

Norman Lamb: Is the Minister satisfied that Health Education England recognises the importance of building the capacity of the workforce in order to ensure that there is a national service?

Alistair Burt: Yes, I am. HEE takes a real interest in the issue and I am sure there is more to be done. I take the right hon. Gentleman’s point about urgency as well. I am committed to doing more about that.

I am sure we will come back to this issue. This has been an excellent debate and I want to leave time for the mover of the motion to say a few words.

Madam Deputy Speaker, I wish you and all colleagues in the House a happy Christmas. If we conclude on a consensual note, with a debate as good as this one with very well informed people, the House is more than doing its job and is ready for a break.

4.58 pm

Tim Loughton: I am grateful to all hon. Members who have taken part in this debate. There have been some weighty contributions and I am grateful to those who have stayed for this last debate on the last parliamentary day of the year.

I am particularly grateful to the hon. Member for Nottingham North (Mr Allen) for his contribution. He spoke of the intergenerational problems we are inheriting, which he has done so much to address. He was also right in a later intervention to mention social finance and the possibility of social impact bonds, which we certainly want to develop.
Access to Health Services: West Cumbria

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

5 pm

Mr Jamie Reed (Copeland) (Lab): Thank you, Madam Deputy Speaker, for presiding over this Adjournment debate, the last parliamentary business of 2015.

The issue at hand is one that my constituents and people living across west Cumbria care a great deal about. I know that the Minister is well aware of the challenges. He has responded positively to my questions and requests in the past, for which I am exceptionally grateful to him, and I hope that he will do so again today.

I will first outline the issues facing my constituents with regard to their ability to access health services in west Cumbria, particularly hospital services at the West Cumberland hospital. The issues facing the North Cumbria University Hospitals NHS Trust, the pressures on ambulance services and the intense pressure on overworked and under-resourced staff are well documented, but despite that, little, if any, progress towards solving the problems would appear to have been made. I will then address the success regime and the opportunity it represents for health services in west Cumbria and therefore for our communities. The recent floods, the effects of which are keenly felt throughout the county, have magnified the issues at the heart of the debate on health services in west Cumbria, and I will also talk about that. I will conclude by outlining what I believe are the needs of the west Cumbrian community. After all, the key decision for decision makers, the Government, Ministers and NHS executives comes down to this: what do the people of west Cumbria want from their health and hospital services, and how can that be delivered? It must be said at the outset that that is a very different question from: what is the North Cumbria University Hospitals NHS Trust prepared to provide? The simple answer is that the people of west Cumbria need better access to health services, particularly in relation to hospital services provided by the West Cumberland hospital in Whitehaven.

In this context, the term “access” has myriad meanings. It means the actual services provided locally, and it means that those services must be staffed appropriately so that they can be provided to a high quality. It also means empowering communities so that when decisions are made about their services, they are listened to during the decision-making process. Access also means proper planning for the significant population expansion that is forecast for the area. In west Cumbria, each of those points are immensely challenging, and that is what we must address.

In July 2013, Sir Bruce Keogh, with whom I have a very good and effective working relationship, published his review of mortality rates at several hospital trusts around the country. North Cumbria University Hospitals NHS Trust, which serves my constituents, was one of the trusts and, along with 10 others, it was placed in special measures. The trust had higher than average mortality rates, and action to remedy that was justified and was welcomed.

At the time, Ministers were unable to provide basic information about what “special measures” meant for the trust. It was patently clear, however, that a major
reason for the care failings at the trust was a chronic staff shortage. It is only right that I use this opportunity to thank, personally and on behalf of my constituents, those who are working tirelessly in trying conditions to provide high-quality healthcare. I know that many work unpaid overtime because they care about their patients, about the community and about the care they provide. It will be a tough winter and there will be huge pressures, but I want them all to know that I and my constituents understand that they are working in extraordinary circumstances.

The trust simply needs more staff, and the Government must intervene to ensure that it has more staff. Such a request has fallen on deaf ears for too long. The most recent report by the Care Quality Commission, published in September, showed the scale of the challenge: “The recruitment of nursing staff also remained an on-going challenge. At the time of our inspection nurse staffing levels, although improved, were still of concern and there was a heavy reliance on staff working extra shifts and on bank and agency staff to maintain staffing levels. There were times when the wards were not appropriately staffed to meet the needs of patients.” This simply is not acceptable.

In 2013-14, the trust spent £16 million on agency staff. That cannot be sustainable, and it is clearly a false economy. Agency staff are a short-term, expensive solution, and in my view the Government should be empowering trusts to achieve long-term, efficient solutions. Capping agency costs is a small, tentative step in the right direction, but it would be better if all round if the Government provided funding to enable trusts to train and recruit for the long term. That would surely save money in the long run and enable predictable, stable, secure service design for the long term. Will the Minister therefore commit to making relief funding available to allow the trust to be more competitive in the recruitment market? If my local trust has to pay over the odds to secure services that are taken for granted in other parts of the country, it ought to be funded appropriately to do so.

In my constituency, I have been working with the trust and the University of Central Lancashire to bring a medical school to west Cumbria so that we can grow our own medics. That is a long-term sustainable solution to one of the key problems we are facing. I am delighted to say that the new West Cumberland medical education campus now exists at the West Lakes science park in my constituency, immediately adjacent to the new West Cumberland hospital. So far, it has succeeded without the support or involvement of the Government, but I hope that they will support the development not just in spirit, but through practical assistance, including money.

In addition to growing our own medics in west Cumbria for the benefit of the entire Cumbrian health economy, every part of which faces similar challenges, we are providing the basis for policy solutions by becoming a rural health policy laboratory. The campus can and should become the crucible of innovation that provides the solutions to the problems facing rural areas in respect of the provision of high-quality, accessible, universal health services. I hope that the Minister will express the support of the Government and the Department for that today.

I hope that the Government will look again at nursing bursaries, as I fear that their new policy will make it harder to train and recruit the medical staff that we all know we need. On 14 December, the chief executive of the Royal College of Nursing said that the decision to cut bursaries that was announced in the Chancellor’s autumn statement is having a negative impact on people who are considering a career in the profession. It is unwell and good pledging to increase the number of training places, but the impact is wasted if the mechanism that we adopt turns people away.

The NHS staff survey shows the current strain on medical staff in north and west Cumbria. There has been a big increase in the proportion of staff who suffer work-related stress and, unforgivably, the prevalence of staff experiencing bullying from other staff is increasing. Staff are working extra hours unpaid. The people in west Cumbria rely on the services provided by those hard-working people. Much like the expensive agency bills, overworking staff simply is not sustainable. Will the Minister commit to seeing what action the Department can take to improve the situation? Sooner or later, our luck will run out. The good will of the medical professionals, who are exhausted and demoralised in so many ways, will run out too. It is patients who will pay the price.

At the beginning of the year, I wrote to the NHS’s chief executive, Simon Stevens. I asked him to visit Cumbria to see for himself the geographical challenges and to speak with patients and staff. I asked him to work with me and other stakeholders to develop a comprehensive recovery plan for the Cumbrian health economy. Nowhere in the country is quite like our county. The health inequalities, the demographic differences, the challenging geography and the contrast between the affluent and those who are less well-off all present unique challenges in designing and providing hospital services and health services in the round.

What is provided should be broadly the same in every community in the country. A national health service should ensure that there is equality of standards and accessibility in the health service, but how that is delivered must be flexible enough to accommodate unique local circumstances.

The success regime is the response to my request for a comprehensive recovery plan. The new regime is intended to develop a locally tailored solution to the problems we face. I support the success regime fully, but I have doubts about the support of the North Cumbria University Hospitals NHS Trust for the process.

Over recent years, actions by the trust’s executive team have led to the public being understandably worried about the prospect of key services being removed from West Cumberland hospital without a rationale. In September 2013, the trust moved some out-of-hours surgery services from the West Cumberland to the Cumberland infirmary in Carlisle, over 40 miles away. The public were not consulted on the change. Crucially, the modelling and assumptions underpinning the move were flawed. Much greater numbers of patients have had to travel than was either anticipated by the trust or told to the public. Either it was a lamentable failure properly to model the effects of service change or it was a lie. That raises serious questions about either the honesty or competence of the trust.

The trust’s attitude on a number of other issues since then has done little to reassure those who are concerned about its intentions with regard to the provision of services at the new West Cumberland hospital. I was present at a meeting—I think it was in October—with Simon Stevens on the success regime, in which the local
hospital trust was told categorically that the “asset stripping” of services from West Cumberland hospital must not continue. It was an exceptionally uncomfortable meeting. Days later it was reported that senior managers at the trust had told staff that the accident and emergency department would be downgraded. That is unacceptable. The trust must abandon any preconceived plans to strip services. Those services must be provided at West Cumberland hospital, and the success regime must be allowed to complete its work.

I welcome the recent statement from the NHS in Cumbria, which set out in a public letter that the accident and emergency department, and other services, must remain at the West Cumberland hospital. That is the bare minimum that my community would expect, yet the trust had to be shamed into making such a basic commitment.

With regret, if the trust does not abandon its preconceived ideas about service reconfiguration and reduction, and if it tries to ride roughshod over the work of the success regime programme before it has a chance to develop its plan, I will be left with no option but to pursue the removal of the current trust management. I would be grateful if the Government would support what is clearly an effort of last resort. I take no pleasure in that, but unless the trust management can commit fully to the terms of reference of the success regime, it should have no part in the future of healthcare service design in north and west Cumbria.

The attitude displayed by the trust, whether deliberate or not, has meant that many in the local community simply do not believe a word it says. Its lack of willingness to engage with the public who use or rely on the services provided at our hospital means that many feel disconnected from a key service—the key service—in their community. The service reconfiguration of September 2013 was done without public engagement, and the development of the trust’s future clinical options did little to assuage legitimate concerns. The document showed the stripping of key services from West Cumberland hospital which, I repeat, is unacceptable.

Last year, in front of a crowd of almost 5,000 people at the recreation ground—the home of Whitehaven rugby league football club—trust representatives assured an anxious crowd that no decision on service reconfiguration would be made. However, the publication of the future clinical options appraisal in October 2014 showed that the plans had been in development for a year. It is easier to deal with Iran!

The duplicitous nature of the trust’s public statements, the covert actions that seek to pursue in private the opposite of what it states it wishes to do in public, and the public distrust that it has singularly managed to establish is staggering. It is truly breathtaking. Too often, the trust acts as a rogue trust, seemingly beyond any accountability to anyone and beyond the influence of the Cumbrian public. Will the Minister commit to examine the behaviour of the trust? Senior local medics, patients, local civic society, trade unions, and local representatives of all parties all doubt that any eventual consultation designed by the trust will be genuine or honest. Progress will not be possible within that climate of distrust.

Hopefully, many of the trust’s preconceived ideas about service reconfiguration will be superseded by the work of the success regime. In the rest of the country the Government and NHS would be hard pushed to find a more committed, willing, well-informed and passionate community when it comes to health services than the community of west Cumbria. A campaign group set up to fight for services, “We Need West Cumberland Hospital”, has garnered much public support and I pay tribute to its work, as I do to the fantastic work of Siobhan Gearing, Carol Woodman, Lee Butterworth, Rachel Holliday, my hon. Friend the Member for Workington (Sue Hayman) and so many others.

Does the Minister agree that if the trust was committed to rebuilding trust within the community, it should involve the local public in open and transparent discussions about local services, instead of defying the NHS chief executive, deliberately undermining staff, raising doubts about services about which there should be no doubt, and acting like thieves in the night?

The recent local floods did not cause the underlying issues inherent in the north and west Cumbrian health economy. Nor did they cause lasting damage to the ability of the NHS in Cumbria to deliver services. What the recent floods did, among many other things, is prove beyond doubt the sheer folly of removing services from the West Cumberland hospital and putting them in the Cumberland infirmary in Carlisle, more than 40 miles away.

The floods meant that roads were impassable. Ambulances and other emergency services, which were already struggling more in Cumbria than anywhere else in the north-west, were under intense pressure. Power was cut to the Cumberland infirmary, which had to rely on back-up generators. I am told that there were no clean sheets or bedding. The laundry service failed and doctors and nurses could not get to work. The impact on patients was severe.

Getting from west Cumbria to Carlisle at the best of times is difficult. If the weather does not beat you, the tractors or the sadly routine road traffic accidents and diversions will. I am campaigning for serious improvements to the A595, but because of the floods over that weekend and the following days it was simply impossible to get from west Cumbria to Carlisle—not difficult, not unlikely, but impossible. The levels of the flooding could not be anticipated, but there are things that we can do to ensure access to, and the resilience of, our key services. Rain in the Lake district should never come as a surprise—it should never lead international news bulletins—but severe weather should not create a health emergency because access to services has been cut off.

I have been inundated with numerous examples of the situations people found themselves in, but the underpinning point is relatively simple: access to a full and comprehensive range of hospital service is, for the people of west Cumbria, essentially non-negotiable. The recent flooding showed that, if services are transferred from the West Cumberland hospital in times of emergency, patients simply would not be able to access them because they would not be able to get to the Cumberland infirmary in Carlisle.

I repeat that that cannot be acceptable. In times of emergency, the people of west Cumbria need to be able to access their services. That can be assured only by retaining their services in their local hospital—the West Cumberland
hospital—which is a fantastic new facility for which I have campaigned for more than 10 years. I make two specific requests of the Minister with regard to the hospital. Will he please move to unblock the funding for phase 2 of the hospital new build programme? The money has been allocated but is not yet accessible. I ask that that be done as soon as possible so as to provide confidence and help to build public trust. If, as is suggested by some, Monitor will shortly be able to allocate a fund £1.8 billion to the most challenged health economies in the country, will the Minister ensure that north Cumbria is at the top of that list?

The last point I should like to address is the short-sightedness of the trust’s desire to move services. West Cumbria is home to one of the most nationally strategically important areas in the United Kingdom. As a result, the local population will grow significantly and quickly. The people who live in west Cumbria need better access to the health services on which they rely, but it is simply mind-boggling that, when the local population is growing, the trust thinks it is possible and perhaps even desirable to move services more than 40 miles up the road. The Minister has been unequivocal about that in the past and I thank him once again for that. The local NHS must take into account strategic infrastructure and the local population of host communities when planning services, so will he commit to write to North Cumbria University Hospitals NHS Trust to ensure that it publicly acknowledges that? Will he today, at the Dispatch Box, urge the trust to factor that population growth and strategic need into its future plans?

The fundamental principle in the debate is absolutely straightforward. Moving services more than 40 miles away from the West Cumberland hospital is the antithesis of the principles that underpin a truly national health service. I would go as far to say that, unless patients and taxpayers in my community can access the same level of healthcare routinely provided by the NHS in other communities, the national health service exists in name only. Forty miles is not a reasonable distance to ask people who are in need of medical care to travel, particularly when that 40 miles is served by such inadequate infrastructure. Mothers giving birth do not want to sit in an ambulance on the A595 hoping beyond hope that their baby is alive. Mothers giving birth do not want to sit in an ambulance on the A595 hoping beyond hope that their baby is alive. I would like to pay tribute to the people who have campaigned for more than 10 years. I make two specific requests of the Minister with regard to the hospital. Will he please move to unblock the funding for phase 2 of the hospital new build programme? The money has been allocated but is not yet accessible. I ask that that be done as soon as possible so as to provide confidence and help to build public trust. If, as is suggested by some, Monitor will shortly be able to allocate a fund £1.8 billion to the most challenged health economies in the country, will the Minister ensure that north Cumbria is at the top of that list?

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A fully operational accident and emergency department supported by associated departments, consultant-led maternity services and paediatric services must remain at the West Cumberland hospital, for which I have much to be grateful for, both as an individual and as a recent parent. If we need to adopt a flexible approach in order to achieve that, that is what we must do. It must be accompanied by what will in many ways be nothing short of a new model of healthcare. The trust should know that the people of west Cumbria will stand for that. The trust should know that the people of west Cumbria will stand for that. The trust should know that the people of west Cumbria will stand for that. The trust should know that the people of west Cumbria will stand for that. The trust should know that the people of west Cumbria will stand for nothing less. The trust may be a provider of services but, after all, the NHS belongs to all of us.

I fully support the success regime, but I ask the Minister today to tell the trust in unequivocal terms that, unless it listens and responds to the west Cumbrian community, it will face a fight the likes of which it has never seen.

5.18 pm

**The Parliamentary Under-Secretary of State for Health (Ben Gummer):** It seems appropriate that the final debate before Christmas is about maternity. It is appropriate in another way because it is about an area of the country that has too often been forgotten in the planning of services and where the people feel left out from the way in which the NHS has been formed in the past. The Government and I wish to address that. I am grateful to the hon. Member for Copeland (Mr Reed) for bringing his points to the House. He is a forthright campaigner for his constituents and cares passionately about his regional economies anywhere in the United Kingdom. As a result, the local population will grow significantly and quickly. The people who live in west Cumbria need better access to the health services on which they rely, but it is simply mind-boggling that, when the local population is growing, the trust thinks it is possible and perhaps even desirable to move services more than 40 miles up the road. The Minister has been unequivocal about that in the past and I thank him once again for that. The local NHS must take into account strategic infrastructure and the local population of host communities when planning services, so will he commit to write to North Cumbria University Hospitals NHS Trust to ensure that it publicly acknowledges that? Will he today, at the Dispatch Box, urge the trust to factor that population growth and strategic need into its future plans?

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area and that's not good enough.” Because the NHS is owned by local people, we will only win this if they feel any redesign will improve quality and services. We also have to be clear that it will pose difficult challenges to us as politicians, both as local representatives and Ministers. It is important we get behind the success regime when it concludes and are prepared to take difficult decisions. The one thing that will ensure that the poor state of patient care quality persists in north Cumbria for years and decades to come is if we do not take a decision. We have to take a decision. We have to make sure it is the right decision. We have to get behind it and make sure it happens.

Turning to some of the specific issues the hon. Gentleman raised, the issue of staffing really underlies all the problems in the various NHS bodies in north Cumbria. It is difficult to recruit to certain specialties in north Cumbria. That means the trusts and other NHS bodies depend on locums and agency staff. That is not the way to run the health economy either in north Cumbria or across the NHS. That is why we have taken wider action on staff agency costs and why we need specific help for north Cumbria. The success regime is looking specifically at this.

The hon. Gentleman mentioned the new medical school, led by the University of Central Lancashire, on the West Cumberland campus. I welcome its sense of innovation. It already provides very good non-medical healthcare courses, and I am glad it is reaching into new areas. I will be excited to see how it progresses and would like to see what it is doing for myself in the near future. I certainly endorse his plan for a rural health policy laboratory—it is the right way to go—which I hope will feed into the success regime and our understanding of how to learn from other areas of greater rurality and sparsity, such as Canada and Australia, and how they deal with, and provide exceptional care to, people in dispersed communities.

The hon. Gentleman mentioned nursing bursaries. I will not get into that debate now, but I hope he will be reassured by my announcement a few hours ago of a nursing apprenticeship route all the way to degree level to ensure that healthcare assistants can progress to registered nurses via an intermediate nursing associate position. In north Cumbria, it is much easier to recruit to healthcare assistant posts than to nursing posts. I hope he will understand where I am going with this. As in Hull and other parts of the country where it has been difficult to get nurses into post, it will allow us to give to our excellent, committed healthcare assistants, who have the values of the NHS right at the core of their being, a career progression route that they have not had so far. I hope he will take comfort from that initiative.

I understand that staff often work excessive hours just to keep things going in stressed areas such as north Cumbria. The NHS depends on their good will at such moments, but it is not something we should bank on, which is why we need to get it right for his constituents and the whole of north Cumbria.

The hon. Gentleman made two final points about the building programme at the West Cumberland and the transformation fund. I will certainly consider his request in respect of the West Cumberland, although it is probably best that Monitor comes to a final decision once the success regime diagnostic is at least concluded, which should be imminently, because it would be a mistake to embark on something that would be moderated by a joint decision within the success regime deliberations. I will ensure, however, that there is pace to that. It is important, if it is committed to, that it is delivered, but I assure him that I will look into the matter first thing in the new year.

The transformation fund is designed to stimulate the innovation we know there is in the NHS around clinical management and to bring efficiencies to bear across the hospital estate. It is not, I stress, a bail-out fund; it is designed to do what it says on the tin: to transform how we run our hospitals. Efficient care is good-quality care, as the hon. Gentleman understands better than most, which is why the hospitals delivering the best care in the country are also the best at looking after their finances. There is considerable talent within the management and clinical management core in the NHS, and we want to realise their ideas for making the NHS more efficient across the services it provides. That is the purpose of the fund. It is to help realise that innovation and to match their efforts. If we simply pour it into bailing out hospitals that are not doing their bit to transform and bring in efficiencies, it will be doing the wrong thing and we will be wasting money. However, I will certainly make his request clear to the leadership of NHS Improvement, which is concerned with this matter. He will be pleased to know that Jim Mackey, the exceptional new chief executive of NHS Improvement, is well acquainted with his part of the country and has its interests at heart.

It remains to me, as the last person to speak from the Floor this year, to thank the hon. Gentleman for bringing this important matter to the House. On this occasion, last is certainly not least, and I hope that Cumbria will be first in the new year in terms of the announcements we will make. I wish everyone still remaining in the Chamber—the Clerk, the Serjeant, the Whip, the Doorkeeper, the officials in the Box, the one or two determined visitors and you, Madam Deputy Speaker—a very happy Christmas.

Question put and agreed to.

5.30 pm

House adjourned.
Sugary Drinks Tax


4.30 pm

Helen Jones (Warrington North) (Lab): I beg to move.

That this House has considered e-petition 106651 relating to a tax on sugary drinks.

The Petitions Committee has scheduled the debate to coincide with the publication of the report by the Select Committee on Health about childhood obesity. I did not have the advantage of seeing that report when I drafted my speech, but I am sure that the hon. Member for Totnes (Dr Wollaston) will enlighten us further if she catches your eye later, Mr Hamilton. It is a great pleasure to see many members of that Committee here.

The petition was prompted by real concern about the health problems that are being caused by rising levels of obesity, particularly among children. Having looked at the matter, there is no doubt in my mind that we face a very serious situation. I am lucky to be one of a fortunate generation that saw advances in housing and sanitation, and mass vaccination programmes that eradicated or reduced the incidence of many diseases from which children used to suffer. However, we are now in danger of raising a generation who will have a lower life expectancy than that of their parents. The reason for that is down to diet, with too much fat and too much sugar—combined with too little exercise, yes, but it is mostly about diet.

Mark Field (Cities of London and Westminster) (Con): Will the hon. Lady give way?

Helen Jones: If the right hon. Gentleman is so eager to get in, I will give way.

Mark Field: I am eager to get in on that point, because I think it is rather facilely simplistic to suggest that any reduction in life expectancy is just down to diet. I accept that that could be one of the factors, but, in looking at this report and others like it, it is important that we take an evidence-based approach. Diet is a factor in reduced life expectancy in some parts of the country, but it is by no means the only factor.

Helen Jones: The right hon. Gentleman will learn that diet is actually the major factor. I will go on to say a little more about that later. He is right that it is difficult to talk about the subject without seeming like a killjoy, so I will fess up right at the beginning: I enjoy a glass of wine with my meals, although I try to restrict it to weekends; I am martyr to my cravings for chocolate; and, like many of us in this House, I could do with losing a bit of weight. However, we should not let our own frailties put us off tackling what I believe to be a real health emergency.

I have seen a huge change in diet, particularly in children’s diets, over my lifetime. When I was growing up, pop was a treat that we got occasionally, and we usually got a bottle of it between several of us. Sweets were bought by our dads on payday. If we were out playing—most children did play out in those days—and we came in hungry, we got bread and butter and a drink of water. Now, thanks to a huge change in lifestyle, the wider availability of products and some heavy marketing to children, the situation has changed. Many adults and most of our children are not meeting the proper dietary requirements. We eat too much saturated fat and too much sugar—both added sugar, and sugar in fruit juices, honey and similar products.

Mark Field: As the father of two young children aged seven and four, I entirely endorse what the hon. Lady has to say about the prevalence of treats for today’s youngsters compared with that which our generation grew up with. Does she accept, however, that the issues here are the responsibility of parents and of the companies who produce such goods? Many of those companies have shown a level of responsibility, and the average size of confectionery such as the Mars bar has fallen as time has gone by. There is more information on all such products about the amount of fat and sugar that they contain. In many ways, we are living in an age of more responsible and more informed consumers, both young and old. That is where the responsibility lies, and that responsibility has been put into place to a large extent—

Fabian Hamilton (in the Chair): Order. I remind hon. Members that interventions should be kept brief, and that they should be questions.

Helen Jones: The right hon. Gentleman flatters me by saying that we are of the same generation; I think he is quite a bit younger than me. As I will come on to say, I do not think that the public health responsibility deal has delivered, and although it is true that there are responsibilities on parents and all of us, we have to look at the environment in which people operate. In this country, I think we face a real health emergency that is equivalent to an epidemic, and sugar is one of the worst culprits. Sugar is added to processed food, and that changes our tastes over time. A small can of drink can contain up to nine teaspoons of sugar. The result of that is that we are all growing bigger, particularly our children. Thirty per cent. of our children are overweight or obese. Many adults are too, and they often live in the poorest communities.

Carol Monaghan (Glasgow North West) (SNP): Does the hon. Lady share my concerns about the new trend for having soft drink vending machines in schools? Schools may benefit from a slight increase in their budget, but the impact on children’s health and learning is significant.

Helen Jones: The hon. Lady makes a fair point, and I will come to what is happening in schools later in my speech.
Emma Reynolds (Wolverhampton North East) (Lab): Does my hon. Friend agree that the voluntary approach to the food and drink industry is not working? Contrary to what the right hon. Member for Cities of London and Westminster (Mark Field) has suggested, the industry is not taking responsibility for reformulating sugary drinks, some of which contain as much as 14 teaspoons of sugar—double the daily recommended amount. That is why we need a regulatory approach.

Helen Jones: That is a reasonable approach, and I will come to that in a minute. The right hon. Member for Cities of London and Westminster (Mark Field) mentioned the shrinking size of Mars bars, but I think that has more to do with maximising profits than with concern for people’s health.

As a result of all that I have outlined, our risk of serious diseases is increasing. We are much more at risk than we used to be of cardiovascular disease, certain types of cancers and type 2 diabetes, which is increasing rapidly in this country. In fact, the British Medical Association has estimated that problems with our diet lead to 70,000 premature deaths a year. I put it to the right hon. Gentleman that if the Government were seeing 70,000 deaths a year from something such as a flu epidemic, they would act. This is just as serious.

Serious diseases are not the only problem. The biggest cause of childhood admissions to hospital is dental decay. If we talk to people who operate on those children, we hear horrific stories of young children having all their teeth removed because of decay.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): A tax on sugary drinks has been Plaid Cymru policy for a number of years in Wales. The Labour party in Wales has responded in the media that such a policy for a number of years in Wales. The Labour party in Wales has responded in the media that such a policy is “vacuous” and said that it has no chance of seeing the light of day.

Helen Jones: I am not sure which of these defenders of the Government to take first. I will take the hon. Member for Kingston and Surbiton (James Berry).

James Berry (Kingston and Surbiton) (Con): A tax on sugary drinks has been Plaid Cymru policy for a number of years in Wales. The Labour party in Wales has responded in the media that such a policy is “vacuous” and said that it has no chance of seeing the light of day.

Helen Jones: Yes, the hon. Gentleman is right that we need much clearer labelling. As I will come on to say, the proposal in the petition is one avenue for tackling the problem, but not the only one and not a silver bullet.

I will take the intervention of the hon. Member for Salisbury (John Glen), but then I will make some progress.

John Glen (Salisbury) (Con): A tax on sugary drinks has been Plaid Cymru policy for a number of years in Wales. The Labour party in Wales has responded in the media that such a policy is “vacuous” and said that it has no chance of seeing the light of day.

Helen Jones: I never take what Plaid Cymru says about the Labour party in Wales at face value; I am used to its selective quotes.

Dealing with problems caused by poor diet is costing the NHS about £6 billion a year, which is more than the cost of dealing with problems that arise from smoking and alcohol combined. That figure is predicted to rise to £10 billion or £12 billion by 2020. The Government’s response to that, as has been said, was the public health responsibility deal. They have rejected direct intervention, which they refer to as “Whitehall diktat and nannying”. I think that is a profoundly mistaken approach, for this reason. Individuals do not make decisions in a vacuum, and they are making decisions about their diet in a situation where unhealthy foods are often heavily discounted or priced very low, where hundreds of millions is spent on marketing—particularly on marketing to children—and, in some cases, where there is a lack of availability of healthy alternatives. It is true that we need to take responsibility for our own health, but the Government also have a role in ensuring that we have the skills and facilities that we need.

James Berry: A tax on sugary drinks would probably have to be at the level of 10% to 20% to make a change in behaviour, apparently—Public Health England suggests that range. There is evidence from Mexico and France that at that level, people’s behaviour starts to change and they start to choose sugar-free alternatives. However, that has to be part of a whole-Government effort to reduce obesity, which has to begin in schools.

Much work has been done on improving school meals, setting better nutritional standards for them and removing vending machines from schools. The problem is that those things do not apply to academies and free

John Glen: I am not sure which of these defenders of the Government to take first. I will take the hon. Member for Kingston and Surbiton (James Berry).
schools, and as more schools become academies we are putting more children at risk of poor nutrition. We should not tolerate that. It is good that food and nutrition education is compulsory at key stage 3, but we need to look at how that operates. Much more investment in equipment is needed. Schools need to be outward-facing and need to encourage local people to visit them to talk to children about food and how it is grown. The best schools do that, but often the curriculum is not appropriate for all children.

In my entire school career I did a term and a half of cookery, because it was considered that those who were academically inclined did not need to learn how to cook. The only thing I can remember being taught is how to make rock buns, something that I have not indulged in before or since. Another example is that my son specialised in Indian cooking. It was supposed to be brought home for the evening meal, but anyone who suggests that has never met a teenage boy. That was interesting, but expensive. What most of us need to know when we first set out in the world is how to eat healthily on a restricted budget. That is the sort of thing that we need to look at with our children.

In fact, all public institutions should be promoting healthy eating. Dare I suggest that we start with some of the vending machines in this place, so that I do not walk down the corridors thinking, “Get thee behind me, Satan”, every time I pass machines full of chocolate and fizzy drinks? That needs to be done in hospitals as well—there have been a number of articles about that recently.

I challenge people to walk into the foyer of many hospitals. There are machines selling chocolate and fizzy drinks, and the outlets often sell cake and biscuits quite cheaply but overcharge for a piece of fruit. If someone wanders in to buy a paper, they will be offered a big, discounted chocolate bar at the till. That makes it much harder for people to resist temptation. Of course, that is difficult to do, but the message that hospitals are giving their patients, staff and visitors is, “Don’t do as we say; do as we do.” The Government urgently need to negotiate with trusts and with NHS England to see how the issue can be remedied. It is nonsense to take an investment in equipment is needed. Schools need to be outward-facing and need to encourage local people to visit them to talk to children about food and how it is grown. The best schools do that, but often the curriculum is not appropriate for all children.

Andrea Jenkyns (Morley and Outwood) (Con): Does the hon. Lady agree that it is also down to personal responsibility and choice, and that it should not be down to the state to tell people how to live their lives? Childhood obesity is more prevalent in deprived areas, so a sugary drinks tax will hit the poorest. Surely education, better labelling and personal responsibility are key.

Helen Jones: If we were dealing with a level playing field, the hon. Lady might be right, but we are not. We are dealing with goods that are heavily marketed, especially to children. I am sure she cannot really be arguing that it is great for hospitals to profit from unhealthy food and then for the other end of the hospital to deal with the consequences of that.

Geraint Davies (Swansea West) (Lab/Co-op): Will my hon. Friend give way?

Helen Jones: I will take one more intervention, then I am going to make some progress, because other Members need to speak.

Geraint Davies: On the issue of personal responsibility and consumer choice, as my hon. Friend will know, the World Health Organisation says that men should have up to nine teaspoons of sugar a day and that women should have up to six. Would it not be helpful if, in addition to the poison of sugar being taxed, all products were labelled in teaspooons so that everybody knew what they were eating and could make empowered choices?

Helen Jones: That is right. I have already said that clearer labelling has a role to play, but the Government need to understand and recognise the link between obesity and food poverty, which is not—before anyone misquotes me—to say that all poor people are obese or that all obese people are poor. The children who are most at risk are concentrated in the most deprived areas of the country. The same is true of adults. Figures provided to me by the Library show that there is a stark division. For instance, 32.7% of adults in Hartlepool are obese; in the Chilterns, it is 17.7%. In Barnsley, 35% of people are obese; in Cambridge, it is 14.7%.

The noble Lord Prior recently said in the other place that he found it puzzling that obesity is growing while people are using food banks. Let me try to explain it simply to him. If people live in an area where shops do not sell reasonably priced food, fruit and veg, and they cannot afford the bus fare into town, they are more likely to buy cheap, fatty products. If people are fuel-poor, it is difficult to cook healthy meals, as it is if they are time-poor. I have just said at a public engagement event that there are women in my constituency who are working two or three part-time jobs, trying to make ends meet. Most poor families are good at managing their budgets, but if they do not have time to cook and are worried about waste, they are more likely to buy easy things that can be cooked quickly—we need to recognise that. I would do the same in that situation, and it is why we need to invest more in preventive measures and to subsidise healthy foods, rather than unhealthy foods.

If we look at the detail of the Chancellor’s autumn statement, however, the public health grant will continue to fall. Some 25% of the grant goes on sexual health services, and 30% goes on drug and alcohol services, which are demand-led statutory services that cannot be cut. If we add the child measurement programme, child medical examinations and health protection, there is not much left over. That is why the Local Government Association has said “councils don’t have enough...to do the preventive work needed to tackle one of the biggest challenges we face.”

The Government also need to look carefully at what has happened to their obesity strategy. The strategy was launched with great fanfare in 2011, but since then, as the National Obesity Forum has said, “little has been heard of the strategy”. The National Obesity Forum has asked for a “much more determined approach”. Even the Change4Life programme, which does not address obesity but helps to prevent people from becoming obese in the first place, has found its budget cut. We have heard much about the public health responsibility deal, which is currently

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under review. I hope the Government will seriously look at the deal, because all the indications are that, as presently constituted, it is not working.

Simon Capewell, professor of public health and policy at Liverpool University, called the public health responsibility deal a “predictable failure” and “a successful strategy for food companies who wanted to maximise profits.”

It is right to work with the industry as one strand of our approach, but it is not right to give industry the final say on what happens because, as the Health Committee said in the last Parliament, “those with a financial interest must not be allowed to set the agenda for health improvement.”

We need a much tougher responsibility deal.

Mark Field: Will the hon. Lady give way?

Helen Jones: No, I will finish now if the right hon. Gentleman will forgive me. He has made several interventions, and he can make a speech later.

Mark Field: Do you want a debate?

Fabian Hamilton (in the Chair): Order.

Helen Jones: I have said to the right hon. Gentleman that I will not give way again.

The Government need to introduce a much tougher responsibility deal, with targets for improvements in individual products. A cross-Government strategy is also needed. As well as looking at schools, the health service and other public services, Ministers need to come out of their silos—after a time, all Ministers get into silos in their Departments—and look at what is happening overall. We do not want to see a repeat of what happened in the previous Parliament, when the Department of Health urged us to take more exercise while the Department for Education was cutting funding for school sports partnerships.

We need to consider that seriously, because what the petition asks for has to be part of an overall strategy to ensure that we promote healthier diets and get people more active, and not just by playing sport—sport is important, but I speak as someone who spent more time avoiding games at school than I ever spent playing them. There are other ways of getting people active. We need to encourage more walking and cycling, which is a role not just for the Department for Transport but for the Department for Communities and Local Government and for local councils, too. There is no reason why we cannot design new developments better to encourage more walking and cycling. There is no reason why we cannot ensure that new developments have children’s play facilities, communal gardens or even allotments, which are in very short supply, to encourage people to take exercise out in the open air.

We cannot continue with the current hands-off attitude. The problems are too great for that. The Government need to accept that the things they have done so far are—[Interruption.] The Minister will have a chance to speak when she winds up; she need not chunter from a sedentary position. Ministers ought to be above that sort of thing.

We need to have a full look at the situation and to encourage a proper national conversation, because the only way that such initiatives can be successful is if we take people with us.

Mark Pawsey (Rugby) (Con): Will the hon. Lady give way?

Helen Jones: No. I have said several times that I will not give way again. I will now wind up my speech. The hon. Gentleman can make a speech later.

We must take people with us. We must get people to understand the need for a healthy diet, we must get people to understand the risks that many of us are currently taking with our diets and, most of all, we must get people to understand the future risks to their children. As I have said, a sugar tax is one of the things that we need to have, but the Government need to go much further and introduce a proper, co-ordinated national strategy to ensure that, in future, our people are healthier than they are now.

Fabian Hamilton (in the Chair): Owing to the number of Members who have requested to speak, I may have to impose a time limit on Back-Bench speeches after the Chair of the Health Committee has spoken.

Dr Sarah Wollaston (Totnes) (Con): I pay tribute to the hon. Member for Warrington North (Helen Jones), Jamie Oliver and Sustain for giving us an opportunity to discuss the issue raised by the petition. I also thank all the members of the Health Committee and the Committee team, particularly Huw Yardley and Laura Daniels, for their contribution to today’s report, “Childhood obesity—brave and bold action”. Brave and bold action is what we need.

The first question is: how important is this issue? The answer is starkly set out in the first few pages of our report. There is a graph showing that a quarter of children leave primary school not just overweight but obese, and that an enormous and entirely unacceptable health inequality gap is opening up, and getting ever wider, between the most advantaged and the disadvantaged children in our society. Overall, a third of children are either obese or overweight by the time they leave school, which has enormous implications for them as individuals—it will blight their future life chances, and it exposes them to bullying when they are at school—and for the NHS.

As we heard, the estimated cost of obesity to the NHS is £5.1 billion. Obesity is one of the major contributing factors to developing type 2 diabetes. Diabetes now accounts for 9% of the entire NHS budget. If we are looking to make the NHS live within its means by preventing illness, we have to do something about childhood obesity. Most of all, we need to do it for the sake of the children. We need to be clear that no single measure will be the answer. We need a package of measures, and we have considered the issues in our report.

The Committee did not focus on the role of exercise in our report, primarily because we looked into physical activity and health just before the last election and we
I would like to make the case to the Minister for why we have indicated that they will not take action in that area. I will discuss in this debate, because the Government should introduce a sugary drinks tax, and that is what I can play and how we can support that.

We also touched on the powerful role that local authorities education in schools, and school food standards. We considered improving information about food and teaspoon labelling in particular. The pervasive advertising to which children are now exposed wherever they go. We considered the role of reformulation and of clearer labelling, endorsing the powerful point made about teaspoon labelling in particular. We considered improving information about food and education in schools, and school food standards. We also touched on the powerful role that local authorities can play and how we can support that.

However, as I said, we also considered whether we should introduce a sugary drinks tax, and that is what I will discuss in this debate, because the Government have indicated that they will not take action in that area. I would like to make the case to the Minister for why we felt that that should be an important part of an overall strategy.

Mark Pawsey rose—

Mark Field rose—

Dr Wollaston: In tandem! I am spoiled for choice.

Mark Pawsey: Does my hon. Friend acknowledge that there is already a tax on sugary drinks, in that VAT is levied on them at 20%?

Dr Wollaston: Of course, but let me be clear that the point of a sugary drinks tax is to introduce a price differential between the full-sugar product and alternatives, which would then be cheaper. We know that we can nudge people into making healthier choices with a differential. That differential would have to be 10% at a minimum; in our report, we recommend 20%. The beauty of levying such a tax on sugary drinks is that there will always be an equivalent product that is not packed full of sugar. Let me be clear that a relatively small bottle of sugary drink can contain 14 teaspoons of sugar. That is more than twice the recommended daily allowance.

To those who say that such a tax is regressive and would hit the poor, I say: look at who is already hit by the problem. The burden of childhood obesity falls on the poorest children in our community. We know from the experience in Mexico that a 10% levy on sugary drinks has led to a 6% reduction in consumption. Perhaps more importantly, it has led to a 9% reduction in consumption among the heaviest users. That is the point. The heaviest users are not being denied a product that they enjoy; they are switching to a non-sugary alternative.

Mark Field: Does my hon. Friend recognise that one concern that some of us have about a tax on sugary drinks is that although it seems an attractive idea as a one-off, it would set a precedent? There would then be moves to outlaw discounting, impose portion sizes and implement similar rules. [Interruption.] Many of us believe in the idea of freedom and the responsibility of the consumer, and do not like the idea of the Government imposing that sort of change.

Dr Wollaston: In an ideal world, I agree, it would be nice not to have to do any of that, but I return to the point about whether the Government also have a responsibility for the health of the nation’s children. Should the Government step back? Should any of us feel that it is acceptable to condemn one in four—a quarter—of the most disadvantaged children in Britain to a lifetime of ill health? If we can do something simply to nudge people a different way, should we not consider the possibilities, and ask how different those children’s life chances could be? As I said, such a tax would not be regressive because there is always an easier, untaxed alternative. We are talking not about telling people that they cannot have a product that they enjoy but about nudging them to choose a healthier one.

There is an interesting phenomenon whereby education, for example, is sometimes taken up by the people in society who are already healthier, which can inadvertently end up widening the health inequality gap. We should target measures to help those who are suffering the most harm. As for this being regressive, look at who is suffering the most harm. Is my right hon. Friend happy with the situation as it stands?

John Glen: Does not that point also suggest that the distribution of education interventions is not being focused in the right way? The Government could do significantly more to improve support, advice and education to allow that group of people who consume too much to make informed choices before going down the route of a tax.

Dr Wollaston: I ask my hon. Friend to look later in our report, where we set out some of the evidence on delivering education and advice. I am afraid that it does not provide the solution that he imagines it will, but I encourage him to read the report. I wish education alone could solve the problem, but it will not, and it tends to be short-lived. The scale of the problem demands our attention.

A tax would not be regressive because there would always be an alternative. No one is thinking of introducing a sugar tax of the type that sometimes people imagine when they hear “sugar tax”, which is one that would apply to the bag of sugar that they buy off the shelf or to biscuits, cakes and sweets. We are not suggesting that, because it is difficult to reformulate those products as entirely sugar-free alternatives. We are considering only products with an easy alternative. Why did we choose sugary drinks? Look at the data in our report, particularly on teenagers’ diets. A third of their entire sugar intake comes from sugar-sweetened drinks. In other words, there is an easy win here, through which we can help to take calories out of children’s diets, but no one is suggesting that that is the entire answer.
Maggie Throup (Erewash) (Con): Sugary drinks are not just about obesity; dental decay is also an important issue, and it affects self-esteem.

Dr Wollaston: My hon. Friend is absolutely right. In our report, we highlight that the single biggest cause of admission to hospital for five to nine-year-olds is the need to have rotten teeth removed. Are any of us happy with that situation? It is absolutely woeful that we are not doing more to tackle it.

As I said, the primary purpose of the tax is not to be a pointlessly punitive measure; it is to nudge people towards healthier choices. However, if the Government went down that route, I think it would be more acceptable to the public if every penny from the levy was directed to helping the most disadvantaged children, who suffer the most harm. That would also answer the point about whether the tax is regressive. We must be able to demonstrate what can be achieved with it. At a time when public health budgets are being squeezed and we are possibly looking at a 3.9% reduction in the public health grant, we must not cut back on the very measures that could make the greatest long-term difference.

Emma Reynolds: Does the hon. Lady agree that efforts to improve the education of parents tend to reach middle-class parents, not working-class ones, nor the parents of deprived children, whom we really need to reach? A tax on sugary drinks would send out a clear signal to those parents that they are doing their children harm by buying too many of these products for their children.

Dr Wollaston: Yes. As I pointed out, we could end up inadvertently widening health inequalities. The hon. Lady is absolutely right that a tax would send a clear message—right in front of people, on the shelf—that certain products are cheaper because they are not as harmful. That is the clear beauty of it.

I ask Members to consider what could be achieved with such a levy. If it might raise between £300 million and even £1 billion a year, the possibilities are extraordinary in terms of what we could do to improve the health and wellbeing of the nation’s children. We should not miss that opportunity. I hope that the Government will accept all the points and concerns raised by hon. Members and reconsider their policy, giving serious consideration to how much could be achieved for the benefit of our nation’s children and their health.

Geraint Davies: I support a sugar tax. In Mexico, the average person has half a litre of Coke every day. Did the hon. Lady consider the possibility of a tax on sugar as an input into other products? After all, if I was making Hobnobs and the tax was at 10%, and 50% of a Hobnob was sugar, I would only have to make a slight change to the price, the formulation, or the number of biscuits. Would it not be better instead to have a tax on all sugar inputs, to give the right incentives to both consumers and producers?

Dr Wollaston: I thank the hon. Gentleman for his intervention, but the point is that we wanted to respond to the issue about whether a sugar tax is regressive. It is much more challenging to use a direct replacement for the sugar, which would mean zero sugar for those kinds of products. That was partly why we took that view.

However, the approach that we recommend for the kind of products that the hon. Gentleman has mentioned is one of reformulation. During the last decade, there has been a successful programme of reformulating salt within our processed foods, but such a change takes time, because we have to adjust the nation’s palate gradually. Yes, we can make bigger step changes if we replace part of the sugar in one go, but there is sometimes something about the chemistry of sugar within cookery that means a sugar substitute does not do the same job. We wanted a tax where a sugar substitute did the same job as sugar, in effect.

I am confident that reformulation will be part of the Government’s response, because there is clear evidence that it works. Having said that, we know that it works better when there is some teeth to it, so I urge the Minister to go further than the responsibility deal and have something with real teeth. Things worked better when we had the Food Standards Agency and a bit of a stick in the background to make such changes happen, and industry wants a level playing field.

Mark Field: It is only fair that we give some credit to the industry, as my hon. Friend has done, particularly for the changes that have been made in relation to salt products. However, it seems to me somewhat insidious that, as we heard in an earlier contribution, the financial interests are being questioned, as though health professionals, who are often well funded by public funding, did not have a financial interest in this particular debate, as well as...

Fabian Hamilton (in the Chair): Order.

Mark Field: A significant number of health charities also have a big financial interest in this debate, and it is right that that interest should be balanced against those with clear financial interests in the industry.

Fabian Hamilton (in the Chair): Order.

Dr Wollaston: I thank my right hon. Friend, and I should say for the record that I have no financial interest in any of this whatsoever. However, he is right that the industry has a role to play, and there is no point just beating industry over the head, because we would like to bring it with us. I was rather encouraged to see that, during our inquiry, the British Retail Consortium was very helpful in a lot of what it said, but it told us that the industry would like a level playing field. A very important strand of our recommendations was around price promotions and the kind of deep discounting that goes on in relation to the most unhealthy junk food and drink. It is very difficult if only one section of industry takes action on discounting. An extraordinary point that came out in our inquiry was that 40% of all the food and drink that we have in our homes tends to come through very deep discounted routes, and discounting is absolutely key to retailers’ marketing strategy in the retail environment, so we need a level playing field as far as industry is concerned.

Mark Pawsey rose—

Dr Wollaston: I can feel another point coming on here.
Mark Pawsey: I declare an interest, because I have a Britvic plant in my constituency. My hon. Friend is talking about the industry. Does she accept that the industry has done a great deal to promote low-calorie variants of its products and to reduce the calorie content of the full-strength products?

Dr Wollaston: I am sure that will be part of it, but as I have said, I am not here to beat industry over the head. I want to bring industry with us. I celebrate what it has done, but it needs to go further. What we heard on our Committee was that industry needs a level playing field, and that a bit of regulation helps, because then everybody goes together. For example, take the chicanes of sugar that we have at checkout aisles, and the fact that we are being flogged a kilogram of chocolate when we go to buy a newspaper. With those types of things, we need a level playing field, so that we do not have any industry going down that route.

My view is not that we should not have discount promotions; we need those discounts and promotions to happen for healthier foods. The argument is often made that we will hit people in their wallets if we take these away, but what we want is for people to be able to afford healthier, quality food. I would love that type of food to be the focus of deep discounting and promotions.

We then come on to the issue of clearer labelling. Jamie Oliver, in his presentation to us, made a compelling case about labelling. Let us put the number of teaspoons of sugar on drinks. This morning, I was trying to look at drinks labels, and I found them confusing. We need clear information that says whether the product contains 12, 13, or six teaspoons of sugar. To answer the point that my right hon. Friend the Member for Cities of London and Westminster (Mark Field) made about industry, it helps industry if people can clearly see that companies have made an effort to make a lower-sugar product. Let us allow that within clear labelling.

Let me come on to improved education. I would love to see more education about food in school, including proper cookery lessons, and for schools to have the resources to be able to do so much more in that regard. That is where I see one of the benefits of this levy going; it could go to support those kinds of lessons, not only in schools but in the wider community, and school sport. All those things are important. If we are to have school food standards, they should apply to all schools. Do we not care about every child in school?

Geraint Davies: The hon. Lady will know that I put forward a sugar Bill supporting sugar being denominated in spoonfuls. Does she accept that if there were two pasta sauces that were clearly labelled—one with six teaspoonfuls and one with three—there would clearly be an incentive for consumers to pick the lower-sugar one and that manufacturers would compete to get sugar content down, rather than up, in order to get people to buy their products?

Dr Wollaston: I completely agree with the hon. Gentleman. We have seen that where companies want products to be marketed as “healthier”, there is an incentive for them to reformulate, although we need honesty about that; sometimes, products can be marketed as “healthy” because they are low-fat, when they are packed full of sugar. We need to be clear about that.

Also, look at advertising: some products are allowed to be marketed to children, including breakfast cereals whose contents are 22.5% sugar; that was the rather shocking evidence that we heard. We need clearer guidance as to what constitutes a “healthy” product.

On that point about advertising, we felt that there was a clear case to have the watershed of 9 pm apply, so that we do not see junk food being marketed to children when they are watching very popular programmes. We were also very concerned about the pervasive nature of advergames on the internet: children think they are playing a game but, in fact, the games are the product of marketing companies, and the children are being sold particular items.

We are absolutely clear that all these things are very important and, as I said at the beginning, there is no one single piece of the jigsaw that will complete the picture. Indeed, the more pieces of the jigsaw that are put in place, the more effective a strategy there will be around childhood obesity.

I return to the point I made at the start: this issue matters and we cannot continue as we are. Also, although we did not go into this in great depth in our report, I urge the Minister to consider what interventions can be put in place for those children who are already affected by obesity. We were very supportive of the child measurement programme, but we were told by local authorities that funds are tight. As for extending the programme to bring in children from earlier years and pick them up before they get to primary school and run into difficulties, authorities do not have the resources to both put in place another year of monitoring and do what we need to in order to help those children who are already affected by obesity. Resources matter. I again urge the Minister, when she discusses this issue with colleagues, to consider what we can achieve, because we should not take the view that that nothing can be done about childhood obesity. We can do extraordinary good for the health of our children, and I really hope that when the Government bring forward their obesity strategy, they will be bold and brave, and recognise the urgency of this health emergency.

Paul Flynn (Newport West) (Lab): It is a great pleasure to speak in this debate and to follow the two marvellous opening speeches. It is a shame that the right hon. Member for Cities of London and Westminster (Mark Field) has now gone after intervening so often—I think he intervened seven times—and then complaining that there was no debate. Now he has deserted us to spend more time with his prejudices.

This is a debate of great importance. I will not go into detail about what generation I was part of, but there were certainly no sugary drinks when I was a child. There was a lot of water—we had that in abundance—but, being a child of the war, I had the benefit of a system of rationing whereby the amount of food was carefully controlled. We were probably the healthiest generation there has ever been, because we were quite rightly denied the damaging drinks that children often have now.

I want to make just one point, which is about who comes first in the Government’s thinking. Where does public opinion come? Where does the health of children come? We all know the misery that is felt by overweight children, and how they suffer mockery at school. It is
[Paul Flynn]

extremely damaging for them. There is no question but that we have to do all we can to avoid obesity as far as possible. We can do something about it, but a number of decisions taken by the Government have been extremely worrying, and one of them is this—turning down the idea of a sugar tax.

Recently we had a debate in the House on a sensible Bill, which was supported by the hon. Member for Central Ayrshire (Dr Whittford), a Scottish National party Member. She is a breast cancer surgeon, and she made a splendid, well-informed speech in support of the Off-patent Drugs Bill, which would have been greatly beneficial to people in need of drugs, as it would have made them cheaper, and also to the health service. Members of all parties spoke in the debate, but the only voice for the party of Government was the Minister’s, and we know that the pharmaceutical industry—big pharma—has the Government in a throat hold. It is big pharma that decides what happens.

I believe it is the same with “big sugar”—that the Government are excessively influenced by the commercial interests of the sugar industry. They are also influenced by other industries—the alcohol industry is very powerful. We recall that at the time of the 2010 election there was an impassioned plea by the future Prime Minister. He said he knew what the next scandal in Britain was going to be: it was going to be a lobbying scandal. He knew about lobbying, of course, because he was a lobbyist himself. He knew about the influence of lobbyists—the odd word here, the invitation to a reception there, getting someone on side by inviting them to a seminar in the Alps, or in Bermuda. That is the way they work. Are the Government listening to the financial concerns of the greedy lobbyists, or to the pleas for a more rational, healthy policy?

John Glen: Would the hon. Gentleman like to reflect on the comment made earlier, about the record of his party in government in Wales? If the sugar tax is such a priority, why has there not been more progress in Wales?

Paul Flynn: We have had a—[Interruption.] Exactly, and I thank my hon. Friend the Member for Swansea West (Geraint Davies) for saying so. I respect my hon. Friend. We had a little exchange in Welsh about who made the remark in question. I find the story most important part of therapy and confidence: when people go into hospital, they are of course nervous and concerned, and when they read these lying stories about political—

Fabian Hamilton (in the Chair): Order. May I remind the hon. Gentleman that the subject of the debate is a tax on sugar and sugary drinks?

Paul Flynn: Yes, Sir. Thank you, Mr Chairman. I was unfortunately—inadvertently—diverted from the point involved, but I shall return to it.

Geraint Davies: Is my hon. Friend aware that last night on Welsh television the Welsh Minister for Health and Social Services, Mark Drakeford, said that there should be much greater control over the advertising of sugary drinks to children until after 9 pm? The Minister would, I am sure, welcome the devolved power that is implicitly being called for to be able to tax sugar in Wales and do the other things we are talking about.

Paul Flynn: I did see the programme; it was the Welsh segment of the “Politics Show”. That is why I find the account-giving of the view in Wales to be not plausible—Mark Drakeford is a splendid Health Minister.

Last year, a Daily Mail investigation revealed that the food industry lobby had been given unprecedented access to the Government. The Prime Minister hosted Coca-Cola, Mars, Nestlé, McDonald’s, Pepsi, Nando’s and Tesco. They were all welcomed to No. 10 Downing Street, and given big hugs no doubt—they are great pals. Those are the ones the Government are listening to, not the needs and the health of young children.

Julian Knight (Solihull) (Con): Will the hon. Gentleman give way?

Paul Flynn: I will, but I am taking rather a long time.

Julian Knight: I thank the hon. Gentleman for giving way. Will he recognise that all the companies he just mentioned are major employers in this country and that it is perfectly right for Ministers, the Prime Minister and other Members of Parliament to meet with those companies so that they can put forward their views?

Paul Flynn: I am sure that there was a great outcry from the municipal and general torturers union in the South American countries when those countries were taken over by democratic states and the crafts of back-breaking and the pulling-out of fingernails were no longer in demand and people lost their jobs. But there was a benefit involved, and we cannot give this excuse about people being in employment.

Steve Double (St Austell and Newquay) (Con): Will the hon. Gentleman give way?

Paul Flynn: I will not give way again; I am taking up other people’s time.

We cannot use the excuse of jobs at all costs. Of course jobs are important, but keeping them is not justified when we see the result of such action on the health of the nation.
It is fascinating to look at Government bodies because we recently found that the World Health Organisation is in trouble because so many members of its committees are in the pay of pharmaceutical companies—you might declare me out of order, Mr Hamilton, but I hope I am not going too far off topic. The flu pandemic that never was in 2009 was because the organisation sold a huge amount of pharmaceutical products—a billion in this country—while in Poland, where antivirals cost 7 zloty, they had no antivirals and they had half the number of flu deaths that we had.

Steve Double rose—

Paul Flynn: I will give way, but for the last time.

Steve Double: I am grateful to the hon. Gentleman for giving way. I am reflecting on his comments about the Government and his proposition that they are in bed with big business in the sugar industry. Would he say, then, that the previous Labour Government did not introduce a sugar tax in 13 years for the very same reason?

Paul Flynn: The hon. Gentleman has not been here long. I have been here for 28 years, and I think he will find that the previous Labour Government would not say that they enjoyed my entire approval for the entire time. I can assure him that I am critical of all Governments. They all have their imperfections, but none quite as many as the present one.

If we look at the Scientific Advisory Committee on Nutrition, five of its eight members receive funding from large confectionary companies. I am sure they are not influenced in any way by that, but it is interesting that Professor Ian Macdonald receives money from Unilever—the world’s biggest ice cream maker—Coca-Cola and Mars. Also, Professor Sanders, a Government scientist working on diet, sugar and heart disease, was given £4.5 million towards his research by Tate and Lyle. I am sure that does not affect his scientific judgment and impartiality in any way, but I question whether such behaviour is wise, because unkind people might conclude that the one who pays the piper calls the tune. We see these revelations and then find that the working group recommends that people slash their daily sugar intake, but not by a large amount.

In conclusion, we are in a dangerous position in Parliament because many of us, I think, felt upset when the Off-patent Drugs Bill did not progress. There is a universal view coming both from the public—we see the numbers of concerned people who signed the petition—and from every party that spoke in the House during that debate. We are here today thanks to the Petitions Committee, but who is speaking against the sugar business?

Several hon. Members rose—

Fabian Hamilton (in the Chair): Order. I am hopeful that it will not be necessary to impose a time limit on Back-Bench speeches, but that will be the case only if Members exercise restraint and endeavour to keep their speeches to around 10 minutes.

5.30 pm

Maggie Throup (Erewash) (Con): I rise to outline why changing our habits when it comes to sugar in our diet is so vital. It is not just the fact that high sugar intake is likely to result in obesity; what is important is the likely impact of obesity on our health. Those who are obese have a higher risk of heart attack or stroke, of cancer, of suffering from tooth decay and of developing type 2 diabetes. The long-term consequences of those diseases are what we need to worry about. For example, too many people are diagnosed with type 2 diabetes when it is too late—when their condition has already caused damage to their kidneys, their heart, their eyes and their blood circulation, which can lead to amputation. Those things have a life-changing and life-limiting impact on a diabetic patient. A secondary consideration is the huge cost to the NHS and social services. It is estimated that type 2 diabetes costs the NHS some £9 billion a year, which is 9% of its budget, as my hon. Friend the Member for Totnes (Dr Wollaston) mentioned. More devastating is the effect on the sufferer’s everyday life, and that is what leads me to believe that we need to do whatever is in our power to lower the incidence of obesity.

Those are the reasons why I was delighted when the Health Committee decided to hold its first inquiry of the Session on the subject of childhood obesity, and why I agreed to reform the all-party group on adult and childhood obesity, with its first meeting planned for the new year. During the Select Committee’s inquiry, we heard some compelling evidence calling for brave and bold action on obesity. I am sure that the majority of Members here today will have read the report. A sugary drinks tax is just one of the measures that we highlighted.

A few months ago I was against a sugary drinks tax, because I am against extra taxation, but the compelling evidence that we heard changed my mind. As a nation we are facing a massive obesity problem, and we need to be bold and brave in what we do as a result. I was originally against the tax also because I believe in choice, but consumers will still have choice. They will be able to choose between buying a sugary drink and paying the levy, and buying a drink with artificial sweeteners and not paying the levy.

The evidence that we heard dealt with both reasons why I was against a tax. According to the report by the Scientific Advisory Committee on Nutrition, “Carbohydrates and Health”, which was published in July, soft drinks as a single source represent 30% of added sugar intake for 11 to 18-year-olds. That is a huge amount. For four to 10-year-olds, soft drinks make up 16% of added sugar intake. Such data cannot be ignored or swept under the carpet. A sugary drinks tax would surely serve to change habits, reduce sugar intake and therefore play a part in reducing obesity. That would have a huge long-term impact on health.

Julian Knight: My hon. Friend is making an excellent speech. I do not wish to be accused of being in the pay of “Big Sugar”, which sounds vaguely like a ’70s wrestler, but does she agree that public awareness and better labelling of products are more important than anything to do with a sugar tax? Through them we can help to reduce sugar intake and change attitudes.

Maggie Throup: I think the wrestler that my hon. Friend is referring to is called “Sugar Daddy”, not “Big Sugar”. The Health Committee’s report said that it is not one measure that will make a difference but a whole range of measures, and education is one of those measures. I agree with him on that, for sure.
Some manufacturers are already reformulating their sugary drinks and their food items. I hope that the measures laid out in the Health Committee’s report and other recent reports will speed up the process for every food manufacturer. We want to have that nudge effect. As our report clearly states, the tax should not be for ever. It is a speedy response to a growing problem, and it can work as other measures kick in. When the time is right, the tax can then be dropped. It is vital that the money raised through such a tax is ring-fenced to tackle the obesity crisis in children.

Mark Pawsey: Is there evidence that if price is increased, consumption will reduce? Was that part of the evidence that the Select Committee took?

Maggie Throup: I recommend that my hon. Friend reads the report. The evidence from other countries is that the implementation of a sugary drinks tax has reduced consumption considerably. It is important that we ring-fence the money from such a tax for education. As my hon. Friend the Member for Morley and Outwood (Andrea Jenkyns) said, education is extremely important. My hon. Friend the Member for Totnes, who chairs the Health Committee, also made that point. The money should not go into the general Treasury pot of money.

Just because we are focusing on sugary drinks in this debate, that does not mean that they are all we need to consider. In fact, if a sugary drinks tax was the only measure implemented, it would not be effective in tackling obesity and its long-term consequences, because sugar is not the only cause of obesity. Fats and other carbohydrates also play their part, as do lifestyles.

We have already talked about exercise. I recommend the Sky Ride project to everyone. It is about getting more people on bikes and caters for anyone, from the men in Lycra who want to cycle 100 miles a day to families. If we can get children on their bikes, getting more exercise, we can start to tackle the obesity problem in a fun way, which is a good way of doing it.

Julian Knight: My hon. Friend mentions cycling, and I concur; it is fantastic exercise, and its health benefits mean that regular cyclists live many years longer. Does she agree that one area we can improve is competitive sport in schools? Having more of that would bring about better health outcomes and better health among our young people.

Maggie Throup: I completely agree. I always enjoyed my competitive sports at school. I was a sprinter, and I played netball and rounders.

Paul Flynn: Wrestling?

Maggie Throup: Not wrestling, no.

The issue is partly about exercise, but it is also about food. There is more reliance on ready meals, takeaway meals and meals consumed in restaurants than ever there was in the past 30 years. However delicious the food is, as consumers we do not have control over what goes into it. The hon. Member for Warrington North (Helen Jones) talked about her domestic science lessons. I had a term and a half of those lessons, and I still use my pastry recipe to make my mince pies at Christmas. I know they have sugar in them, but at least I know what is going into them. The recipe book that I created in my domestic science lessons is well thumbed indeed.

We need to tackle every cause of obesity: price promotions; the deep discounting we have heard about; reformulations; the locations of takeaways, which seem to crop up near schools; marketing and advertising; and celebrity endorsements. We need to have clear and understandable labelling. I commend the idea of having the number of spoons of sugar on packaging. It is straightforward, simple and anyone can understand it. We also need more information from takeaway outlets and restaurants as to what we are eating. The list goes on and on.

Obesity is a problem that is not going away. As politicians, we can no longer ignore it. As the Health Committee’s report states, we need to take brave and bold action.

5.39 pm

Keith Vaz (Leicester East) (Lab): It is a pleasure to serve under your chairmanship, Mr Hamilton, and a pleasure to follow the hon. Member for Erewash (Maggie Throup) and four outstanding speeches. I could easily say I agree with everything I have heard and sit down, but this would not be Parliament if we said so few words, so I will add a couple of words.

Normally, I think Home Affairs Committee reports are stunning. However, the report that the hon. Member for Totnes (Dr Wollaston) has published today is an absolutely stunning report, which I hope will be a turning point in how the public and the Government look at the issue. I congratulate her and the members of her Committee on the work that they have done.

I also want to congratulate Jamie Oliver on the work that he has done and this amazing petition, which has managed to attract 151,782 signatures. This debate is an example of how Parliament can reflect the needs and wishes of the public. It was opened eloquently by my hon. Friend the Member for Warrington North (Helen Jones), with whom I spend many hours in the Tea Room, where we discuss food and other things of that kind. She spoke well, as did my hon. Friend the Member for Newport West (Paul Flynn).

I want to speak about various issues. I declare my interest as a type 2 diabetic. Mr Hamilton, you are also a type 2 diabetic, but you are better at taking the advice of the hon. Member for Erewash than I have been. She encourages people to cycle, and you went on a cycle ride from Leeds to Paris in support of diabetes; I walk to the tube. It is very bad. I keep saying to my wife that I want to buy an electric bicycle, and she keeps saying that I will never use it, but I use you as an example, Mr Hamilton—a paragon of what we should all follow.

Maggie Throup: Sky Ride is open to anybody of any age. I encourage the right hon. Gentleman to find his local Sky Ride starting point, buy a bike and go and enjoy it.

Keith Vaz: I will, but for me it will not be Sky Ride; it will probably be Skyfall. However, I will look up what the hon. Lady has suggested.
On the point made by hon. Members about Mexico, I met the Mexican ambassador and his amazing dog, Pepe, on Thursday last week at the Mexican embassy. The ambassador is also a diabetes campaigner, and he told me that the example of Mexico is a good one. The chair of the Health Committee, the hon. Member for Totnes, gave us the figures: consumption is down in Mexico, and the price differential provides an important nudge. The ambassador told me that Mexico is the biggest consumer of Coca-Cola in the world. That is why Mexico introduced the sugar tax, which is working, and it is important that our Government consider that tax.

However, we need to move further. I gave up sugar when my local GP diagnosed me with type 2 diabetes on an awareness day. He said, “Come along and be tested.” I was tested and he rang me the next day and said, “The good news is you’re on the front page of the Leicester Mercury, but the bad news is you’ve got type 2 diabetes.” I did not really know what it was, but I gave up sugar, which is a killer, immediately.

Whenever we talk about the sugar industry, it gets very worked up. I think we should go further and have a no sugar day. The last time I questioned the Prime Minister on the subject, about the time of World Diabetes Day last year, I suggested that the consumption of sugar should be stopped in No. 10 just for one day. Imagine if the Administration Committee, or the commissioners of this House, decided that just for one day, perhaps World Diabetes Day, there would be no sugar available in the Tea Room. When you got to the counter—I know you would resist it, Mr Hamilton—there would be no Club biscuits, no Jaffa Cakes, no Victoria sponge; just fruit and other types of food we can consume without increasing our sugar intake. There are a lot of examples of that happening. We need to take a proper course of action, apart from simply putting up taxes.

I commend the companies that have tried to do something about the issue. I went to a Waitrose store in Wolverhampton to look at what the manager had done. I am sorry, I did not tell my hon. Friend the Member for Wolverhampton North East (Emma Reynolds) about that—I was driving past and I had no time to text. The manager had taken all the no-sugar products and put them in a kiosk in the middle of the store. Rather than being shoved on the last possible shelf, they were in one kiosk with the words “no sugar”, so all the no-sugar stock was in one place. It is so much better when companies encourage their consumers to be responsible.

My hon. Friend the Member for Warrington North mentioned the responsibility deal, but I think it has failed. Voluntary codes do not work. The Government were right to introduce the deal under the previous Secretary of State for Health, but unfortunately it has not made much difference. We should get the companies in—perhaps invite them to No. 10—and get them round the table with the Health Secretary and tell them that they need to do much more to control the amount of sugar in their products.

I congratulate my hon. Friend the Member for Newport West on introducing his ten-minute rule Bill on labelling. On the point made by various hon. and right hon. Members—and Mr Jamie Oliver—if we simply put the back of a product, which we do not always see. I would also like to see more products with the words “suitable for diabetics” on them. To give Marks & Spencer—and corporate Britain—credit, it has no-sugar chocolate. It tastes pretty awful compared with real chocolate, but at least it is there, and when you are desperate, you can reach for the drawer that says “no sugar”.

I want to ask those who produce sugary drinks to be a little less touchy and more touchy-feely. I was recently asked whether I supported the arrival of the Coca-Cola van in Leicester. I said I was against it because it would encourage young people to drink more Coca-Cola, which has seven teaspoons of sugar in each can, and there was a huge outcry. When I went to a football match two weeks ago at the King Power stadium—before Jamie Vardy scored his 11th goal—a man came up to me and said, “You are like the Grinch. You have ruined our Christmas, because you do not want the Coca-Cola van to come.” I thought Christmas was about the birth of Christ and the message of Christianity, but I now realise it is about not depriving people of their beloved Coca-Cola van, which they can go and worship on 17 December in Leicester.

We then discovered, thanks to the Mirror and the Daily Mail, that the Coca-Cola van is visiting some of the most obese cities in the country. It actually visits Coca-Cola’s best consumers. I had a very nice letter from Coca-Cola inviting me to come and meet the chairman in Atlanta, Georgia—I think I will go to the local headquarters in Reading—and I said, “All you have to do is put on the van the words ‘no-sugar Coca-Cola’, ‘Diet Coca-Cola’ or ‘Coca-Cola Lite’, and you can help change the habits of consumers.” That needs to be done, and I have an open invitation to Mr Oliver to come to Leicester on 17 December, not in an anti-Coca-Cola van, but in a van from which he can give out his good food and perhaps water instead of Coca-Cola. Perhaps he can follow the van around the country making sure we have good products given to young people.

The Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison), the Minister with responsibility for diabetes, must feel a little alone given all the speeches that we have heard so far. I think she is committed to doing a great deal of work on diabetes. I had the pleasure of being with her in Asda on World Diabetes Day—not shopping, but raising awareness of diabetes in her constituency—along with Silver Star, a charity that I founded a few years ago. However, I think the Government as a whole are reluctant to take on the big companies. I hope that they will be bold in order to save lives and help the health of our nation, and that they will take an initiative that will encourage Health Ministers and Governments all over the world to do the same.

5.49 pm

Steve double (St Austell and Newquay) (Con): It is a pleasure to serve under your chairmanship, Mr Hamilton. I, too, speak as a member of the Petitions Committee, which granted this debate, and I am delighted to do so. I congratulate the Health Committee on its report. I must confess to having read it all since I got my hands on it today, but I have certainly read the part about the sugar tax, which I found very helpful and good.
I speak as a Conservative who is a passionate believer in keeping taxes as low as possible; I am reluctant to support the introduction of any new taxes. I also speak as a 17 and a half stone—on a good day—hulk of Cornish indulgence. Those present can tell from my physique that I enjoy the good things in life, including the food we eat and the liquids we drink. I am passionately opposed to the nanny state and to the Government interfering in people’s lives any more than they absolutely need to, particularly in an area that often worries me: the Government undermining or usurping the role of parents in their children’s lives.

Given that I have said those three things, Members might be surprised to learn that I support the introduction of a sugar tax. Shortly after I was elected in May, I was approached indirectly by Jamie Oliver. I am privileged to have his restaurant, Fifteen Cornwall, in my constituency. The restaurant does incredible work by providing not only excellent food but apprenticeships for some of the most disadvantaged young people in Cornwall. It also engages with the wider community to promote good, healthy food throughout Cornwall.

Fifteen Cornwall approached me to ask whether I would support the campaign to introduce a sugar tax. I have to say that my initial reaction was less than enthusiastic, for the reasons I have outlined. It was not my natural inclination to say, “Yes, that’s a really great idea and I’m 100% behind it,” but having been approached, I went away and looked at the issue carefully. As I have looked at the evidence and examined the issue more deeply, I have shifted my position, despite my initial and natural inclination not to support such a tax. The reason is quite simple: it is clear to me that we have an immediate and growing childhood obesity crisis in our country.

As has already been said, a third of children leave primary school overweight, and a quarter of the most disadvantaged children leave primary school obese. One of the most shocking statistics I have read is that the most frequent reason for children—particularly five-year-olds—having to go to hospital is for tooth extraction because of decay. It is shocking that we accept that in modern Britain. As I have looked into the issue more and more, I have reached the position where I find the evidence compelling: something needs to be done.

It has already been said that a sugar tax on its own is not going to be the silver bullet that solves all our problems, but I am persuaded that it needs to be part of the solution. I do not believe the Government can any longer sit back and say, “This is a matter of personal choice,” or, “This is just down to parents,” because that is clearly not working. Something needs to be done to send the clear message to the country, and indeed the industry, that the current situation is not acceptable and that action must be taken.

Looking back over my lifetime, it is clear that the sugary fizzy drinks market has grown out of all proportion. I remember when I was a seven or eight-year-old and we used to have a weekly delivery of pop to our house. My brothers and sisters and I would look forward to the day when my mother would bring back two or three bottles of pop from the delivery van for us to have in the house as a treat. We knew that once we had drunk those two or three bottles—there were five children in our house, so do not think I drank it all—that was it for the week. Once we had finished our fizzy drinks for the week, they were gone until the van came back the next week. A good thing was that the van used to take away the empty bottles to recycle them—that is another issue altogether with fizzy drinks, but we will not go there today.

Those drinks were very much a treat. Although we looked forward to them, we knew that their availability was limited and controlled. Sadly, those days are gone and fizzy and sugary drinks are now so readily available and so heavily marketed, particularly at children, that a problem has arisen that we have to address. It is a crazy world we live in when a can of pop is cheaper than a bottle of water in most shops. Again, as has already been said, a third of an average child’s sugar intake is now derived from sugary drinks. We have to take notice of that.

Addressing this issue has to be a team effort. It is a shame that the hon. Member for Newport West (Paul Flynn) has left the Chamber, because I felt that the tone of his speech was somewhat unfortunate, and I am not sure that he did the cause much good. I very much believe that there needs to be a team effort. Having spoken to Members, I have discovered that there is an awful lot of cross-party agreement on sugary drinks. We all need to work together to make a compelling case to the Government that they take action.

It is clear that parents have ultimate responsibility for what they allow their children to partake of, but we need to help them and educate society as a whole about the dangers of continuing to consume, and allowing children to continue to consume, sugary drinks at the current level, because it is literally killing our country. We need to enable, educate and help parents more. Some suggestions have been made about labelling, which I believe has an important part to play. People should be able to make an educated decision about what they allow their children to have, rather than having to deal with the current situation, where labelling is incredibly vague.

We have reached the point where the Government have a role to play. They need to send the clear message that the current state of play is not acceptable or right, take some leadership and demonstrate that this issue must be addressed. Of course, we have to work with producers and retailers, and I take on board some of the comments made by other Members. Perhaps the industry does want to resist the imposition of a sugar tax. My view is simple: if it steps up to the plate and starts to take action now, perhaps we will not need to introduce a tax, but in the absence of that—it does not seem to be forthcoming at the moment—the Government should seriously consider taking action and introducing one.

We often talk about investing to save; I see a sugar tax as taxing to save. If we introduced one and used the income from it wisely, we would save the health of our children while also saving the NHS an awful lot of money over the years to come. We have heard that the costs to the taxpayer of the related health issues are measured in many billions of pounds. By introducing a sugary drinks tax and spending the money carefully, we can save money for the taxpayer in the long run.
Quite simply, I am persuaded that a sugary drinks tax would be the right step, and the Government should take the idea very seriously. I came to that position reluctantly but it is the position I have come to. I ask the Minister and the Government to listen to the voices of many Members from throughout the House and the clear message from the public, who are now waking up to this issue and saying, "Something needs to be done." They should look seriously at whether this tax can be introduced to send the clear message that the current state of play is not acceptable.

5.59 pm

John McNally (Falkirk) (SNP): I thank the hon. Member for Warrington North (Helen Jones) for securing this debate. I am grateful for the opportunity to speak in this debate. I was at St Andrew’s day. Earlier today, I had a plate of cullen skink soup, followed by haggis, neeps and tatties, washed down with a tin of Irn Bru.

[Interruption.] It was very enjoyable, and it was a delight to come in and smell it. By way of a disclaimer, I should inform hon. Members that my constituency is the birthplace of the wonderful Irn Bru, Scotland’s second national drink—[Interruption.] I suspect hon. Members have an idea what the first is. To digress a wee bit, I am a supporter of a campaign, led by my constituents Paul Gilligan and David Reid and The Falkirk Herald, to reinstate an Irn Bru advertising mural outside the Howgate centre, as we now consider it a piece of social and civic art, such is the popularity of our drink.

I agree an awful lot with the hon. Members for Totnes (Dr Wollaston) and for Warrington North. I am a founder member of Central Rio FC, a football club in my area, and I had the privilege and pleasure of being its first coach. It has grown, and now about 400 to 500 children participate locally. It is a wonderful example of how our community works together. One of the first things that rang alarms in my head is that some of the children who came along would not drink water. Their parents said that they would drink only sugary drinks—Irn Bru, Coca Cola or whatever. We had to overcome that huge problem, so, again, I am delighted that we are having this debate.

Maggie Throup: On the point about sugary drinks and sports, does the hon. Gentleman think that a lot of confusion is created by the fact that sports drinks, which are supposedly good for people, are so loaded with sugar that they probably do as much harm as good, when balanced with the exercise that people are doing?

John McNally: I could not agree more. That is one of the biggest problems. People drink lots of sugar, which gets them high quickly, but they then come down and go into a never-ending cycle of having to drink it again. It is an extremely worrying state of affairs for everybody, so I totally agree with the hon. Lady.

I believe that raising tax on sugary drinks would be an effective means of reducing childhood obesity. I thank all the MPs here, and I hope they all agree that Jamie Oliver should be applauded for setting up this petition and making use of his profile and that of the charity Sustain. I, for one, echo his concerns about the health and welfare of our future generations, and I share his belief that “we can shift the dial on the epidemic of childhood obesity.”

I thank the right hon. Member for Leicester East (Keith Vaz), who is no longer in his place, for his diligent work in pursuing better public health awareness for the people of this country.

It is commonly known that sugar-sweetened drinks are associated with a higher risk of weight gain than similarly calorific solid food. Evidence indicates that there is a link between the habitual excess consumption of sugar, type 2 diabetes, and weight gain. A large study of European adults showed that there is a 22% increase in diabetes incidence associated with the habitual consumption of one daily serving of sugar-sweetened drinks. Sugar-sweetened drinks contribute a significant amount of sugar to children’s diets. A reduction in their consumption would, in my view, significantly lower the intake of sugar and therefore reduce obesity and the associated detrimental effects on personal health.

According to statistics released in 2014, 64% of adults in the UK are overweight or obese, which cannot be good for anybody. I am sure my hon. Friend the Member for Central Ayrshire (Dr Whitford) will talk about that fact later. International comparisons indicate that the UK has above-average levels of overweight and obese adults. The cost of our obese population is not just felt in the increased risk of a range of serious diseases, including type 2 diabetes, hypertension, heart disease and some cancers; there is also an economic cost. It is estimated that obesity costs the NHS up to £600 million in Scotland alone, and the McKinsey Global Institute estimates that the cost to the UK is equivalent to 3% of gross domestic product. The Scottish Government await the outcome of the Cochrane review on that issue.

Worryingly, for the majority of adults, obesity starts in childhood. Evidence shows that being obese in childhood increases the risk of becoming an obese adult. If we do not encourage adults and children to reduce their sugar intake, the economic costs and the cost to the NHS will continue to be a significant burden. Perhaps that is where a bit of libertarian paternalism is needed. As was said earlier, it is possible and legitimate to nudge people.

John Glen: Will the hon. Gentleman reflect on the fact that, sadly, a massive proportion of those who are obese are the poorest in our society? No Government of any party can ignore that fact. The poorest do not have a free choice when they buy sugary items.

John McNally: The hon. Gentleman is right. Once again, it is the poorest who do not know how to make such choices. I hope to come on to that point later.

Although I welcome the proposal to increase tax on sugary drinks and agree with the rationale behind it, I am slightly cautious about it, simply because the body of evidence on this subject does not robustly demonstrate the effect it would have in isolation on rates of obesity and type 2 diabetes. I feel strongly that a raft of measures should be developed to reduce sugar intake and obesity. Taxation of this kind is an important tool in shifting the population’s dietary patterns. Educational messages alone simply will not achieve the reduction that we need, so fiscal and reformulation measures need to be introduced. We MPs can help to nudge that decision. We should improve the decision-making process to allow the choosers whom the hon. Gentleman mentioned to make better choices for their own welfare.
In conjunction with a sugar tax, we require legislation on the reformulation of foods to reduce overall calorie intake. If that is not possible, the industry should be compelled to reduce portion sizes—although not of Mars bars. We also need to introduce marketing restrictions on unhealthy foods to restrict the marketing of foods that are high in salt, sugar and fat to children. Restrictions should be applied most stringently to TV and online advertising, as evidence suggests that under-16s are strongly affected by advertising through those mediums.

We must improve our confused labelling system. We should continue to support a consistent front-of-pack labelling system and should extend calorific labelling, such as the traffic-light system, to all food and drink. Arguably, it is most crucial for the Government to invest more heavily in active travel by dedicating a national budget to walking and cycling; I am absolutely with the hon. Member for Warrington North on that.

The obesity epidemic is not going away. If anything, it will get worse for successive generations unless the Government take action. Implementing and evaluating a sugar tax as part of a childhood obesity strategy would be one step towards improving the health of our nation. I urge the Government to take heed of the petition and implement such a tax.

Finally, I holidayed in Cornwall this year, so I appreciate what the hon. Member for St Austell and Newquay (Steve Double) said about weight—such is the quality of the food in Cornwall.

6.9 pm

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe. I thank my hon. Friend the Member for Warrington North (Helen Jones) for securing this debate. I strongly identify with her comments about being brought up in the north and the change we have seen in children’s diets. When I was growing up in Oldham, fizzy drinks were a rarity for our family—the pop van did not come to our house. If we were thirsty, my mother’s response was always, “There’s plenty of corporation pop,” corporation pop being the stuff that comes out of the taps. That was normal in my family, and many people of a certain age will be able to relate to that, but our children’s diets have really changed. While I am talking about my mum, it is her 85th birthday tomorrow. She is a living testament to the benefits of a strict diet and lots of corporation pop, and I want to pay tribute to her.

I thank the Select Committee on Health for its report on childhood obesity. I was briefly a member of the Health Committee and enjoyed my time on it; I wish that I could have stayed there. I am looking forward to reading the report properly, and I applaud the Committee for its brave and bold moves.

I respect the opinions of several health bodies that support a sugar tax. I am far more persuaded by the views of the British Medical Association, Diabetes UK and the British Heart Foundation than those of the Food and Drink Federation. There has been some debate as to whether health research has been influenced by such bodies. I am unaware that any money has changed hands, but I am sure that, ethically, health researchers must declare it if they have worked in partnership with charities.

That neatly sums up the argument for considering a sugar drinks tax. As the hon. Member for Totnes (Dr Wollaston) pointed out, most manufacturers will produce a low-sugar alternative to their high-sugar drinks, which shows that they are aware of the problem. Most hon. Members have had access to the same data, so I will not repeat the things that everyone else has said.

The British Heart Foundation fully recognises that we cannot reduce obesity simply through a sugar tax—a point that many Members made—and says: “a sugar tax alone will not solve the problem of obesity. It needs to be combined with other measures”. I support that. The measures that it suggests include “a reduction in the amount of sugar added to the foods” that we buy. That sugar is often hidden. As other hon. Members have suggested, we need to look at convenience foods, because they contain an awful lot of hidden sugar. Someone’s first thought when choosing a savoury dish might not be that it is laced with sugar, but they often are, so we need to be careful when buying convenience and microwaveable food. The BHF also wants to restrict “the marketing of unhealthy food and drink products to children and young people both online and on TV.”

Tracy Parker, a BHF heart health dietician, says: “Cutting down on sugary drinks and replacing them with sugar-free options is a simple swap”. That is why I am supporting the e-petition. It is a simple thing that we can do. We would end up not collecting any tax at all if everyone switched to a low-sugar alternative, and I believe that that, rather than penalising poor families through their food bills, is the tax’s intention.

We have already heard the statistic that poor diets cause 70,000 premature deaths each year, but it is worth bearing that in mind when discussing our nation’s health. Reference has been made to the sugary drinks tax introduced in Mexico, which has been shown to have cut consumption. Following the introduction of the tax on sugar-sweetened drinks, purchases were reduced by 6% in 2014. We need to be aware of the evidence showing that a tax will actually reduce the purchases of sugary drinks.

Diabetes UK also supports a sugar tax for the avoidance of type 2 diabetes, while stating that it needs to be part of a larger package of interventions, including marketing restrictions on unhealthy food, restricting advertising to children, supporting clear labelling and, interestingly, investing more heavily in active travel by dedicating a budget to walking and cycling nationally. My right hon. Friend the Member for Leicester East (Keith Vaz) is no longer present, but I am aware whether that proposal includes electric bikes. I imagine that the intention is that people put in a little more physical effort—but hey, we have to start somewhere.

The BMA totally approves of the Government imposing a tax on sugary drinks, specifically to reduce the amount of drinks that people consume. It produced a report called “Food for thought: promoting healthy diets among children and young people”, which justifies the tax, noting that “the strongest evidence of effectiveness of taxation approaches is for sugar-sweetened beverages; that these products are typically high in calories and low in essential vitamins and minerals (often referred to as ‘empty calories’); that the intake of added sugars by many children and adults in the UK far exceeds recommended levels; and that a high intake of added sugars is a risk factor for a range of health conditions.”
Today’s e-petition was initiated by Jamie Oliver, and many people have paid tribute to his activities in raising awareness of the campaign, which has really caught people’s attention. Many Members mentioned the teaspoons-of-sugar labelling system, which has drawn particular attention and which everyone can understand. When someone picks up a bottle and reads, “This half-litre bottle of Coke contains 13 teaspoons of sugar,” they can relate more to that than to grams per millilitre. Jamie Oliver has recommended that that labelling system be taken up, and we should really consider it as a simple way of getting people to visualise what they are about to drink or give their children.

Many hon. Members mentioned tooth decay. Unfortunately, tooth decay caused by sugar is the most common reason why children aged five to nine are admitted to hospital. We really need to do something about that. If we do not encourage good dental hygiene in our children’s younger years, we are just storing up a load of problems for their teenage and adult years.

I want to wind up by saying that I recently saw a film called “That Sugar Film”, which explores the problem of hidden sugars in our food. Among other things, the film highlighted a drink that I had previously never heard of called Mountain Dew, a half-litre bottle of which contains an astounding 17 teaspoons of sugar. The film referred to a condition in America known as “Mountain Dew teeth” and showed a young man of about 20 whose teeth were completely rotten as a result of his Mountain Dew habit. Sadly, now that I am aware of the drink and its lurid green bottle, I have actually seen it for sale in my local supermarkets. We really should be imposing some kind of tax on these high-sugar drinks to hopefully make them far less desirable and affordable. We need a clear, effective, easy-to-understand labelling system, and the teaspoons-of-sugar measurement is the right way to go. As many Members have said, there is no silver bullet for reducing childhood obesity, but the sugar tax would be a start, and I heartily recommend it.

6.19 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): I am a late contributor to a long debate, so some of what I say will have been touched on, but I hope it is not all déjà vu.

Apparently today is the first day of Sugar Awareness Week, after “black Friday” and “cyber weekend”, or whatever—it is all good to know. According to Mick Armstrong, chair of the British Dental Association:

“Britain is addicted to sugar, and inaction can no longer be justified, either morally or financially.”

The debate, which to some extent reflects Britain’s love affair with sugar, is not the result of an intellectual curiosity, as subjects discussed in this Chamber often are, but arises from a petition. We have heard the figures—one in four children leave primary school clinically obese—the hon. Member for Totnes (Dr Wollaston) said it is one in three—so we have to do something about the ticking health time bomb. The cost to the NHS runs into billions—my hon. Friend the Member for Warrington North (Helen Jones) mentioned £6 billion. Some people argue that the state should not interfere in such things, but it would not be the first time, because it is something that Governments of both complexions have done before, and as a result we have seen a reduction in the number of adult smokers in this country.

The clamour for action on sugary drinks and the arguments in favour of the funds raised going to tackle public health problems have received not inconsiderable public attention, at a time when health budgets are being squeezed. There is also the weight of expert opinion, not only the much mentioned one-time “naked chef” Jamie Oliver, but the Health Committee, chaired by the hon. Member for Totnes, who spoke movingly and powerfully earlier—she was a doctor first and an MP second—the British Medical Association, the British Heart Foundation, Diabetes UK and the British Dental Association. Hitherto, however, all appeals have fallen on deaf ears in the Government. The Royal College of Paediatrics and Child Health conducted a poll that revealed that 53% of the public support a tax measure.

Public Health England, in its sugar reduction action plan, states that the recommended proportion of added sugar in people’s diets should be 5%, but at the moment it is more like 12% for adults in this country. Added sugar accounts for 14.7% of calorie intake for children and 15.6% for teenagers. I am a mum myself and understand pester power and the attraction of sugary drinks. For under-threes, 27% of added sugar intake comes from soft drinks; for 11 to 18-year-olds, the category that I am a mum of, that figure rises to 40%. Furthermore, it is the 11 to 18-year-olds with the least amount of money who are attracted by cheaper alternatives to drinks such as water. Why is it that in any sweet shop water is more expensive than fizzy drinks?

Sugary drinks give a short fix of energy and have no nutritional value, while at the other end of the process the NHS is treating people for preventable illness. We have heard how most children in this country who go under general anaesthetic are doing so for tooth decay. Many hon. Members have also mentioned the figures for type 2 diabetes; 22,000 people in my constituency live with it, and it is responsible for a death every seven seconds in the G20 member states, which is a higher rate than HIV and malaria combined. At a meeting of the all-party group on diabetes, chaired by my right hon. Friend the Member for Leicester East (Keith Vaz), who is no longer in his place, we heard an impassioned speech from “St Jamie”, as one of my constituents called him at the weekend. I believe that in Jamie Oliver’s own restaurants there is a 10p levy on fizzy drinks.

On the one hand we have campaign groups and medical professionals, but on the other hand there is the argument about the nanny state. Many hon. Members have said that the solution is multifaceted. The food and drink industries need to act more responsibly—they are the main lobbyists against the sugar tax—instead of arguing that any tax would be passed on to consumers and end up being a tax on the poor. They have also warned of sinister factory inspections and claimed that the tax would be unworkable, but they are acting in their own interests and not with the NHS health bill at heart. In Mexico, as we have discussed, a reduction in sales took place when a tax was introduced. I am almost reminded of that television programme set in the 1950s or 60s, “Mad Men”, which is about the advertising industry. The advertisers in it say, “It’s not bad for you”, when they know it is.
There are good commercial operators. In my constituency is the UK headquarters of the French dairy company, Danone, which has its “Eat Like a Champ” programme, which 35 children will go through this year. It is unbranded, so no one knows it is a Danone programme, but it introduces healthy eating, diet and so on throughout the London boroughs. The programme has been developed with the British Nutrition Foundation. Such initiatives should be encouraged. The programme is also supported by Diversity—the pop group, not the concept—as its ambassadors. Danone is doing that as part of its corporate social responsibility. The hon. Member for Britvic—the hon. Member for Rugby (Mark Pawsey)—has gone now, but—

Barbara Keeley (Worsley and Eccles South) (Lab): Says the hon. Member for Danone.

Dr Huq: Yes, sorry. I am a secret lemonade drinker—no, I’m not.

I want to be brief, but we are discussing something important. Voluntary agreements do not seem to be moving fast enough. As everyone has said, we need a range of different approaches, and hiking up sugary drink prices by pennies is part of that. As for the industry’s worry that the cost would have to be passed on to consumers, the industry itself could absorb or partly absorb the cost.

Eleven to 18-year-olds will choose drinks based on price, because they are short on cash, although other factors could come into play—peer pressure, habit, availability and so on. We need to think smartly about things such as advertising bans, which have been mentioned, encouraging physical activity, curbing “buy one, get one free” types of promotions, discounting fruit and veg, and considering portion sizes. In New York the authorities have banned the largest size of soda cups.

I want to ask the Minister what happened to the ban on fried chicken shops at school gates, because I still seem to have them in my constituency. Such a ban was talked about, and it would be good if its implementation could be accelerated. Also, what about minimum unit prices for alcohol? If sugary drink prices go up but alcohol prices are low, there could be some awful, cataclysmic thing going on as a result, possibly—

The Parliamentary Under-Secretary of State for Health (Jane Ellison): Hopefully not at primary schools.

Dr Huq: No, but alcopops and such things have always been popular with young people, because they look harmless, but some of them have a high alcohol content. We have a golden opportunity, because the Government are working on a childhood obesity strategy, and we must not waste that opportunity. We must think long-term and heed the BDA chief’s words:

“Public health policy must be guided by evidence, not by personal prejudice or commercial interests.”

So happy Sugar Awareness Week, one and all. I will be interested to hear the summing-up speeches.

Steve McCabe (in the Chair): We have just over an hour, but I remind Members that we do not have to fill the entire time. I would, however, like enough time to be left for Helen Jones to reply to the debate. I call Philippa Whiteford.

Dr Philippa Whitford (Central Ayrshire) (SNP): Thank you, Mr McCabe. I am actually Dr Whitford; Eilidh Whiteford—my hon. Friend the Member for Banff and Buchan (Dr Whiteford)—is the other one, whom I always get mixed up with.

Like the hon. Member for St Austell and Newquay (Steve Double), I am clearly not skinny. I was not overweight as a child; it was the usual comfort eating later on, middle age, lack of exercise and all the rest of it. I know what it is like to move through a world where everything shouts “eat me” all the time. We live in a totally obesogenic environment. The idea that it is easy to resist things is simply not true. Everything is geared towards making people eat unhealthily. We spend a little more than £600 million on obesity prevention, but £256 billion is spent on advertising unhealthy foods. It is David and Goliath. It is difficult for people to make the right choices.

Obviously the debate is about the sugar tax, but as Members have said, the issue goes much wider than that. The hon. Member for Totnes (Dr Wollaston), who is the chair of the Health Committee, talked about the sheer scale of the problem. One third of children leaving school are obese or overweight and a quarter are obese—that is the reason for the differing figures mentioned earlier. It is predicted that 70% of the population will be overweight or obese by the mid-2030s. That is an astronomical number. Our health service will not cope with all the directly obesity-related problems such as type 2 diabetes, cancers and heart disease. We have heard figures about the cost of that from other members of the Health Committee, but it is estimated that the societal costs are £27 billion. We all know someone who was overweight or obese as a child, and we know about the bullying, exclusion and self-contempt that occurs and the impact that that has on schooling, and therefore on jobs, which leads to another generation of deprivation. People say that a tax might be regressive, but it would be no more so than duty on cigarettes or alcohol. It is important to see it in that light.

We have discussed evidence from Mexico, which we heard in the Committee, but other countries such as Norway, Hungary and Finland have taken the same approach. Although not all the evidence has been peer-reviewed, published and assessed, all the details of the national experiments point in the same direction. Cochrane reviews coming up in the next year to 18 months will be able to put that information in a solid position based on experiments and data. At that point it will not be possible to ignore the issue, but we need to be thinking now about our options and what we will do.

Although this is a debate about sugar tax, the Health Committee made nine recommendations. Sugar tax is the one that the media are interested in, because it catches the light, but it is part of a whole package and a sugar tax is not even in our top three recommendations. The first is about promotions, because 40% of food bought in our shops is on promotion, and that is heavily weighted towards unhealthy foods. We need to look to whalabalance that. One Member who has scuttled off said that we would come up with other rules such as getting rid of discounting, or we would suggest portion control—darn tootin’ we will!
We need to realise what we are fighting, because we are talking about something deeply shocking and very dangerous. The argument is that people who are less well off save money if they can buy one for £1 or two for £1.50. However, the evidence we heard is that, if that means they buy two packets of biscuits, one will not be put in the cupboard for next week: both will get eaten this week, and the same mum or dad will be back the following week to shop for another packet of biscuits. Therefore they have not only eaten far more unhealthy food and sugar but spent more money. Promotions of unhealthy foods in multi-buys are not helping anyone.

We also see a change in portion sizes. Packets are getting bigger, and there is the bottomless cup at McDonald’s or wherever. There is the end of the aisle, the pester power and the stuff at the till. Every mum and dad out shopping at the supermarket with their wain—that is, Scottish for child—will know what it is like: they can see the light at the end of the tunnel, then their child hangs out of the trolley and grabs something. They may put it in their mouth, which means the mum or dad is obliged to pay for it. Some supermarkets have been good at taking that opportunity away, but not all of them. My local supermarket still has sweets right at the till.

Promotions have a big impact and should be tackled. So should marketing, because of the sheer scale of the budgets for and against obesity. It is not just about talking for advertising to be put after 9 o’clock; it is particularly about what is emerging on the internet in social media and advergames, as the hon. Member for Totnes mentioned. Things keep wriggling around, so we need a strategy broad enough to cover that.

Reformulation is almost the holy grail. We have seen its success with salt, but it took a long time. We have taken about 40% of the salt out of the British diet, and by and large people have not noticed. However, we do not have 10 years to do that. Reformulation is also much harder to do with sugar, because it has an impact on the structure and texture of food, but we need to get on with it. The reason why we are spending so much time talking about sugary drinks is because, as the hon. Lady said, they are one product where reformulation is not have 10 years to do that. Reformulation is also much harder to do with sugar, because it has an impact on the structure and texture of food, but we need to get on with it. The reason why we are spending so much time talking about sugary drinks is because, as the hon. Lady said, they are one product where reformulation is almost the holy grail. We have seen its success with salt, but it took a long time. We have taken about 40% of the salt out of the British diet, and by and large people have not noticed. However, we do not have 10 years to do that. Reformulation is also much harder to do with sugar, because it has an impact on the structure and texture of food, but we need to get on with it. The reason why we are spending so much time talking about sugary drinks is because, as the hon. Lady said, they are one product where reformulation is easy: we can replace sugar with sweeteners.

We also need to reformulate to drive down sweeteners. We need to reset our sweet tooth—we have all seen someone washing down a big slab of sticky cake with a diet soft drink—because the craving remains. Even those who choose diet soft drinks will find that their craving for sugar remains, so when they cook they will add more sugar and they will eat more cake and biscuits. Sweeteners can really help us to speed up the removal of sugar, but we still need them to be on a downward journey. That must be done with industry, which has done a lot. Many soft drink manufacturers provide a choice, so if a sugar tax is introduced, hopefully that should nudge people across to less sugary drinks, as the hon. Member for Totnes said. It would be ideal if there was no tax collected at all, because that would suggest that the policy was working. At the moment, however, the traditional product is still absolutely packed with sugar.

John Glen: The hon. Lady is speaking with her customary authority on the subject. Does she agree that the industry has the potential to go a lot further so that we can make more progress before a sugar tax, which has attracted all the attention, is instituted? It is a matter of providing choices, and a lot of consumer power could be harnessed to help us make that progress.

Dr Whitford: As the hon. Member for Totnes mentioned, the people who make such choices tend to be those who are more oriented towards a healthy diet anyway. It is about trying to teach people in the mire of deprivation, and often in the mire of despair, who smoke more, use more alcohol and take more sugar. They are the very people who are hit by all our measures to try to bring about health improvement.

All the industries are making efforts, but they are afraid of being out there on their own and seeing their competitors mopping up their business. That is why we need regulation. In our inquiry, that came out from the retailers in particular, who said they wanted a level playing field. Whether it is through a sugar tax or regulation, they want to feel that everyone has to move forward.

We also need leadership. The Food Standards Agency was important in leading on salt reformulation, so we need to work out who will be the leader on this, because we need a focused project to get not just sugar but fat and calorific intake out of our diet. As has been mentioned, there are also hidden sugars, particularly in tomato products such as baked beans, tomato sauces and bolognese sauces in which it is easy to hide sugar. When we start to look at that, we see that it is quite scary.

That is where labelling and education comes in. The traffic light system has been helpful for a broad range of foods. When we are looking for a sandwich in a rush, we can spot the green and amber on the label as opposed to the red and red. However, that will not help with sugary drinks, which get a red light and two green lights because they do not contain salt and fat. Therefore, someone who picks that up might think, “Two greens—that must be quite good.” That is why the labelling of teaspoons of sugar is important. The industry could be applauded as it took every single teaspoon of sugar out of a drink.

We have heard talk about the nanny state and people having the freedom to do what they like, but as a doctor for 33 years I heard that about seatbelts and crash helmets. People want to feel the wind in their hair, but they do not look so good if they have come off their bike. We talk about the challenge of cigarettes and alcohol, and sugar is the same. All Governments have a responsibility to look at the report and all the measures it suggests, and to bring them in as a full package, because we need to tackle this, and we need to start now.

6.39 pm

Barbara Keeley (Worsley and Eccles South) (Lab): It is a pleasure to speak in the debate with you in the Chair, Mr McCabe. I thank my hon. Friend the Member for Warrington North (Helen Jones) for the excellent way in which she opened the debate. In fact, we have had some excellent speeches. There was a bit of discord in some of the interventions and speeches, but broadly we have settled on a similar set of views. I want to emphasise that the causes of obesity are complex and that a number of factors can be involved.

We need to tackle the problem at both ends. We have talked extensively about the supply side and the drink companies, but we also need to talk about the demand
side. We need far better education about how we can look after ourselves. We also need to give people the means of eating better food. In addition, we need to encourage them to take more exercise—we have touched on that, but I will talk about it a bit more later.

To tackle obesity—I am sure that this is the consensus that is developing—we need a comprehensive and broad approach that helps families, schools and children to make the right decisions. That might include people seeking medical help—I have had constituents in this situation—to get them started on the path away from obesity. That might include a programme or a summer camp—some way of starting to have a different diet and lots of exercise.

Many Members have referred to the statistics on obesity. The Health and Social Care Information Centre statistics are quite frightening: one in five children leaving primary school is classified as obese, and one in every three children is obese or overweight. There has been a significant move towards healthier, more nutritious meals in schools, and that is vital. However, I have concerns about how children and their families manage in the school holidays, when those healthier school meals are not available.

Geraint Davies: On a point of order, Mr McCabe. Like you, I sit on the Panel of Chairs. I was here for the first one and a half hours of the debate, and I had to leave the room for 20 minutes. I have introduced a Bill on sugar, and I was wondering whether I could crave your indulgence and make a small contribution, given that the debate is meant to go on until 7.30 pm.

Steve McCabe (in the Chair): You are welcome to intervene in the debate, Mr Davies, but we have moved on to the winding-up speeches.

Geraint Davies: I appreciate that, but I was wondering whether you might exercise some discretion.

Steve McCabe (in the Chair): No, we are going to continue with the winding-up speeches.

Barbara Keeley: I was saying that I have concerns about how children and their families manage in the school holidays. For anyone who has not heard about it, I want to commend the Feeding Birkenhead project, and the work done on it by my right hon. Friend the Member for Birkenhead (Frank Field). The project makes sure that children have healthy food in the school holidays. It is sad that we need to think about that issue, but we do.

Between April and September 2015, Trussell Trust food banks in Greater Manchester gave more than 22,000 lots of three-day emergency food supplies to people in crisis. Of those, nearly 9,000 were directed to children. We have talked about choice, but if we think this through, we realise that, if families rely on food banks to feed their children, that will limit the number of healthy meals they can make with fresh food. Clearly, for people in the upsetting circumstances of not managing financially, feeding their child with something is better than seeing them go hungry.

At the start of the debate, we heard about people who do not have local shops that sell healthy food, and we have to take that into account, too. Some people are also fuel-poor, while others work a number of jobs, which leaves them with little time to cook. We must not, therefore, jump to conclusions about why people are in this situation.

We should look at the wider issues around poverty, which must be addressed to ensure that people can access a good-quality diet. There is an awful lot more to achieving a good-quality diet than just wanting to do that. How, therefore, does the Minister plan to help families that have to rely on food banks? Next weekend, I will be helping the Trussell Trust food bank to collect food in my local supermarkets. On a previous occasion, one donor gave me lots of vegetables—onions and things like that. I thought they were part of her shopping, so I ran after her to give them back. However, she said, “That is just to liven the donations up. All the packet food seems a bit dull.” However, that is not the way Trussell Trust food banks operate—they have to have packet and tinned food. We have to think through what is happening in families where there is a reliance on donated food, which will not always contribute to a good enough diet.

Education must play a significant role. We want to provide children and adults with information about how they can achieve a healthy diet. One of the most interesting things Jamie Oliver has done—it was not his recent interventions here in the House—was his programme showing people how to cook. There were families that existed entirely on one or two sorts of takeaway.

Geraint Davies: Does my hon. Friend accept that, if one wanted to make money out of a potato, the easiest way to do that would be not to sell it, but to smash it up, mix it with salt, sugar and fat, reshape it into something called “Dennis’s Dinosaurs”, freeze them, give them a jingle and sell them cheaper than a potato to get addicts of sugar and other additives for manufacturers? Should we not, therefore, focus on providing lower-priced fresh food, and on increasing the price of sugar-impregnated food?

Barbara Keeley: As I was saying, we should look at the whole range of options. I want to talk about health campaigns. The Public Health England campaign Change4Life is an excellent example of providing families with information about small changes they can make to improve their health, as well as with advice on healthy recipes, diet and exercise. However, I fear that the announcement of a 25% cut to the non-NHS part of the Department of Health’s budget will have a significant impact on Public Health England. I want public health bodies to be able to continue campaigns to tackle obesity, but I am worried that their ability to do so will be damaged by these significant cuts. I am concerned that we will not in future be able to fund campaigns such as Change4Life, and that they may just not happen.

We must also be careful that the huge cuts to the public health grant given to local authorities do not reduce the advice and support available to those wanting to lose weight. At many community events in Salford, I have seen health improvement staff working with community groups and running all kinds of sessions. I fear that we will not have that in future.
Although the debate is about a sugar tax, I want to mention the importance of increasing physical activity among adults and children. I was a member of the all-party commission on physical activity, which published its report “Tackling Physical Inactivity—A Coordinated Approach” in 2014. We have discussed various aspects of our children’s health, but inactivity is a key factor, which is why a number of Members have referred to it. It is important that we encourage children to maintain active lifestyles from an early age.

**Dr Whitford:** May I draw the hon. Lady’s attention to a novel approach that has come out of St Ninians primary school in Stirling, called the daily mile? A teacher got the children to go out and run round the field. That seems to have made a huge difference at the school. Obviously, it costs absolutely nothing, and it seems to help the kids to concentrate, because they have been outdoors in the fresh air and—in our neck of the woods—probably in the rain as well.

**Barbara Keeley:** That type of initiative is wonderful, but fewer and fewer children are walking to school, and an awful lot more are being taken there by bus or by their parents. The Health Committee report reminds us that the latest figures show a fall in physical activity. In 2012, only 21% of boys and 16% of girls did enough exercise to meet the Government’s physical activity guidelines. That is a fall from four years earlier, when the figures were 28% for boys and 19% for girls. We are therefore going in the wrong direction, and we are all becoming couch potatoes. We might worry about this for ourselves, but it is a great concern when children are involved.

I am a former member of the Health Committee, and it is a pity that little emerges from the report, which simply reiterates and endorses the findings of its predecessor Committee’s inquiry, in which I was involved.

**Dr Wollaston:** I absolutely recognise that physical activity is important and that it should be for everyone, irrespective of their weight or age. Like me, the hon. Lady will remember Julie Creffield, who spoke so powerfully before our Committee in the last Parliament. However, the current Committee felt that it did not want to be distracted by something we had already produced some work on. We therefore wanted to endorse everything that was said by our predecessor Committee, rather than to go over that ground again.

**Barbara Keeley:** I thank the hon. Lady for that intervention, but I think it is a bit too easy to lose sight of physical activity, and that is why I have raised the issue. I hope we can be brave and bold about these issues too—it is good to be brave and bold about children’s health, but let us cover all the issues.

It has been said that treating obesity and its consequences alone costs the NHS more than £5 billion a year. It is great that we are having this debate, because we are past the point where we can just let things trundle along. Let me come to the crucial point in the debate. Public figures such as Jamie Oliver have come out in support of a tax on sugar, and he has added stardust to the debate. However, this is a complex issue, and the solutions must deal with that complexity. We know that something must be done, but what is that something?

The problem goes deeper than the demand side. The food and drink industry has not been dealing with the real problems. A number of hon. Members have talked about the Government’s responsibility deal, which has not worked. Firms have made promises and then failed to carry out their pledges. We have talked about labelling, which I will come on to. Many of the suggested interventions involve better labelling of products, but research by a team at the London School of Hygiene and Tropical Medicine suggests that interventions that improve information about and awareness of the risks do not necessarily translate into positive behavioural change.

As has been touched on, the responsibility deal focused mostly on salt, which was perhaps welcome. There have been real moves in that area, although every time I have a bowl of tomato soup these days, I regret that it does not taste like it used to. It is clear that salt is being taken out of our diets, but not sugar, which is the focus of our debate. The research team also found that although responsibility deal partners claim there has been “considerable sugar reduction” under their calorie reduction pledge, “the current progress reports do not substantiate these claims.” In fact, responsibility deal partners say they have reduced sugar levels under the calorie reduction pledge, but they have not.

**Geraint Davies:** On the relationship between sugar and calories, is my hon. Friend aware of emerging science showing that if two people both eat, for argument’s sake, 2,000 calories a day, and one has a history of eating a lot of sugar, that person will be predisposed to convert more of the sugar to fat than the other person, irrespective of the amount of exercise they do? That is a particular reason we should target sugar.

**Barbara Keeley:** I did not know that; my hon. Friend clearly has background knowledge and experience that I do not.

I want to come back to the responsibility deal, which is important in terms of the Government’s approach. That deal is seen as flawed because firms were allowed to decide what pledges they signed up to, and there were no penalties for those that did not honour their promises or, indeed, take part at all. At the time of the responsibility deal’s introduction, organisations such as the BMA, the Royal College of Physicians and Alcohol Concern complained that the pledges were not specific or measurable and that, in fact, the food and drink industry had simply dictated the Government’s policy. We have to get away from that.

The Minister will tell us more about a sugar tax, but it seems that the Prime Minister has ruled out action on sugar, despite the independent report commissioned by the Department of Health. That leaves me wondering whether the Government are listening to vested interests, instead of the experts whom they commissioned to write the report. The corporations that make the bulk of sales of sugary drinks in the United Kingdom want to maximise profits for their shareholders. They will not voluntarily lower the amount of sugar in their drinks unless there is something in it for them, or unless they are required to do so by law. Likewise, they will not reduce the amount or nature of advertising of sugary drinks—not voluntarily, anyway.
We must look back to what happened with the tobacco industry, which consistently pushed for a voluntary approach to avoid legislation. The industry trundled along, smoking continued unabated and profits were left alone. In my local authority, Salford, smoking was increasing at levels that really concerned me, particularly among young people. However, once specific regulations were introduced, such as warnings on cigarette packets and the blanket ban on smoking in enclosed spaces, smoking levels started to decline. I am therefore inclined to think that one of the most effective remedies would be a modest but compulsory reduction in the amount of sugar in soft drinks. A fiscal solution such as a sugar tax could well form part of the solution, but the Opposition retain a concern about the impact that extra taxes will have on the pockets of parents, as has been mentioned, particularly in low-income families. If we have learned any lessons from what happened with the tobacco industry, it is that intervention will need to involve legislation.

The report produced by Public Health England makes a number of recommendations, which Opposition Members will study in full. We believe a fiscal solution such as a sugar tax may be necessary, but we are not yet fully convinced. As a number of Members have said, we should not focus on one thing as a silver bullet. The Opposition will consider all the evidence on what can be done to tackle childhood obesity as we review our policy over the coming weeks and months.

This has been a high-quality debate. I hope that the petition and the debate will ensure that the Government do not repeat past mistakes with voluntary approaches such as the responsibility deal, which has generally been seen to have failed. I urge the Minister to look at a wide range of activities to tackle childhood obesity, including doing much more on physical inactivity.

6.54 pm

The Parliamentary Under-Secretary of State for Health (Jane Ellison): What an excellent debate we have had. It has been a real pleasure to listen to so many extremely well-informed contributions. Let me start by acknowledging the strength of public feeling about the issue. We are responding today to an e-petition with a great many signatories, and I thank everyone who signed it. I also praise the passion and commitment shown by Jamie Oliver, as other Members have, in raising the profile of healthy eating and, in particular, the impact of sugar on our diets and health. I will attempt to respond to most of the specific points made, but I am a little constrained by the timing of the debate.

Let me reflect on where we start from. A number of Members have cited the current obesity statistics. The most recent figures, published only last Thursday, show that there has been a relatively small overall change in overweight and obesity prevalence in the past five years. In that sense, levels remain unacceptably high, but there is a degree of stability. We saw some slight encouragement in the figures for children in reception, but we then see obesity prevalence more than double between reception and year 6. As the Chair of the Health Select Committee, my hon. Friend the Member for Totnes (Dr Wollaston), and others have rightly underlined, there is a very wide gap in obesity prevalence between the most deprived and the least deprived areas. I share the deep concerns expressed in all parts of the Chamber about that.

We have seen some good progress made on school food in recent times, so there are reasons to think this is a good moment to move forward, as there are areas in which we have encouraging building blocks. This debate, alongside the Health Select Committee report published today, is a valuable and timely opportunity for Members to make their views known at a critical juncture in the development of our comprehensive cross-Government childhood obesity strategy. That is a perfectly sensible reason for the timing of this debate and the publication of the Committee’s report; it is extremely helpful to have them.

Earlier in the debate, one Member wondered whether I was feeling isolated. Far from it: it has been wonderful to spend the past few hours with Members from across the House who feel as passionately as I do about tackling this issue and, in particular, to hear the challenge of tackling childhood obesity framed in the context of improving the life chances of so many children, particularly those from the most deprived communities. That is certainly a strong strand of my thinking as I look at this issue. I have listened carefully to the comments made and will look in greater detail at the Select Committee’s report, to further inform our ongoing policy development.

It is no secret that the Government have no plans to introduce a tax on sugar, although all taxes are kept under review. Such decisions are a matter for the Chancellor, as part of the Budget process. That being said, driving sustained behaviour change will require broad-ranging and concerted action of the kind we have discussed. It is extremely welcome that, whatever Members’ views on a sugar tax, there is consensus across the House on the fact that there are no silver bullets in this debate. That is a really important point.

Geraint Davies: I happen to have introduced econometric modelling to Unilever. Would the Minister accept that if a sugar tax is introduced, less sugar will be consumed, and the Government will make money and save money on the health service? Is it not a no-brainer? What is the justification for her resistance to this obviously sensible measure?

Jane Ellison: I will touch on some of those points, but I want to take this opportunity to update the House on what we are already doing, to give some sense of our direction of travel and, in particular, to reassure people who have been urging us to look widely at a whole range of things beyond the silver bullet arguments. I hope to give some reassurance in the course of my remarks that we are, indeed, doing that.

Geraint Davies: What is the Minister’s justification for not introducing this measure?

Jane Ellison: Unless the hon. Gentleman continues to chunter at me from a sedentary position, I will come to the vital issue of teaspoons, about which he and I have spoken before, and upon which a number of Members have remarked.

Today, I will principally talk about some of the steps the Government are already taking to improve children’s health, particularly in relation to food and diet. I fear my response is rather limited in its scope by the proximity to the publication of our strategy, but I want to reassure Members that this is a major priority and a manifesto
commitment of the Government. There is no argument from us about the scale of the challenge, which has been outlined well in a number of speeches today. As I said, I passionately agree with the Chairman of the Health Committee, my hon. Friend the Member for Totnes, about the impact on health inequalities of childhood obesity, so there is no argument there either.

We can all agree, and have all agreed, that as a society we are eating too much sugar. It is bad for our health and can lead to excess weight gain. That, in turn, increases the risk of heart disease, as other have said, as well as type 2 diabetes—my hon. Friend the Member for Erewash (Maggie Throup) gave a very good speech about that—stroke and some cancers. The link to tooth decay has also been brought out in a number of very good speeches.

I was interested to hear the, as ever, extremely well informed contribution from the hon. Member for Central Ayrshire (Dr Whitford). As a very distinguished clinician, she will be aware of the links between obesity and many of the big health challenges of our age, but I think that is less well understood more generally in the population. We need to talk more about that—I have challenged a lot of our major charities to talk about it more—so that people become as understanding of that as they have of the link between tobacco and some of the very significant disease groups.

However, public awareness is increasing. In recent evidence, 92% of people said that they were trying to manage or reduce the amount of sugar in the foods that they buy, while 26% of households were very concerned about sugar in food and 30% reported being more concerned than they were a year ago. Concern was higher for sugar than for fat or salt.

Before I talk about the report by the Scientific Advisory Committee on Nutrition, I would just say that I regret the comments made by the hon. Member for Newport West (Paul Flynn), who is not in his place. He spoke about some extremely respected clinicians—members of that committee—who have done great service not just to the committee, but to the nation’s nutrition more generally. The point was made very well by the hon. Member for Heywood and Middleton (Liz McInnes) about transparency and the need for people to declare their interest. That is all done by the members of that committee, and I want to thank them on behalf of the Government again, for the work they have done for the committee’s report on carbohydrates and health, which it published in July. I accepted, on the Government’s behalf, the report’s recommendations, which were that no more than 5% of energy in our daily diet should be from sugar. That is the equivalent of about seven sugar cubes or five or six teaspoons and there are wider implications for the general dietary advice from the Government from that policy shift. We are working through those with Public Health England.

As the House knows, and as many speeches have touched on, we are currently consuming more than double the recommended limit for sugar, and teenagers’ consumption is nearly three times the recommended level. Again, we are under no illusion that we need to take action in this area. Earlier in the year, I requested that Public Health England prepare evidence for the Government on effective approaches for reducing sugar consumption. That is the report that the Health Committee has had chance to respond to.

Geraint Davies: As the Minister would accept, there is an elasticity of demand for any product—namely a relationship between the price and the demand. Will she focus a few comments on why precisely she is resisting simply putting up the price of sugar through a tax? I appreciate what she said about my hon. Friend the Member for Newport West (Paul Flynn), but if no reasons are being given, he probably cannot understand why. If there is no rational reason for doing so, he is assuming it is because of the lobbyists.

Jane Ellison: That is not right. Again, I come back to the point stressed in the report by Public Health England—indeed, the Health Committee’s excellent report underlines it—that there is no silver bullet. It is really important that we address the fact that a number of wide-ranging issues need to be tackled and that several options are available to us in policy terms. PHE concluded that no single action on its own will be effective in reducing the nation’s sugar intakes. Its report shows evidence to suggest that higher prices in targeted high-sugar products, such as sugar-sweetened drinks, tend to reduce the purchases of such products in the short term.

Mention was made of the possibility of Cochrane reviews in coming years. An interesting article in the current issue of The Economist notes that the longer-term effect on public health is as yet unknown. Obviously that is because in most cases these measures have not been in place long enough, but it is an important concern—and the hon. Member for Swansea West (Geraint Davies) will have noted a degree of reticence on the part of those on his own Front Bench about the evidence, but anyway. We are, of course, well aware of what Public Health England said in its report about the evidence on higher prices. However, its report also argued strongly for implementing a broad, structured programme of parallel measures across all sectors, if we are likely to achieve meaningful reductions in sugar intakes across the population. As we have heard, it identified areas for action that include restrictions on marketing, advertising and price promotion, and work to reduce levels of sugar in food and drinks—I welcome the focus of a number of speeches on reformulation of product, as we think it has a significant role to play. Areas for action also included improving public food procurement and improving knowledge about diet and nutrition. We are considering all the evidence and working closely with Public Health England to develop our policies.

A number of Members have talked about education. This debate provides the opportunity for me to talk in more detail than I generally can in such debates about the Change4Life programme, in which we continue to invest significant sums. The Change4Life campaign has provided motivation and support for families to make small but significant improvements to their diets and activity levels. Last January, Change4Life’s Sugar Swaps campaign encouraged families to cut back on sugar through two TV advertisements focusing on sugary drinks and after-school snacks. That campaign also included radio, digital and outdoor advertising.

Barbara Keeley: I expressed concern about budget cuts for Public Health England. Will the Minister address that? I, too, admire the work it has done, but it is not helpful to cut the budget, is it?
Jane Ellison: As the hon. Lady will see, the campaign is going to be very significant again this coming January, so as I say, we continue to invest significant sums. It is a very important campaign and a very important brand that is being developed, and we see it as something we want to build on.

Geraint Davies: Will the Minister give way?

Jane Ellison: I am going to make some progress and develop my point about Change4Life, because Members have asked questions about that.

The campaign included radio, digital and outdoor advertising; public relations and media partnerships; work with 25 national food retailers and manufacturing partners; community events and schools programmes; and, importantly, work with all 152 local authorities. More than 410,000 families registered with the last campaign. Families who signed up purchased 6% less sugary snacks by volume and 6% less sugary puddings by volume, while increasing consumption of lower-sugar snacks and puddings. For each person who signed up, another two in the general population said they had also made a food swap.

The Change4Life team is developing the next Sugar Smart campaign, to launch in early January 2016. The campaign will alert families to the problems of consuming too much sugar, reveal the amount of sugar in the most popular food and drink and tell them about the new guideline daily amounts. It will encourage people to download the Sugar Smart app, which I have seen being used and is very impressive—hidden sugars no more, I can assure the House. People will be able to see for themselves how much sugar is in the products they are buying. The campaign will include advertising on TV and online and posters, in addition to social media activity and PR. Five million information packs will be given to families through schools, commercial partners and local authorities, and there will be digital support to help families who want to cut back on sugar.

However, obesity is a complex issue, which the Government cannot tackle alone.

Geraint Davies: Will the Minister give way?

Jane Ellison: I am going to come on to teaspoons, and I do not want to run out of time before I do so. I will make a bit more progress and then see how we are getting on for interventions.

The Government cannot tackle obesity alone. I welcome the fact that we have consensus across the House on that, and the Committee draws that point out in its report. Businesses, health professionals, schools, local authorities, families and individuals have a role to play, as my hon. Friend the Member for St Austell and Newquay (Steve Double) brought out.

I want to talk about some of the industry action that has been taken. There has been progress in recent years on reducing sugar consumption. The focus under the voluntary partnership arrangements, which have been discussed, has been on overall calorie reduction, of which sugar can form a part. Billions of calories and tonnes of sugar have been removed from products and portion sizes have been reduced in some areas. Some major confectionery manufacturers have committed to a cap on single-serving confectionery at 250 calories, which is an important step.

We have to be realistic about consumer relations, which are important. Before I was an MP, I worked for the John Lewis Partnership—John Lewis and Waitrose—and I know only too well the important role that retail relationships play in an average family’s life. We need to involve those partners. Some retailers have played a part, for example by removing sweets from checkouts. Interestingly, they did so after asking their customers in surveys what support they wanted, as family shoppers, from industry to help them to make healthier choices. Much of the action that retailers have taken was in response to that.

I was very interested in the point that my hon. Friend the Member for Salisbury (John Glen) made in an intervention about consumer power. There is much greater consumer power to be unleashed, but the challenge to the industry to make further substantial progress remains. Like the Chair of the Health Committee, I have had some encouraging conversations in that regard, but we need to make more progress.

Providing clear information to consumers to help them make healthier choices is important, as a number of hon. Members have set out. The voluntary front-of-pack nutrition labelling scheme, introduced in 2013, plays a vital part in our work to encourage healthier eating and to reduce levels of obesity and other conditions. The scheme enables consumers to make healthier and more balanced choices by helping them better to understand the nutrient content of foods and drinks.

I turn to the issue of teaspoons of sugar, which has come up a lot in the debate. It is more complicated than something so simple should be: “teaspoons” sounds straightforward, but labelling is an EU competence, so member states cannot mandate additional forms of expression, such as spoonfuls of sugar, for pre-packed food. Under EU legislation, it would be possible for companies to represent sugar content in the form of spoons of sugar or sugar cubes on a voluntary basis, as long that met a number of EU criteria—I will outline what some of them are. It would sit alongside front-of-pack nutrition information, which I remind the House is voluntary, not mandated, in order to meet the same criteria.

Dr Philippa Whitford: For the public nowadays, “teaspoons of sugar” is more helpful than “sugar cubes”, because very few people use sugar cubes.

Jane Ellison: I am aware of that; the point has been made to me a number of times.

Let me mention a few of the criteria that would apply if we were to move in that direction. There would be a requirement to consult, and we would have to ensure that any measure was supported by scientific evidence and did not constitute a barrier to trade. Any such form of labelling would need to be agreed with the Commission before it was implemented, to avoid future infraction proceedings.

I have heard the strength of feeling in the House and I understand the point being made, but references to sugar cubes are quite powerful; last year’s Sugar Swaps campaign proved that they can be made meaningful. However, I will ask my officials to look carefully at the issue, because I have heard a great deal of interest in it being expressed today, and I know that the Health Committee took evidence on it. I wanted to underline...
the point that it is not as straightforward as it might seem, but we will look closely at it again in the light of the interest in it.

Dr Whitford: Did the same apply to cigarettes? Were we not allowed independently to add the warnings and so on that we put on cigarettes in this country? Did that have to be EU-wide?

Jane Ellison: As we approach the transposition of the new EU tobacco directive, the hon. Lady will see that the measures being taken are EU-wide, but those are two slightly different things. I am happy to come back to her in more detail after the debate, but generally speaking, packaging and labelling are EU competences.

I was delighted to hear so many hon. Members say that front-of-pack labelling was important. The scheme is popular with consumers. It provides information on calories and levels of specific nutrients in an easy-to-read, intuitive format. Businesses that have adopted the scheme account for two thirds of the market for pre-packed foods and drinks. Within the Change4Life programme, front-of-pack colour-coded nutrition labelling will continue to be included as a key message whenever there is a campaign focused on healthy eating. We use that in all the Change4Life materials, across a wide range of formats.

I want to reassure the hon. Member for Worsley and Eccles South (Barbara Keeley), who spoke from the Opposition Front Bench, that there will indeed be a physical activity strand in our childhood obesity strategy. I agree with the balance that the Health Committee struck on tackling childhood obesity, which is an important strand of the work. The great news about physical activity, as the Committee's report underlined, is that it is good for everyone, whatever their weight. There is no downside to being more physically active, so of course we will want to reflect that.

This has not been touched on much this afternoon, but there is also a significant role for the family of families to make changes to their lives. That relates particularly to families in more deprived communities. Only this morning I was talking about the role of health visitors, for example, in family education and family support. Again, a strand of our strategy will develop that.

Geraint Davies: Will the Minister give way?

Jane Ellison: Yes, but this will be the last intervention I take, because I want to leave time for the hon. Member for Warrington North (Helen Jones) to respond at the end of the debate.

Geraint Davies: I simply want to ask whether there will be any space for views to be heard on restricting advertising, whether that relates to high-sugar products being described as low-fat products, to watersheds or whatever. In the same way as we imposed restrictions on the advertising and pricing of cigarettes, will the Minister come forward with any suggestion on restricting advertising in this case?

Jane Ellison: We have already said that the childhood obesity strategy will be a comprehensive, cross-Government strategy. I commissioned advice from Public Health England, and of course I have been working closely with that organisation on policy development for many months now. I am paying close regard to the advice that it has provided us with, and I welcome the fact that the Health Committee found it so useful in producing its report.

I welcome the debate as an opportunity to respond to the important campaign on the petition and the important new Select Committee report. It is a timely opportunity. I want to reassure the House that the Government are considering a wide range of options for tackling obesity, and particularly for reducing sugar consumption among children and the wider population. I hope the House agrees that all of us—central Government, local government, the industry, schools, families, communities and individuals—have a part to play. I will reflect carefully on the speeches that I have heard today, on the Committee’s recommendations and on its overarching challenge to us to be “brave and bold”—a message that I have heard loud and clear this afternoon. I look forward to making progress, and I very much look forward to publishing our childhood obesity strategy in the new year and making progress throughout this Parliament, and indeed well beyond it, on one of the greatest health challenges of our age.

Geraint Davies: Will the Minister give way?

Helen Jones: This has been an interesting debate, and I thank all who have spoken in it. We have heard the message clearly from all parts of the House that action on the matter is imperative. We have heard about the health problems, dental decay and loss of life that result from poor diet. The message has been clear today—even from those, such as the hon. Member for St Austell and Newquay (Steve Double), who started off as sceptics, as I confess I did—that the evidence all points to the need for serious action. That action should include the taxation of sugary drinks, not as a silver bullet, as we have all made clear, but as part of the overall strategy. I urge the Government to look again at the matter, because it is an area where gains can be made relatively quickly to improve people’s health.

There is plenty of evidence from the past that Government action can change people’s behaviour. It used to be the norm for people to go to the pub and have several pints before driving home, but it is not now. There used to be lots of smoking in public places, but there is not now, and smoking is reducing as a result of the action that has been taken. We now face a new emergency, which has to do with diet. Nearly everyone who has spoken in the debate—probably not the hon. Members for Nestlé and Britvic, who are no longer present—agreed that that was an urgent problem.

When the Government publish their strategy, I hope that we will see a concerted plan to tackle our poor diet and particularly our intake of sugar. I hope that plan will go across the public sector and involve local authorities and our health professionals, as well as tackling the food poverty and deprivation that lead to poor diet. It is not by accident that some foodbanks are now giving out packs of cold food only, because they know that some people cannot afford fuel or have had their fuel cut off.

I hope that the Government will also tackle the advertising industry. We like to think that children watch only children’s programmes, but peak viewing...
time for children is between 8 and 9 o’clock. We have also heard about the amount of advertising that is now online, which is impacting on our children.

I hope that we will soon hear a clear strategy from the Government to tackle the obesogenic environment in which people find themselves, to help people to make healthier choices in their lives. In particular, as far as the petition is concerned, I hope that the Government will revisit the idea of a tax on sugary drinks. The fact that it is only part of the overall strategy, as has been said, does not mean that it is not important. The strategy as a whole, in its many guises, is important. The Minister is constrained in what she can say today, but I know that she understands a lot of the issues. I say to her that the health of our children and adults demands action.

Geraint Davies: Will my hon. Friend give way?

Helen Jones: No, I am winding up; I am sorry. The health of our children demands action now. If we do not take such action, we will see much more illness in our society, much more drain on the NHS and a poorer life for all of us in the future.

Question put and agreed to,

Resolved,

That this House has considered e-petition 106651 relating to a tax on sugary drinks.

7.21 pm

Sitting adjourned.
Armed Drones

Mr David Davis (Haltemprice and Howden) (Con): I beg to move,
That this House has considered the rules of engagement and the use of armed drones.

It is a pleasure to serve under your chairmanship, Mr Stringer. In all my time in the House of Commons, this is the first time that I have proposed a motion in Westminster Hall, so I beg your indulgence for any errors of procedure that I make.

The issue before us is hugely topical, particularly given the debate on Syria in the House tomorrow. Armed drones, unmanned aerial vehicles or unmanned combat aerial vehicles have been described by some as just another weapon system—a modern version of the rifle or the missile—and by others as offering unparalleled operational potential, but with associated strategic risks.

In the recently published strategic defence and security review, the Government proposed 20 new Protector armed drones to “enhance our…global strike capability”, by which I assume the Government mean inside and outside war zones. That distinction will come up time and again in what I have to say, and I hope, in the Minister’s response.

Reconnaissance drones—I will deal with these for a second without going into the armed element—give troops enormous advantages. They are an unblinking eye in the sky for 24 hours a day, with a very wide angle of view and great precision. They are enormously valuable to special forces and in counter-insurgency operations, let alone in conventional warfare. They are reliable, give real-time intelligence, and are able to replay events quickly so that troops can know what has just happened.

Last week, the all-party parliamentary group on drones and the Royal United Services Institute had a conference on drones, at which we were addressed by probably the greatest warrior of modern times, General Stanley McChrystal, and his English counterpart, Graeme Lamb, both of whom devised and operated the strategy against al-Qaeda in Iraq and destroyed that organisation. In McChrystal’s words, the drones were the “eye in the sky for 24 hours a day”.

McChrystal talked about the use of drones as a force multiplier. For example, if 20 people were sent in to make an attack, 80 or 100 force protection soldiers were needed. Those are no longer needed because of the reconnaissance sight capability, so drones are an incredibly important weapon system, even just as a reconnaissance system. They are also incredibly precise strike weapons. They are apparently largely riskless, with very little chance of loss of human lives on our side, and have pinpoint-accurate strike capability. The use of drones can therefore provide a never-ending threat inside and outside war zones. I will return to the differences between the never-ending threats in those two categorisations in a moment.

Drones consist of relatively accessible technologies. As a result, we might take it that proliferation is inevitable. That is one of the strategic risks that I want the Government to consider. Beyond that, there are other genuine concerns. The first was made clear by General McChrystal last week: on one hand, drones lower the threshold for and make it easier to enter into armed conflict, and appear to remove the risk to our personnel and to render warfare almost like a video game; on the other hand, there is an illusion of precision. For those reasons, drones make the propensity to go to war far greater for countries that are worried about, say, their casualties. Most countries will concern themselves about casualties. Casualties are the political price paid for going to war and, as we will see with the Chilcot inquiry shortly, they create a great back pressure against war. As I said, there is an illusion of precision. One forgets that many of the reasons for imprecise targeting are not the drones or the weapon system, but the intelligence on which the targeting is based. Very often there is a precise weapon system, but it is not more precise than the intelligence can make it.

The other point made by General McChrystal that is worth considering is that the use of drones may make accidental conflict more likely. He cited the example of the Turkish air force shooting down a Russian aircraft a week or so ago, and said that had the incursions by the Russians into Turkish airspace been made by drones, they would have been shot down much earlier because the price of the action would have been smaller. That may lead to a lower threshold for an aerial conflict, so there are other ways that the use of drones can reduce the threshold. As such, one of the strategic risks of the use of armed drones is an increased risk of armed conflict.

The second point that came up, which is not really a strategic risk but is a matter of concern, was the effects on drone pilots. There was a great deal of concern about the fact that drone pilots, as it were, go home to their families each night with no time to decompress after effectively being in the war zone all day. They witness the violence, whereas most people who are involved in a war are distanced, at least to some extent, from the people who suffer from their weapon system. The sheer fidelity of the drone systems makes the witnessing very close and personal, in some senses. The sheer number of kills that some armed drone squadrons achieve increases the stress. One squadron was attributed with 1,626 kills, which is far more than any normal aircraft squadron would carry out. There is a long-distance version of post-traumatic stress disorder.

However, one other element worried me even more than that. It comes back to the legalities, to which I will return in a minute in putting a question to the Minister. If we undertake drone attacks outside a defined war zone, the location from which those attacks are operated may become part of a war zone, and we may legitimise a counter-attack on that area. Since many of those places are in rear areas, that has real issues for the operation of our RAF bases, such as RAF Waddington.
[Mr David Davis]

The big strategic risk that was raised by a number of people, particularly McChrystal, at the RUSI conference was the damaging impact on hearts and minds in battle. For those suffering drone attacks, there is an inability to strike back, a fear of constant danger, and a never-ending threat that is always there. There is strong evidence that this syndrome radicalises and militarises civilians, and unites militants. Drones can act as a recruiting sergeant. The most obvious example is the American drone operation in Pakistan, which, although it has taken out a lot of Taliban leaders, has also acted to recruit a number of others to their cause. Again, I suspect that will manifest itself in the battle against ISIL, because such organisations recruit worldwide. Last year, ISIL’s estimated recruitment was 30,000, having climbed from 15,000 during the course of the American attacks in Syria. That is an incredibly serious element of the strategic risk of using drones. From that point of view, drones are perhaps the biggest risk that we undertake.

Kevin Brennan (Cardiff West) (Lab): Was there any discussion at the conference of how soon it will be before terrorist organisations are able to organise attacks using drone technology, or at least a modified version of it?

Mr Davis: No, not particularly. There was a reference to it, but it was a throwaway line, and I cannot tell you the originator of the reference because of Chatham House rules. As I said earlier, plainly the nature of the technology involved in drones is awfully straightforward: the aerodynamics are straightforward; the motive power is straightforward; and the guidance systems are straightforward. Of course, lots of commercial drones are now available. Making an attack drone would take more than that, but it is pretty straightforward to achieve almost every element of building a drone—perhaps not a terribly sophisticated Predator or Reaper drone, or whatever, but a drone that might be used for a single-shot attack, or that could get to a location that is otherwise well protected against terrorist attack. It is absolutely clear that, if that is not possible now, it will be possible in the extremely close future. Drones are an element of proliferation that I suspect is already out of the bag. There is not much that we can do about it except plan our defences against drone attacks. That is too big a story for this debate, but the hon. Gentleman makes a good point.

I now come to the nub of this debate. The legal framework we create for drones has implications for strategic risk, for the way drones are used, and for whether their use acts as a recruiting sergeant. All the elements that I have talked about can be affected by the legal framework, which needs clarity to maintain the UK’s international standing and to protect the pilots and the armed forces from prosecution. It is not fair to ask our soldiers to carry out tasks without absolute legal certainty. Most of us do not know the exact background of some of the recent drone strikes—I am sure the Minister knows, but I do not. After the Khan strike, a headline in The Sunday Times stated “Army chief demanded legal cover for killing”. The article claimed that the director of special forces asked for specific legal advice on the strike. I do not know whether that is true, but it highlights one of the issues for me, which is that when we are going into a controversial military technology, we must absolutely ensure that the officers who use it are properly protected and clearly understand the limits of its use and where they might cross the rules of war, international law and so on. That is one of the major drivers of my argument.

When Reyaad Khan and Ruhul Amin were targeted in Syria by a UK drone on 21 August 2015, the Government claimed:

“This airstrike was a necessary and proportionate exercise of the individual right of self-defence of the United Kingdom.”

The Government also said that there was “clear evidence” that these individuals were planning and directing armed attacks against the United Kingdom. There was a lot of debate about that at the time, and there were questions about how imminent the attack might be, and how it was possible for there to be an imminent attack when these individuals were in Syria and the attack was cited as being in the UK. Some of the events that were cited happened in advance of the air strike, so it is not obvious how they could have been prevented by it. There was a series of arguments, but the basic argument was imminent self-defence.

In a letter to the United Nations, the Government cited the collective self-defence of Iraq as the second argument for the strike. I am not a lawyer, but it seems self-evident that this is a little like someone turning up in court to face an assault charge and saying, “I wasn’t there, but if I was there, he started it.” One argument undermines the other. The presentation of two arguments to the United Nations weakens, rather than enhances, the claim. I do not know why that was done, but again it highlights why we need absolute clarity on such matters. This is not an area in which we can risk having doubt—in the interests of our officers, let alone in the interest of our national reputation—about whether we have done the right thing.

As it stands, an armed attack must already have been launched, or at least be imminent, in order for states to resort to force in individual or collective self-defence; that is one element. Action against past attacks, if not done during the course of a war, risks being categorised as reprisal, which is unlawful in peacetime. Action against future attacks, which might be considered preventive or preventative, is also considered unlawful. There is quite a narrow gap for strikes, which must be necessary and proportionate.

The concern raised by the Khan attack, and indeed by the subsequent attack by the Americans, relates to what we might call “targeted killing”—some have used the phrase “extrajudicial killing.” The concern, which again was raised by General McChrystal, among others, was that that could be seen as an easier alternative to arrest or prosecution when dealing with terrorists. We had that argument in Northern Ireland 30 years ago, when we were accused of hard arrests, as it were. We do not want to revisit that argument, because it was pretty unedifying at the time. If we give in to temptation and such strikes happen, it may be morally right in the case of the individuals concerned, but it would be legally dubious. At the very least, it would amount to a significant change in the Government’s stance on what is legal and what is not, and it therefore requires careful consideration.

Those concerns are amplified by the recent change in the ministerial code relating to international law. I happen not to think that the change has any legal standing but, from a political point of view, it raises
concerns that, again, could be used against us by our opponents. I have argued time and again that one of our strongest counter-terrorism weapons is the fact that we abide by a high moral standard. If we do not abide by a high moral standard, we lose one battle to our opponents straightaway.

I am driving towards the relationship between the rules of engagement and the legalities I have just mentioned. This is my direct question to the Minister; I understand that she may not be able to answer it today, but hopefully she will be able to indicate where she is going towards on this question. If the rules of engagement are properly drawn up, they must be within the law, within declared Government policy and within any parliamentary limits that have been set. The Syria debate will address the limits set by Parliament, but action must fit within all three areas. I would normally assume that to be the case but, after our conference last week, I got a memo from somebody who does not want to be identified, so forgive me if I do not identify him. The memo encapsulates the problem about which I am worrying:

“Following the conference last week, I came away with the distinct impression that the MoD is using a different lexicon to the MoD legal advisers and endorsed by the law officers’ staff. The RoE then set out the area of operations and it was clear to me from the comments at the conference that this area included parts of Syria—hence everything being done (including 21 Aug) was within the RoE. Typically the MoD and lower formations take the law officers’ confirmation of legitimacy as gospel. They also then seek to make the rules as flexible as possible to allow commanders the greatest possible latitude.”

Essentially, he is saying that the MOD is using a set of language to explain the rules of engagement and the area of operation that is not the same as the law officers’ definition of what is and is not a war zone and the like. That seems important.

The relationship between the rules of engagement, international and national law and policy is the point where the rubber meets the road. One can expect soldiers and airmen to operate on the basis of the rules of engagement only, and nothing else. We must be very clear in this area.

The Joint Committee on Human Rights has begun an inquiry on the legality of the drones policy. There are three pages of questions—I will not read them out—that crystallise the inquiry. They are all good questions, but I finish on the point that drones are not just another weapons system; they are an incredibly effective weapons system subject to legal and technical proliferation, and to change in the behaviour patterns of both politicians and senior commanders. There is a great risk of acting in a way that is tactically incredibly successful but strategically dangerous. It seems to me that we need a clear and unambiguous legal policy, in the interests of our soldiers, our citizens and our allies.

9.52 am

Kirsten Oswald (East Renfrewshire) (SNP): It is a pleasure to serve under your chairmanship, Mr Stringer. I am pleased that the Backbench Business Committee agreed that this was an important debate to have, and I thank them for that. I also thank the right hon. Member for Haltemprice and Howden (Mr Davis) for his contribution. He made highly relevant and pertinent points, some of which I might repeat. I make no apology for that, because we are discussing a serious matter. I also hope to consider the use of drones from the human perspective, including that of our service personnel.

I echo the sentiments of the right hon. Gentleman, who raised significant concerns about the operational parameters, thresholds and legal framework for the use of drones. Like him, I note the killing of UK citizens by British drones in Raqqa earlier this year. The UK Government have a clear desire at the moment to engage in a campaign of air strikes, which reinforces the importance of having debates such as this fully at the appropriate time. We need proper and clearly understood parameters and a legal basis for any military action that we take. Those parameters are most appropriately discussed and agreed before and not after we ask our service personnel to undertake action.

It is vital that we take the time in this debate to consider and assess the use of armed and unarmed drones and the legal and structural frameworks within which they are used. Because we are responsible for their use, we must also consider the impact upon the people against whom such weapons are used and understand that sometimes they are not the desired or intended target. We must also consider the impact on those whose job involves operating drones.

Clearly, technology is moving fast. Not only are military drones available to our armed forces and those of other nations, but the technology is becoming more accessible and advanced all the time. I understand that companies such as DHL and Amazon are beginning to research the deployment of commercial delivery drones for business purposes. We must assume that such technology will be available not only to our friends but, as the hon. Member for Cardiff West (Kevin Brennan) noted, to those who wish us ill. We must consider that. I know that technology to counter such a situation is under development too.

We must consider those whom we ask to operate drones. It is our duty to look after military personnel operating within a conflict zone; that is equally relevant whether crews are miles away or have not moved from their desks during their deployment because they are engaging in the conflict by operating a drone. Clearly, a key decision-making factor will be the fact that the use of drones does not directly endanger our service personnel, which is important. The ability to control drones remotely means that our personnel can operate effectively out of harm’s way, and we must see the positive in that. However, Chris Cole of Drone Wars UK strikes a cautionary note:

“Drones swing the balance away from engaging in the often difficult and long-term work of solving the root causes of conflicts through diplomatic and political means, towards a quick, short-term ‘fix’ of ‘taking out the bad guys’.

However, it may not be the bad guys who end up on the receiving end of drone strikes, which is surely a cause for concern and another reason to consider legality. Studies on US targets have revealed a number of flaws in how targets are identified, including during a number of strikes resulting from electronic communications that officials subsequently acknowledged as unreliable.

David Cortright, the policy director of the Kroc Institute for International Peace Studies, also raises ethical questions about drone use as a means of combating
terrorism. He cautions that after 10 years of combat in Afghanistan and given the current high levels of threat from terrorist attacks, of which we are all aware, we ought to know better. We may need to consider that point. Additionally, former Pentagon adviser David Kilcullen has testified that drone strikes arouse anger, which coalesces populations around extremists. As we have heard, recent terrorist attacks in Pakistan are seen as a direct response to drone attacks. Reports from the federally administered tribal areas in Pakistan suggest that it is a matter of honour under the tribal code for the families of drone attack victims to seek revenge. The US drone programme, operating largely in declared war zones, counts nearly 90% of people killed in recent drone strikes in Afghanistan as not the intended targets of those attacks.

From a legal perspective, such statistics and reports cause concern. Yasmine Ahmed, director of Rights Watch UK, told the Joint Committee on Human Rights that clarity is required about the framework on which the UK Government rely in their use of targeted drone strikes, and I agree. Although the UK Attorney General suggested in September this year that UK Government actions on targeted drone killings complied with humanitarian law, serious questions still remain, including on the definition of a combatant and the assessment of those killings as militarily necessary.

In 2010, Sir Gus O’Donnell presented the parliamentary convention on when the UK Government are expected to provide Parliament with the opportunity to debate decisions to use military force. Except in an emergency, approval in advance is required. It is therefore concerning that the unprecedented use of a drone strike to kill a UK citizen in Syria outside the context of war was not notified to Parliament in advance. The facts of the incident have not yet emerged into the public domain, leaving the parameters within which the Government are working unclear to us.

The use of drones must also be considered in relation to those whom we deploy to operate them. I am pleased that we have discussed mental health provision for service personnel in this House recently; the issue deserves scrutiny, understanding and resource. In such discussions, it is imperative that we also fully consider the impact on mental health of being a drone operator.

In 2013, the US Armed Forces Health Surveillance Centre published a report noting that operators of unmanned drones can suffer the same psychological problems as operators of manned drones and similar problems to aircrew. In addition, it said that the negative psychological impacts do not present themselves only as post-traumatic stress disorder. Because of the level of emotional distance between operators and the reality of the human targets that they are pursuing, there are concerns that it might remove the human aspect of their work.

Last month, The Guardian published an article in which a number of former air force drone operators and technicians had come to the paper to discuss their opposition to the ongoing reliance on unmanned drones. One ex-operator described his experience this way:

“Ever step on ants and never give it another thought? That’s what you are made to think of the targets—as just black blobs on a screen. You start to do these psychological gymnastics to make it easier to do what you have to do—they deserved it, they chose their side. You had to kill part of your conscience to keep doing your job every day—and ignore those voices telling you this wasn’t right.”

Questions have been raised about the psychological effects of the very real distance between operator and target, which has sometimes been described as encouraging a PlayStation mentality amongst drone operators. That is a danger in having to remotely control the aircraft separately from the events on screen, as operators can disconnect from the reality of their control over the drones. The UN special rapporteur on extrajudicial, summary or arbitrary executions raised the concept of a videogame mentality in a 2010 report to the UN Human Rights Council.

Recently, the BBC also highlighted the impact of the job upon the mental wellbeing of drone operators. It reported on the RAF’s 13 Squadron, which operates drones from an aircraft hangar in Lincolnshire. The operators there, who are all qualified and experienced military pilots, work in shifts, controlling aircraft thousands of miles away. The preparation and processes that they undergo are exactly the same as those required for flying a conventional aircraft, and once the door to the workspace is closed the pilots report that it puts them psychologically in that airspace, with all the emotions and thought processes being exactly the same as on manned planes.

One RAF crew member is reported as saying that the potential for psychological and emotional impact on drone operators was “far greater than it ever was with a manned cockpit”.

He explained that the impressive resolution of drones such as Reaper means that operators know exactly what is on the other end of their crosshairs, and that this immediacy of targeting is also magnified by the fact that the drone crews are “airborne” for hours and hours. Also, unlike conventional crews, they do not have four-month tours but a year-round job, with a proportionately greater risk of suffering post-traumatic stress disorder.

Similar issues are being reported in the USA, with concerns regarding the psychological impact of drone crew experience, and difficulties with crew retention and recruitment. These difficulties are becoming a significant issue, with drone crew members keen to transfer to conventional crews, and consideration now being given to financial incentives to persuade pilots to remain on drone crews, where numbers are becoming critical because three times more pilots are aiming to leave drone crews than conventional crews. Studies have also indicated a concern about psychological numbing, which is attributed to crew seeing the very clear, direct video feed.

Mr David Davis: The hon. Lady is very eloquently laying out one of the major areas of concern about the use of this weapons system. Does she think that if the drone operators know unequivocally that what they are doing is legal, it would make their job easier and their chance of suffering stress lower?

Kirsten Oswald: I thank the right hon. Gentleman for his intervention; he makes a very important point. If we expect our service personnel to go into any conflict situation, whether they are in a conventional aircraft or operating a drone, it is our responsibility to make sure that there is a legal basis for that action.
There is an ethical dilemma when drone operators are faced with their targets. In the USA, it is being considered whether it might be better to replace the images that crew members see with modified interfaces. It is possible to do that, but of course the concern then arises that it would potentially introduce an unethical level of emotional distance, which could lead to a lack of recognition of those affected by strikes as people, dehumanising them. I note that the right hon. Gentleman had heard General McChrystal express similar concerns.

That disconnect has also been reported as causing operators challenges in coming to terms with the effects of their actions on both combatants and civilians, and their working environment can contribute to that. After their shift, operators head home in their cars, thousands of miles from the results of their day’s work and—which is incredibly important point. One of the difficulties with the thresholds of operation—the legalities and the parameters—are not clear. For these reasons, I call upon the government to show that they have the change in law that I will come on to. We will need to show after each drone strike that they have met these legal thresholds.

Looking to the future, it was recently disclosed that the United States military are using civilian operators to fly drones that are tracking suspected militants and other targets across the globe. This is part of a privatisation of job roles that were previously exclusively undertaken by military personnel. The Los Angeles Times reports that civilian pilots operate combat air patrols that dually fly through areas where military operations are taking place. These civilian operators provide video and collect sensitive information for the United States air force. Although they are not permitted to pinpoint targets or fire missiles at them, they are clearly operating military drones, which is prompting questions, because they are now part of what the USAF refers to as the “kill chain”, which starts with surveillance and ends with the launching of missiles.

That is not the situation that we are faced with now in the UK, but we are faced with a situation in which the thresholds of operation—the legalities and the parameters—are unclear. It is also a situation where, notwithstanding the potential for use of drones, unintended consequences reign supreme. For these reasons, I call upon the Government to debate this issue further, and I would be delighted to hear further information from the Minister about the points that I have made.

Several hon. Members rose—

Graham Stringer (in the Chair): Order. I intend to call the Front-Bench spokespersons at 10.30 am. There are 25 minutes left for other speakers, so I hope you can do the arithmetic yourself.

10.4 am

Mark Field (Cities of London and Westminster) (Con): I thank my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) for securing the debate. As ever, he made a thoughtful and insightful contribution. He is also a man of boundless optimism—after all, he suggested that we would hear from the Chilcot inquiry shortly.

Unmanned aerial vehicles, or drones, have undoubtedly proved devastatingly effective. Militarily, as my right hon. Friend pointed out, their use has assisted in expelling al-Qaeda from large tracts of Pakistan—albeit not without some cost, and I agree precisely with what he and General McChrystal had to say—and from Yemen. Politically, drones have allowed the US in particular to pursue strategic objectives without needing to put boots on the ground in an era when, as we all know, there is very little appetite among western electorates for their countries to engage in further overseas military adventures.

Without doubt, the development of drone technology will continue apace in the years ahead. Drones will assuredly be an essential part of the furniture of international warfare and, as a consequence, their use will require a thorough overhaul of international law and regulation. That overhaul is still to come.

In the euphoria that surrounds the decisive deployment of drones to eliminate terrorist leaders from afar, it is also worth reflecting—as the hon. Member for Cardiff West (Kevin Brennan) did earlier—that before the world was too much older our enemies will also enjoy access to this technology, with potentially calamitous effect. Terrorists and even criminal extortion gangs will soon be able to operate hardware of this sort, the cost and capability of which is rapidly coming within their range.

The use of drones by the UK military was first avowed as recently as September, when the Prime Minister announced the extrajudicial killings of two UK citizens, Reyad Khan and Junaid Hussain, who had joined ISIL in Syria and featured prominently in a propaganda video that promoted and encouraged terrorist attacks on UK soil. Of course, the UK Government wished to place those deaths on the record lest details seeped out via a freedom of information inquiry, as happened in July regarding joint US-UK air strikes over Syrian airspace. Moreover, the US policy of routine avowal of fatal drone attacks created the risk that eagle-eyed observers might notice that the two operations resulting in the deaths of Khan and Hussain had not been similarly gazetted. It is better to take the initiative rather than allow lurid conclusions to be drawn. In November, Mohammed Emwazi—alias “Jihadi John”—was similarly dispatched in co-operation with the US military.

For as long as such ISIL-supporting British terrorists were at large on Syrian soil, it would evidently have been impossible to bring them to trial. To be fair, there is a distinction between the situation today and that in Ulster some 40 years ago. Of course there were ungoverned spaces in parts of Londonderry and Belfast, but there are massive tracts within Syria that make it impossible to bring people to trial. None the less, their terrorist activity was designed to cause mayhem on UK soil. We are de facto at war with the so-called Islamic State, and as a consequence Khan and Hussain might properly be regarded as combatants. However, the strong inclination in the post-Iraq war era to provide watertight legal cover for all military operations led, as my right hon. Friend the Member for Haltemprice and Howden said, to the drone raid being classed as “self-defence” under article 51 of the UN charter.

That has opened up a series of contentious issues. For example, were the primary subjects of the drone attack “directing an attack”, and was such an attack “imminent”? As a consequence, our intelligence agencies will need to show after each drone strike that they have carefully considered the operation of article 51, unless we have the change in law that I will come on to. We need to keep the terms of such drone operations under regular, if not constant, review.

Mr David Davis: My right hon. Friend makes an incredibly important point. One of the difficulties with such a legal basis is the requirement of imminence,
which gives us an evidential problem. Presumably there was some sort of terrorist cell in this country that was about to carry out a terrorist action, and the Government have failed or refused to answer questions about whether there have been any arrests in the follow-up to that strike. That gives us a problem. The Government may have good reason for not giving us the information, but when drone strikes are carried out they will have to be ready to provide an evidential chain of some sort to show that what they did was correct.

**Mark Field:** I very much agree with my right hon. Friend’s comments. It seems to me that we need to keep the terms of drone use under regular, if not constant, review, and that before seeking ministerial authorisation the intelligence agencies would have needed to conclude that the individuals posed an imminent and clear threat to national security. It is also essential that our security services satisfy themselves that a drone strike, rather than any attempt at apprehension, is both necessary and proportionate. The issue of collateral damage—the impact of a strike upon innocent civilians in the vicinity—has been incredibly controversial, especially in Pakistan and Yemen, where it has often been recognised that US strikes have necessitated discreet co-operation with host Governments.

In truth, the increasingly sophisticated monitoring of mobile phones, other telephony and emails has enhanced the ability to target suspects with virtually pinpoint accuracy—it was notable that the only other fatalities in the two UK strikes this summer were associates. That is a good thing; we should try as far as possible to minimise collateral damage.

Nevertheless, I agree with other contributors to the debate that there is now an urgent, and possibly unanswerable, case for updated legislation to govern the use of—not to mention the continued reliance upon—new drone technology. That would allow the Prime Minister and the Government of the day to act with the timing and precision required to wage effective operations, without first having to consider how to navigate the complex labyrinth of precedent, law and parliamentary approval that currently blunts us. The US War Powers Act goes some way to providing a template in that regard, bestowing on the Executive branch the ability to give the green light to action without congressional approval, while maintaining a series of vital checks, safeguards and balances.

It is worth recalling that US legal justification in relation to the use of drones on overseas targets has historically been markedly less strenuous. That has arguably caused difficulties in the uncooperative parts of the world where “Five Eyes” co-operation is often strongest—Iraq, Pakistan, Afghanistan and, more recently, parts of Syria. The UK security services’ knowledge that intelligence passed to their US counterparts is used to launch drone strikes without, for example, any clear imminent threat to national security, potentially places the UK military, and our own workers, in a legal quagmire.

Although a common protocol among western allies would be ideal, that would necessitate an open political debate about the desirability of adopting the hit list approach that the US military have for selecting drone targets. For the Obama Administration, that approach has essentially involved a rolling update of named individuals, with the list being refreshed whenever there is a successful drone attack involving the assassination of terrorist targets. Needless to say, such an approach is far removed from the necessity for the prior legal approval of each and every step under British law as it currently stands.

Thank you, Mr Stringer, for allowing me to speak for rather longer than my requisite minutes, but I did take some interventions. I very much look forward to the Minister’s response to the debate, and to her recognising that we need new legislation and some genuine thought about the matter, not just in the context of what is happening in Syria but, I suspect, for many years to come.

**Kevin Brennan (Cardiff West) (Lab):** I broadly agree with all the contributions made so far, by Members on both sides of the House. My interest in the matter was sparked when the Prime Minister announced to the House that drones had been used by the UK in Syria to kill Reyaad Khan—a UK citizen, albeit one who had been radicalised and had chosen to go and fight for ISIL/Daesh in Syria. I received a letter from the Prime Minister that the young man many years previously, during a discussion about politics with a group of young people at a youth forum in my constituency. At that time, he was an engaging young man who was interested in politics, and whose political views seemed perfectly normal. When he was a teenager, there was no sign that he would end up being radicalised, choose to go to Syria and join ISIL/Daesh, and come to the end that he did, perhaps inevitably. It provides food for thought when a constituent one happens to have met ends up meeting such a fate.

I will not go into too much detail, because that is not necessarily within the wishes of Reyaad Khan’s family, but I should make it clear that the radicalisation horrified his parents. Many months before the outcome that eventually befell Reyaad Khan, I had written to the Foreign and Commonwealth Office to ask, at the family’s request—his parents thought he was in Turkey, perhaps on his way to Syria—for any assistance the FCO could possibly provide, through our consular services in Turkey, in finding a reason to intercept the young man and return him to the UK. I want to make it absolutely clear that the family, who were desperately concerned, were making efforts to prevent the young man from travelling to Syria. That is a tale for us all; as Members of Parliament, we need to be aware of what can happen to our constituents.

Our sympathy should, of course, principally be with the victims of ISIL/Daesh, but extremely difficult and concerning questions of ethics and legality are raised when the UK Government use a remote drone to kill a UK citizen in a country with which, technically, the UK is not at war, even if that citizen has participated in actions carried out by a non-state actor, such as ISIL/Daesh, that undoubtedly presents a direct threat to the UK’s security. Many of the legal issues have already been mentioned, and because of the time I will not go into any great detail. I am not naive enough, however, to believe that the justification used by the Government, and cited by the Prime Minister in the Chamber of the House of Commons, tells us the full story about what legal advice has been given to the Government, and what the justification for the targeting of Reyaad Khan and others has been.
I know that the Minister will not be able to respond to this—I have put it directly to Ministers before—but I have to put on the record that in my view there is in the Ministry of Defence a list of names of UK citizens for whom there is, in effect, a pre-authorisation in place. There would have to be a final signing off, but if those individuals became available to be targeted, they could be targeted. That does call into question, under article 51 of the United Nations charter, the justification on the basis of the imminence of attacks.

Several hon. Members rose—

Kevin Brennan: I will give way to the right hon. Member for Haltemprice and Howden.

Mr David Davis: The hon. Gentleman makes an important point, which impinges on the speech made by my right hon. Friend the Member for Cities of London and Westminster (Mark Field). One of the most worrying things for me about American policy is the idea that the President approves a kill list every Thursday morning, or whenever it is. That is the kind of area in which I do not think we want to go in the direction of the Americans. Politicians should not have the right to strike someone from the face of the earth, no matter what the logic. Does the hon. Gentleman agree?

Kevin Brennan: I do agree.

Kirsten Oswald: Will the hon. Gentleman give way?

Kevin Brennan: I will just make a little progress. That is why it is so important that we have this debate, and why the Joint Committee on Human Rights inquiry is so important. I understand that my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman), who is not here today, has written to the Secretary of State for Defence expressing her concern about the Ministry's lack of co-operation with that inquiry. Will the Minister, in her response, confirm that the Committee will get the Ministry's full co-operation, obviously within the parameters of what it can say on this matter?

Mark Field: Will the hon. Gentleman give way?

Kevin Brennan: I will, briefly, but I am conscious of time. If the hon. Member for East Renfrewshire (Kirsten Oswald) will forgive me, I probably will not give way a further time.

Mark Field: If article 51, which states that there has to be an imminent threat, is to mean anything, the security services—and, indeed, Ministers who are considering the issue—need to be in a position to update such a list constantly. The notion that an individual is on a list until such time as they are eliminated or assassinated seems to be at odds with article 51. There needs to be a process whereby the question of whether a person is still an imminent threat to the UK is regularly turned over in people's minds.

Kevin Brennan: I agree with the right hon. Gentleman. I will be interested to see whether the Minister illuminates that issue further in her response to the debate.

I want to raise one other issue, which is whether there should be an inquest into the death of Reyaad Khan. The case, it is fair to say, is fairly unique, but it has possibly led to similar cases. To some extent, an inquest might help establish some of the legal parameters in such cases. I have received representations on this—not from constituents, but from others. As I understand it, section 9 of the Offences Against the Person Act 1861 effectively grants global jurisdiction in respect of the potential unlawful killing of a British citizen. There is no question but that the issue of legality has been raised, and is under debate; we would not be here today if there was not a question mark about the legality. Can the Minister tell us whether the Government have a view on whether an inquest would be appropriate, if it is correct that the 1861 Act has global jurisdiction, and that the action that led to the death of this British citizen, albeit one who was acting in such a way as to be an enemy of the UK, was physically initiated in the UK, although the weapon used to carry it out was physically located elsewhere? Given the time constraints, I will not go on much longer, but I am interested to hear her response.

10.21 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate. I thank the right hon. Member for Haltemprice and Howden (Mr Davis) for bringing the issue to the House and for putting a clear analysis on the record. Drones have become an increasingly integral part of defence, and their capabilities have gone far beyond surveillance. We have the ability to use drones for combat purposes, which is what the debate is all about. We have concerns about drones being indiscriminate, and worries about whether we can be specific in our targeting using such automated systems. However, while military systems have an increasing range of automated functions, no fully autonomous systems are in use. The operation of a drone still needs human input, so it is fair to say that there is still a large enough degree of control. There is no reason why drones should be more indiscriminate than air strikes, boots on the ground or any other method of combat. Humans control drones and work within the rules.

When it comes to surveillance, there is no doubt that drones have revolutionised our ability effectively to gather intelligence across all corners of the globe. We have already seen drones take out incredibly dangerous individuals and gather the intelligence required for forces to go in at ground level and take targets out. Clearly there have been positives resulting from drone use, but that does not mean we should not be mindful of the concerns about their use expressed by some Members. We can do more to address such concerns by taking formal steps better to educate stakeholders and the public as to what drones actually are. Contrary to popular belief, they are not indiscriminate, pilotless killing machines, but state-of-the-art, precise and remotely piloted military systems, controlled by highly professional, highly trained individuals. Decisions about how a drone behaves when on an operation are made by pilots, analysts and a whole team in real time, just like the crew of a traditional aircraft. All UK drone pilots have to follow the law of armed conflict and the rules of engagement in exactly the same manner as pilots of traditional manned aircraft.

The decision-making process leading to the identification and engagement of targets is identical to that for conventionally manned aircraft. More than that, as our
[Jim Shannon]
drone pilots have greater access to information, through a combination of the aircraft’s on-board sensors and the ability to access off-board information, they are the best informed and least pressurised of all our aircrew who have to make critical decisions about when to strike.

In the real world, drones’ capabilities save the lives of our personnel, allies and civilians daily. The vast majority of civilian casualties in the middle east are caused by insurgents, terrorists and truly indiscriminate murderers. It is our remotely piloted aircraft that the terrorists fear most. They know just as well as we do that these systems contribute massively to our identifying them and their weapons.

In the time remaining, which I wish to share with the hon. Member for Foyle (Mark Durkan), I want to get to the facts. As of January 2014, Reaper has flown for more than 54,000 hours over Afghanistan. In that time, it has fired just 459 precision weapons. The sophistication of the weapons means that they can change course after release if innocent civilians stray into a strike area. That is one example of the many safeguards in place. We need to be able to harness that effectiveness in future conflicts, including those currently spiralling out of control in the middle east.

We know of one highly regrettable incident in which civilians were killed by a weapon deployed from a UK Reaper. Of course that is one incident too many, but in that case, a strike on two trucks carrying insurgent explosives resulted in four civilian casualties, in addition to the death of the insurgents.

This exceptionally useful tool contributes greatly toward protecting and defending UK forces and civilians. The Government’s use of unmanned and remotely piloted aircraft means that we have to safeguard information relating to our targeting and intelligence capabilities, and that applies across the board. The debate has given us an opportunity to provide the public with more information about drones and how, in reality, they are far from indiscriminate killing machines; rather, they are important and life-saving assets.

10.25 am

Mark Durkan (Foyle) (SDLP): I congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) on securing this important debate; I supported him in doing so at the Backbench Business Committee. He set out a number of concerns, which I hope the Minister will address, not least of which is the question of why Parliament was told that the reliance was on self-defence of Iraq, when the message to the UN relied on collective self-defence of Iraq. People might say that that is an arguable or pedantic point, but the fundamental principle matters; it should matter to us in Parliament, and those of us with any concern for international law and the standing of the UN.

Members have touched on a number of issues. Some suggested that we should not relate the issue too much to the experience in Northern Ireland, but when we consider some of the decisions made in the formative years of the involvement in Northern Ireland of the British Army and the intelligence services in the early ’70s, and what then became normative, questions do arise for us. We cannot just casually accept, whenever we ask questions about this matter, people saying either ‘Don’t ask’ or ‘Don’t expect a full answer.’ The real answer is, “We know, and it is okay.” Many hon. Members accepted that sort of line down the years when we raised questions about the nature of operations in Northern Ireland; and many of them then declared themselves shocked when they read in the de Silva report that something close to a kill list was operated in Northern Ireland, and that Parliament was being misled. It is still not clear whether Ministers were misled or were part of the misleading. That experience of sleepwalking through the formative stages of a new situation or operational vista, and of other standards becoming normalised, means that we need to ask questions at parliamentary level.

We should also remember that the Prime Minister told us about this extrajudicial killing in the context of a wider statement about Syria and refugees. It is not clear whether we would have had a statement just on the killing. That sad statement came at the end of a recess, and it is not clear what the standard would be in future. The hon. Member for Strangford (Jim Shannon) said that the standards to be followed and the decision-making processes are identical to those for manual aircraft, but I do not think that, in parliamentary terms, we do know that. He may have been briefed to that effect, but we have not been told that. Many of us have asked questions, including on the all-party group on drones, and have not received full information. Let us remember that manual aircraft would not have been sent in to kill Reyaad Khan, so we are not talking about like-for-like at all.

The hon. Member for East Renfrewshire (Kirsten Oswald) raised the question, as did the right hon. Member for Haltemprice and Howden, of the protection of operators and of knowing exactly where they stand in the system. There is not clarity on any of those issues. If the hon. Member for Strangford is so confident of the answers, he should join us in calling for a much fuller clarification of the policy and practices, so that when we have a system, moving forward, it is not determined by default and drift, but by real deliberation, real design and proper delineation of standards, principles and procedures.

Graham Stringer (in the Chair): Before I call the Front-Bench spokespeople, I hope to be able to give the proposer two or three minutes to respond to the debate.

10.30 am

Martin John Docherty (West Dunbartonshire) (SNP):
It is an honour to serve under your chairmanship, Mr Stringer, in this timely and critical debate on the rules of engagement and use of armed drones. I am sure all Members here will agree that the right hon. Member for Haltemprice and Howden (Mr Davis) and members of the all-party group on drones have ensured an in-depth and robust debate on matters of ethics, morality and fundamentally political choice.

My hon. Friend the Member for East Renfrewshire (Kirsten Oswald), the right hon. Member for Haltemprice and Howden and others who have participated in the debate have made a convincing case for further debate, scrutiny and holding the Government to account for the political choices they make in deciding the role of
the state in surveillance and in ending lives, especially the lives of UK citizens living in other countries. I take the point made by the hon. Member for Cardiff West (Kirsten Oswald) about future drone use and, as mentioned by others, their use by extremists and criminals. That needs to be looked at in depth to perhaps inform future policy.

As has been outlined, for some Members, the present lack of information relating to the rules of engagement leaves much to be desired, and for many it highlights our inability to comply with international human rights law—critically, particularly with regard to seeking to understand whether the European convention on human rights applies when physical power and control is exercised over a person via an automated vehicle controlled by a UK citizen. This is exacerbated, as was mentioned, by the Secretary of State’s lack of response to the Joint Committee on Human Rights. If the Secretary of State were able to attend the Committee, we could perhaps get a resolution and some clarity. I am sure that the Minister will wish to address that when she responds.

The efficiency of the present systems is an important issue. In some cases in the past decade in Afghanistan, drones did not hit their target. Given the increase in the use of drones in Afghanistan under the leadership of President Obama, this must surely throw into doubt their efficiency, and the ability of Government policy to limit the power of extremists at home and abroad, both now and in future. The Government’s present approach could arouse feelings of anger and lead to local populations coalescing around extremists, rather than removing them from the overall picture.

Fundamentally, this physical disengagement—the move from traditional warfare in the field, mentioned by my hon. Friend the Member for East Renfrewshire, to being based in a bunker thousands of miles away—is a Pandora’s box that has been opened and will not be shut. If in the weeks and days ahead we find ourselves involved in an aerial bombardment over Syria, the use of drones, not only in surveillance but in the delivery of hardware, will be a military choice, not a political one.

The need for at least a statement or summary on the legal use of drones and supporting rules of engagement need to be published, as well as a definition of areas of operation. Now more than ever, my constituents—I am sure that I speak for my hon. Friend the Member for East Renfrewshire, too—seek a detailed policy and operational guidelines. We accept that those guidelines should recognise the security implications for our armed forces.

In addition, we hope that the Government will clarify the use of civilian operators and their possible role in delivering ordnance to the end point—that is, in using the firing button—in present and future operations. We also hope that mental health will be considered. In a recent Adjournment debate, we discussed mental health and the impact on veterans, military personnel and their children.

The Government must clarify our limitations. In which countries do we use drones? Will we become another United States, targeting countries such as Pakistan? If we do, we must consider the ramifications for some of our partners—including, critically, the Commonwealth family—and their relationship with the UK. Holding the Government to account requires us to have the ability to ensure that evidence is challenged and proven, and that includes the ability to prove the effectiveness of drones in military use.

I have a feeling that no matter the number of deaths, civilian or otherwise, the use of drones will continue and increase. In the light of that, will the Government consider that recent research has revealed that over the past 10 years, 61% of CIA air strikes have hit domestic buildings?

**Kirsten Oswald:** It is crucial that drone strikes are made with the utmost accuracy if they are to take place, and civilian casualties must be avoided. Is my hon. Friend aware of cases such as that of Fahd al-Quso, who was killed apparently in Yemen and Pakistan? Similarly, there are others who have been targeted by the United States who have apparently been killed several times. What assessment does my hon. Friend make of that in relation to accuracy and reporting?

**Martin John Docherty:** I am grateful for my hon. Friend’s intervention. Her point recognises the limitations on intelligence. I will cover that in a moment.

An estimated 222 civilians have been killed in United States strikes, including the American and Italian hostages killed in recent drone strikes in compounds. The use of drones without robust and accountable rules of engagement removes not one additional extremist or terrorist, but acts as a recruiting sergeant for the most heinous of blood cults. The present policy of power to kill anyone anywhere in the world without oversight or safeguards is a failed strategy that perpetuates the illusion that military force is effective in combating extremists.

**Mark Field:** Will the hon. Gentleman accept that, as I suggested, part of the issue is that in Pakistan and Yemen there is co-operation between whatever authorities there are—I would not say there is a functioning Government in either of those countries—and the US military? That is part of the problem. Drones are a recruiting sergeant because of the anger in what is essentially a collection of civil wars with a lot of militias in place.

**Martin John Docherty:** Strangely, I would not disagree or agree. We are seeing the continued emergence of extremists. The recent dreadful attacks in Paris and Beirut show the exacerbated position that we find ourselves in.

As my hon. Friend the Member for East Renfrewshire said, our mistake could be in believing that electronic communication or signals intelligence is infallible. We know from experience that this is not the reality we wish it to be. This was mentioned in detail by the right hon. Member for Haltemprice and Howden. Our ability to scrutinise and inform the policies that improve intelligence should be welcomed—I hope the Minister will welcome that—as it seeks to improve conditions for armed forces and civilian staff who are at the coalface of engagement.

Finally, the future development of this technology will challenge our military planning and, critically, our own use of drones, especially the development of autonomous drones. Although there is a policy not to develop that technology, I urge the Government to agree to the UN resolution for a moratorium on the development of such technology until we better understand the ramifications on our society.
Mr Kevan Jones (North Durham) (Lab): It is a pleasure to serve under your chairmanship, Mr Stringer. I congratulate the right hon. Member for Haltemprice and Howden (Mr Davis) on securing this debate. We have had contributions from the hon. Member for East Renfrewshire (Kirsten Oswald), the right hon. Member for Cities of London and Westminster (Mark Field), my hon. Friend the Member for Cardiff West (Kevin Brennan), and the hon. Members for Strangford (Jim Shannon), for Foyle (Mark Durkan), and for West Dunbartonshire (Martin John Docherty).

The right hon. Member for Haltemprice and Howden explained the use of UAVs. We must recognise that they are a new technology in a long list. The history of development goes back to Zeppelins and other types of weapons. He highlighted the issue of how UAVs are used. In my experience, for the majority of the time, they are a valuable tool in surveillance and intelligence gathering. However, as he rightly says, in some cases they have a capacity to deliver weapons to a target. He highlighted the issue of Baghdad, the defeat of al-Qaeda and the use of UAVs in operations, but he then made a very important point that we should not forget. That battle was won not only through the use of UAVs but by the brave servicemen of the US and the UK, and also—the important point he made—by the use of good intelligence. Much of it was secured not through UAVs but from other sources.

A number of speakers mentioned the legal framework for the use of UAVs, which is important. It is no different—not should it be—from the framework for an attack by a conventional aircraft or, for that matter, UK forces on the ground. It is important that that legal framework is in place. If someone joins Her Majesty’s armed forces, one of the first things they are taught in basic training is the rules of engagement for self-defence. It is clear that even the most junior members of the armed forces know when they can and cannot use force by, for example, discharging their weapons. Whether delivered by a UAV or a conventional aircraft, the use of weapons is covered by a legal framework.

As a former Ministry of Defence Minister, I know that the same rules of engagement are used whether we are talking about a UAV or a Tornado using conventional weapons against a target. I accept that there is a lot of misinformation, and perhaps some ignorance, which the MOD needs to address. The idea is out there that the people operating UAVs are somehow isolated from the decision-making process. They are not. As I understand it, they are just as much part of that process as someone flying a Tornado would be. There are suggestions that they do not know the legal ramifications of what they are doing or about the intelligence around it, but that is not the case.

I know from my experience in the MOD that on a number of occasions in both Afghanistan and Iraq legal authority was given, whether in the form of advice given to the chain of command or an agreement by Ministers, but even when the missions had been agreed they were aborted. That was not because of an intervention in the chain of command, but because the operator saw that the situation on the ground was such that they would have to abort to avoid civilian casualties, or for some other reason. We need to be clear that UAV operators are not sitting in isolation. They have not just been given a set of instructions to carry out without any thought process; they are clearly thinking, which is important.

The hon. Members for Strangford and for West Dunbartonshire mentioned the idea of the autonomous use of UAVs. That is an entirely different situation from the current one. I agree that if technology goes down that route, we will require a new set of laws for how we set rules of engagement. An important point about the legal framework is that the MOD needs to do more to explain the rules of engagement.

The right hon. Member for Haltemprice and Howden spoke about the legality of using the rules of engagement outside a conflict zone, which is a legitimate point to address. During my time in the MOD, the use of UAVs was confined to Afghanistan and Iraq, and the main bulk of their work was in surveillance and intelligence gathering—vital tools for the fight in Syria.

My hon. Friend the Member for Cardiff West made an interesting point about the fact that the threshold for access to UAV technology is getting lower. There is, I think, already some information about terrorist groups acquiring the technology, which means that we will need to develop ways to counteract it—for example, through jamming.

The hon. Member for East Renfrewshire made an interesting point about mental health. A lot of anecdotal evidence has come forward, some of which she mentioned. Perhaps the MOD needs to look at that, because we have new technology. For example, the defence medicine department at King’s College might want to consider doing a longer-term study of the effects on those who are operating UAV systems.

In closing, I am confident in the legal framework around the people who operate these systems. Is it important to have this debate? Yes, it is. Should the MOD do more, not only by explaining the rules of engagement but by actually answering questions when challenged? I think it should.

The Minister for the Armed Forces (Penny Mordaunt): I thank my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) for securing this important and extremely interesting debate, and I thank all the other Members who spoke and attended. I also thank my right hon. Friend for recognising that this new technology has great potential to keep our armed forces safe and reduce civilian casualties. He and other Members spoke about its capacity to be a decisive tool and a force multiplier, about its precision, and about its role in keeping our armed forces safe. An important point that has not been touched on is that because the crews who operate armed drones are not themselves in a combat zone—although there are unique stresses, which I will address later in my speech—and may build up many hours of experience in operating and flying missions, they might actually make better judgments.

I shall first try to answer some of the technical legal questions that my right hon. Friend focused on, after which I will address the other points that Members have made. Our doctrine and rules of engagement are compliant with international law, including international humanitarian law—and underpinned by the principles of distinction, humanity, proportionality and military
necessity. We are confident that the existing provisions in international law are sufficient to regulate the new weapons systems.

Our rules of engagement—as opposed to our static doctrine—are tailored to specific missions and will include policy, legal and operational guidance. They are typically given in a series of permissions and prohibitions that must be followed during a particular operation. We do not put the rules of engagement in the public domain, because it would give our opponents a considerable advantage if they understood that aspect of our operations.

A lot of what my right hon. Friend was driving at and a lot of the assurances he wants are contained in our doctrine. In 2011, the Development, Concepts and Doctrine Centre produced a joint doctrine note on our approach to unmanned air systems, to capture some of the issues we knew about at the time. Although it was a thorough piece of work, it was meant to be only a temporary document. There has clearly been a huge evolution in our understanding of unmanned air systems and the related issues, some of which were touched on earlier. That document initiated a debate about a whole range of legal and ethical issues. The original note was agreed by a wide stakeholder group in 2011, and the next version, to be called the UK air power doctrine, is anticipated towards the end of next year. It will develop the concepts and framework that will underpin our rules of engagement and policy development, and will be the receptacle for a lot of the issues raised by my right hon. Friend. As the right hon. Member for Cities of London and Westminster (Mark Field) said, that is one of the main roles that our front-line commanders are tasked with.

The RAF stress management and resilience training team has delivered stress awareness briefs to units operating these systems, to make personnel aware of the subject and of the range of assistance and support that is available to them. We recognise the unique nature of such operations, and we have embedded TRIM—trauma risk management—providers in RAF Reaper squadrons. As hon. Members know, TRIM provides a model of peer group mentoring and support for use in the aftermath of traumatic events.

Mr David Davis: Will the Minister give an undertaking that the MOD will co-operate fully with the Joint Committee on Human Rights, which will hopefully provide information about exactly that issue?

Penny Mordaunt: Yes, I can give my right hon. Friend that assurance. If we have been tardy in responding to the Committee, I apologise, and I am very happy to follow that up. The Secretary of State is due to speak to the right hon. and learned Member for Camberwell and Peckham (Ms Harman) shortly, and I will follow that up after the debate. We certainly wish to co-operate, because putting more information into the public domain about the seriousness with which we take such issues will reassure hon. Members.

We have focused on air systems, but there are all sorts of other systems. We are investing massively in underwater systems, for which there is another set of legal requirements. My right hon. Friend the Member for Haltemprice and Howden referred to operational areas and war zones. Clearly, we might have to use these systems and others to respond to a range of situations, including hostage situations and so forth. The picture is complex, but we take it extremely seriously. An enormous amount of time is going into developing the doctrine as the technology develops. We want to operate in a good framework with best practice, and we want our allies to do the same. There is wide international consultation, and we will be playing a full role in helping others to raise their game.

Let me turn to some of the other points that hon. Members have made. The particular weapon or platform type that we use has no bearing on our decision about whether to use force. I assure the hon. Member for Foyle (Mark Durkan) that the targeting boards and processes are identical for these and other weapon systems.

Several hon. Members focused on the effect on pilots. That issue is often framed in terms of the emotional effect of taking a life on the pilots conducting the strike activity, whether they become detached from the situation and whether they have access to the same support—decompression and so forth—that people on more conventional operations can access. It is often about not what people do, but what they see. I have spoken to pilots who have said that most distressing and frustrating thing is to see something take place that they are unable to prevent, in part because of the strict restrictions placed on them, which cause stress. Of course, the health and wellbeing of our armed forces personnel is of the utmost importance, and we are mindful of the pressure and stresses that such operations cause. The personnel involved are carefully monitored and, where appropriate, have access to the highest levels of military physical and mental healthcare. Looking after them is key, and that is one of the main roles that our front-line commanders are tasked with.

The RAF stress management and resilience training team has delivered stress awareness briefs to units operating these systems, to make personnel aware of the subject and of the range of assistance and support that is available to them. We recognise the unique nature of such operations, and we have embedded TRIM—trauma risk management—providers in RAF Reaper squadrons. As hon. Members know, TRIM provides a model of peer group mentoring and support for use in the aftermath of traumatic events.

My right hon. Friend the Member for Cities of London and Westminster (Mark Field) and the hon. Member for West Dunbartonshire (Martin John Docherty) asked about others having access to such systems and our ability to combat that. I assure all hon. Members that that was a key strand of our recent strategic defence and security review, and there will be ongoing work to ensure that the right defensive systems and practices are in place to prevent such technology from being used against us.

Hon. Members spoke about the effect on hearts and minds. We understand that whatever means we use to deliver precision weapons in conflict zones—air strikes, operations on the ground or remotely piloted air systems—there will be a negative effect on the civilian populations in the vicinity. However, we do not take the decision to conduct strikes lightly, and we take every step to minimise the impact on civilian populations, including using precision-guided munitions.

Kevin Brennan: Before the Minister finishes, does the Government have a view about whether it is appropriate to hold an inquest if a UK citizen has been killed in that way?
Penny Mordaunt: I was coming to that point, but I will answer the hon. Gentleman’s question now. He dealt with the issues he raised in a sensitive manner. The Prime Minister was clear that in circumstances in which we have no alternative—hon. Members have outlined why we had no alternative in that situation—and we think we can prevent and disrupt an imminent threat, we will take action. I think that is the right thing to do. In the specific case that the hon. Gentleman asked about, there will be no inquest. Because it is outside the coroner’s jurisdiction, there will not be a coroner’s inquest either. The answer to his question is no, there will not be either an inquest or a coroner’s inquiry.

It is, of course, the terrorists who target civilian populations and induce suffering. That is why we have and use these systems. All civilian deaths are regrettable, but in more than 80,000 hours of UK Reaper remotely piloted aircraft system operations, only one known incident has resulted in civilian deaths. UK forces have strict operating procedures to minimise the risk of casualties.

Finally, like all hon. Members, no matter what their views on this technology, I pay tribute to the pilots and crews who keep our country safe.

10.57 am

Mr David Davis: Thank you very much for chairing this debate, Mr Stringer. It has been a privilege to serve under your chairmanship. I thank the Backbench Business Committee, and I hope we have justified its decision to give us this debate.

Let me quickly pick up a couple of points. I thank the Minister, who answered many of our questions well. My right hon. Friend the Member for Cities of London and Westminster (Mark Field) argued that we need a new law. Given that the UK air power doctrine will be published in 2016, what we really need more immediately is a robust and clear public application of the current law. That would be the most important outcome of this debate.

Some hon. Members argued that this is a new system, but it is operated in the same way as existing systems. The principle is the same, but the practicalities are different. To put it in physical terms, a Tornado can cross the length of a football field in one third of a second, but a drone can watch the same football field in orbit for eight hours. Clearly, there are differences in precision.

The rules of war were built around the fog of war and the doubt that it creates, so we have an opportunity to make them more precise and humane. However, as the hon. Members for West Dunbartonshire (Martin John Docherty) and for East Renfrewshire (Kirsten Oswald) said, in American strikes, each kill of a terrorist is claimed three times. That implies that at least two innocent people die as a result of failures of intelligence, so there are areas of concern.

That brings me to the most important aspect of this debate, which is the blurring of the area between war and peace. Drone operations in war zones worry me much less than drone operations outside war zones. That is where Governments will be tempted to do things that are beyond what we normally expect of a civilised western Government. I will look very carefully at the 2016 UK air power doctrine for an answer to that issue.

Question put and agreed to.

Resolved, That this House has considered the rules of engagement and the use of armed drones.
Small Business Saturday

11 am

Ronnie Cowan (Inverclyde) (SNP): I beg to move, That this House has considered Small Business Saturday.

It is a pleasure to serve under your chairmanship, Mr Stringer. I thank the powers that be for selecting this topic for debate. I am delighted that we have the opportunity to discuss how vital small businesses are to the prosperity of the UK’s nations.

The importance of small businesses should be self-evident. Indeed, 99% of businesses in the UK have fewer than 49 employees, accounting for 48% of total employment and 33% of turnover. That amounts to 15 million people in the UK being directly employed by small businesses, with a turnover of £1.75 trillion. They are the drivers of economic growth, creating jobs and serving the requirements of our communities. Whether they are—in no particular order—local tradesmen, retailers, service providers or catering outlets, the benefits of small businesses extend beyond the employees they hire. Just under a fifth of all small and medium-sized enterprises in the UK operate in the construction sector and 15% operate in the professional, scientific and technical sectors, and those businesses complement the success of associated industries such as manufacturing.

We should therefore recognise that the influence of SMEs cannot easily be quantified simply by looking at their own output as it extends into the wider economy and communities.

In bringing forward this debate, I wanted to stimulate the discussion around how we can continue to support small businesses and to highlight the challenges that they face. For the last three years, Small Business Saturday has provided the opportunity to focus the minds of consumers, business people and policy makers on the indispensable contribution made by small businesses.

David Simpson (Upper Bann) (DUP): I congratulate the hon. Gentleman on obtaining this debate. One issue that our small businesses, whether they are on the high street or are another form of SME, face today is that of business rates, which are crippling many companies. I am sure he would agree that they need to be looked at.

Ronnie Cowan: I certainly do, and that is a topic that I hope to cover later on.

Last year, 16.5 million UK adults supported a small business on Small Business Saturday, and I am sure that this year’s campaign will be equally successful when it takes place on Saturday 5 December. However, although it is important to raise awareness of the challenges small businesses face on the first Saturday of every December, we must ensure that the campaign leaves a positive and lasting impact on small businesses all year round.

Mr Chuka Umunna (Streatham) (Lab): I congratulate the hon. Gentleman on securing this debate. I want to pay tribute to the others, along with myself, who instigated the bringing over of Small Business Saturday from the US to the UK, including the Federation of Small Businesses, the Institute of Directors, the British Chambers of Commerce and the British Independent Retailers Association, and to thank Michelle Ovens and the team at Small Business Saturday UK above all for setting it up. Does the hon. Gentleman agree that it is important to acknowledge that Small Business Saturday is not all about shopping? Our small businesses do a lot more than just provide retail services and products and do so much more for our economy. Small Business Saturday is as much about people outside of retail as it is about those within it.

Ronnie Cowan: I absolutely agree. It is easy for us to focus on shopping and the high street, particularly pre-Christmas when that is what it is all about. Retail is a large part of it, but small businesses employ people in all sorts of sectors and many of them, such as my business in my previous existence, which I hope to touch on later, do not have the high visibility of the high street.

Other hon. Members will be able to relate to concerns about decline, as shop closures and empty retail units are an issue that stretches right across the UK. As in other constituencies, the situation in Inverclyde varies considerably. The largest town of my constituency, Greenock, is primarily served by an enclosed shopping centre populated by larger retail outlets which has struggled in recent years with closures and has failed to live up to the potential that the centre of Greenock has to offer. In other parts of my constituency, the smaller towns of Gourock and Kilmacolm have been comparatively successful in maintaining more vibrant town centres, mainly populated by small, independent businesses. However, they are not helped when large banks withdraw their high street presence and contribute to the reduction in footfall.

There are no easy answers when it comes to regenerating our high streets, but Inverclyde provides a valuable lesson: smaller, independent retailers are an integral part of creating thriving town centres.

Nicola Blackwood (Oxford West and Abingdon) (Con): I congratulate the hon. Gentleman on securing this important debate. Small Business Saturday is an opportunity to highlight the vital work of local authorities in supporting high streets. His point about empty shops is important and I congratulate the Vale of the White Horse District Council, which has halved the number of empty shops in Abingdon and has put on free parking for Small Business Saturday. It also helps to throw the important Abingdon extravaganza to support local shops. Does the hon. Gentleman agree that Small Business Saturday’s message is that we will see lasting improvements for small businesses only when local communities support them, whether retail or not, throughout the year?

Graham Stringer (in the Chair): Order. I remind hon. Members that interventions should be short and to the point.

Ronnie Cowan: I thank the hon. Lady for her point.

One business in my constituency that is contributing to the success is the Pirate and Bluebelle, a gallery operated by Heather McCulloch and Nick Summers. It is a small business in the very literal sense of the word. Their shop is just 2 metres by 4 metres and is one of the smallest galleries in Scotland, if not the UK. Heather and Nick established the business in order to sell artistic photographic prints and by doing so they are now supporting a number of emerging local artists and crafters. Like many small business owners, Heather and
Nick are self-motivated, have been prepared to take risks and are driven by a desire to benefit not only themselves, but their local community. In the words of Heather herself:

“We feel that the rewards far outweigh the cash.”

I hope other Members today will join me in commending Heather and Nick’s community spirit in creating a successful small business. Their experiences should be noted by policy makers in this Parliament and elsewhere. For example, Heather and Nick are concerned that the business registration process was difficult to understand and noted that the guidance on what was expected of them on tax and national insurance contributions could have been more clearly stated. Furthermore, Heather and Nick feel that the personalised support from Business Gateway made a positive contribution to the establishment of their gallery. An adviser has been available to answer questions specific to their circumstances and that specialised knowledge has assisted in developing the business in its first year of operation. I would echo that sentiment as I ran my own small IT business for 12 years and the burden of the paperwork required by Her Majesty’s Revenue and Customs distracted from the enjoyment of being self-employed.

The UK has an annual business death rate of 10% and the Pirate and Bluebelle is an example of why pre-planning is so important. Heather and Nick tested the market by attending local fairs and measuring the reception of their product with customers. They followed that up by securing premises on a shopping strip suitable for a small independent retailer and the type of products they wanted to sell. Many businesses fail within the first five years, and it is vital that potential business owners undertake the necessary preparation before fully committing.

Hannah Bardell (Livingston) (SNP): I congratulate my hon. Friend on securing such an important debate ahead of Small Business Saturday. Does he agree that it is important to encourage more women to start their own businesses, as they often fail sooner than their male counterparts? As the world of work changes, we must ensure that businesses such as Decadently Pure in my constituency, which is run by Ros Milligan who recently won a West Lothian chamber of commerce award, are able to develop and flourish.

Ronnie Cowan: I would not for one minute believe that women were more likely to fail at small business than men—certainly that is not my experience in my community, where many of the businesses are run by strong, vibrant and intelligent women. I am surprised to hear that. Despite the challenges, long hours and potential risks of running a small business, Heather is optimistic about her future operating an independent business in Inverclyde. She said:

“Setting up and running a small business has been one of the most challenging things we have ever done but also the most rewarding.”

I am aware that a range of support is already available to small businesses such as the Pirate and Bluebelle—I should point out that Inverclyde and, indeed, Gourock have many other good small businesses dealing in fine art. Assisting SMEs must be a collaborative effort across different tiers of government and various other organisations. In Inverclyde small businesses have access to a variety of support, including from Inverclyde Council, the Scottish Government, Riverside Inverclyde, Skills Development Scotland, Business Gateway and Scottish Enterprise.

At local authority level, businesses in my constituency have access to grants that assist with capital expenditure, staff training and structural improvements to business premises. Inverclyde Council provides a small business loan scheme to improve the small business start-up rate. A west of Scotland loan fund is also available, providing loans of up to £100,000 for established businesses operating for more than two years, while newer businesses may borrow up to £30,000 through the same fund.

Such schemes emerged in response to the small business concern of finding credit increasingly difficult to secure. Another local organisation, Riverside Inverclyde, has complemented the work of Inverclyde Council to tailor solutions specific to my constituency. It has promoted the establishment of small businesses by providing quality office space, which is an important task, because Greenock, formerly a town of heavy industry, did not have enough office space suitable for a modern, digitally connected business. In establishing or refurbishing six offices and business centres, Riverside Inverclyde has helped to secure more than 850 jobs.

Bill Esterson (Sefton Central) (Lab): I congratulate the hon. Gentleman on securing the debate. He is talking about the support needed by small business, which, as he said, is vital all year round. Does he agree that the Small Business Saturday team is becoming more of an all-year-round support and is securing support, not least with its bus tour, which has travelled throughout the country for many weeks, to show that support is needed every day of the year, not only on 5 December?

Ronnie Cowan: Absolutely. This coming Saturday is a focal point, which is all about raising awareness, as is the debate. As the hon. Gentleman says, it is all year round, because it is sometimes a day in, day out struggle for businesses to keep their head above water.

At national level small businesses have been eligible for the Scottish Government’s small business bonus scheme since 2008. Almost 100,000 businesses now benefit from having their business rates reduced or completely removed—a record amount since the introduction of the scheme. The scheme has provided indispensable assistance to businesses throughout extended periods of difficult economic circumstances. Since its 2008 introduction, the amount of money being saved by businesses throughout Scotland has more than doubled and because of that competitive advantage, businesses in Scotland can this year save up to £3,200 more under the scheme than equivalent businesses in England can. I welcome the First Minister’s commitment that the scheme will continue throughout the next Parliament, should the current Scottish Government be re-elected.

Cross-border collaboration also benefits small businesses, in particular on important infrastructure projects such as improving access to superfast broadband. Federation of Small Businesses research found that 99% of small firms rate the internet as “highly important” to their business. I note that the Scottish Government are ahead
of schedule in meeting their target of 95% of premises covered by superfast broadband by 2017, so we can see in practical terms how collaboration between levels of government and other organisations is critical to giving small businesses the support they need to thrive.

If I may be allowed to indulge myself, I cannot end my speech without mentioning that Inverclyde has many advantages as a place to do business. It is within commuting distance of Glasgow, is a short distance from Glasgow airport and enjoys excellent rail connections. Anyone wishing to start a business in the area can expect excellent tailored support from Inverclyde Council and Riverside Inverclyde, in addition to the wider benefits that the Scottish Government provide.

George Kerevan (East Lothian) (SNP): I, too, commend my hon. Friend for securing this important debate. He talks about collaboration between different agencies of government, but does he accept that one agency, HMRC, has not been helpful to small businesses recently? It is planning to close down offices throughout the UK, making it much more difficult for small businesses to get their tax forms correct.

Ronnie Cowan: I touched on HMRC earlier and I echo my hon. Friend’s sentiments.

In the lead-up to this year’s Small Business Saturday, my message is clear: let us create more local jobs and vibrant town centres, and invest in the future of our communities by backing our SMEs.

Graham Stringer (in the Chair): Before I call John McNally, may I check with the Minister that he has had permission to speak?

The Minister for Small Business, Industry and Enterprise (Anna Soubry) indicated assent.

11.14 am

John McNally (Falkirk) (SNP): Thank you, Mr Stringer. I also thank my hon. Friend the Member for Inverclyde (Ronnie Cowan) for securing the debate on a subject that is close to my own heart.

As a small business owner, being a hairdresser and running a business employing staff, I appreciate the commitment and training that goes into running a small business for more than 50 years. I appreciate the trials and tribulations of people running their own business and what a powerful driver the small business sector is for growth and competition across the economy.

As the vice-chair—soon to be the chair, hopefully—of the all-party group on the hair industry, I fully appreciate the work that has gone into the Hair Council, which I believe includes more than 250,000 hairdressing businesses in Britain. It supplies a huge amount of effort and employment, especially in support of local town centres. I welcome the opportunity to support the Small Business Saturday campaign and to highlight the business successes in my constituency and throughout Falkirk district.

Over the past two years alone, more than 1,057 new businesses in my constituency have been registered at Companies House. Falkirk has benefited from the steady increase in successful entrepreneurship and business development, with many successful businesses supplying other local businesses in the area. That is in no small part due to initiatives such as Small Business Saturday, a grassroots, non-commercial campaign that highlights small business success and encourages consumers to shop locally and support small businesses in their communities.

As my hon. Friend said, Small Business Saturday takes place on the first Saturday in December. It is my hope that the campaign will have a long-lasting effect on businesses and shopping habits in Falkirk and towns throughout the district, as well as Scotland-wide. Nationally, our small businesses are well supported by the Scottish Government’s small business bonus scheme, which has benefited more than 99,000 commercial properties in Scotland and helped the number of small businesses in Scotland to increase by more than 50% over the past 15 years.

Locally, Falkirk benefits from an excellent district business improvement team in the form of Falkirk Delivers, headed by Alex and Sarah. Their team have a similar ethos to that of Small Business Saturday and have the mantra of keeping things local, which is more than a “use it or lose it” message. It is about supporting businesses that have supported the town and have evolved the way in which they do business to benefit our communities and local people. It is about appreciating local knowledge, providing excellent customer service, and retaining money within our local economy to ensure that our towns are a thriving and vibrant place to shop, live and work, and providing a feel-good factor about them.

Falkirk benefits from a diverse range of businesses located at its core. The town has two covered shopping centres, Howgate and Callendar Square, in which national retail businesses are located, but what distinguishes Falkirk from other, larger towns is the diversity and range of smaller independent businesses. Falkirk also has a renowned and award-winning night-time economy, with a variety of pubs, cafés, restaurants and nightclubs, many of which are independently owned and managed.

Falkirk town centre, like many, has seen a change in the landscape over the past few years, as my hon. Friend the Member for Inverclyde mentioned. Some of our national retailers have moved away from their traditional high street presence, and vacancy rates have hovered around the national average, but our small retailers seem to have weathered the economic downturn of the past few years better than most. I wish to pay tribute to those small businesses in the best way I can.

Small Business Saturday, on 5 December, is an ideal vehicle to remind people to shop locally—at Stenhousemuir, Larbert, Denny, Dunipace, Bonnybridge, Laurieston and Polmont. I hope we have not left anywhere out, or there will be hell to pay when I get home.

The Falkirk Delivers team has a marketing campaign using print and social media that features many of our local independents. For example, we have Gems Sweets, where we can still buy Spanish Gold, Chelsea Whoppers or Lucky Tatties—perhaps that does not fit well with yesterday’s debate about the war on sugar, but they are quite tasty. A fixture in our town for more than 100 years has been G.W. Smith cycle shop. We have Coffee on Woer, a trendy new artisan coffee shop that always has a space for local musicians, poets and writers to do their thing. The town’s Howgate centre recently launched INDY, an independent marketplace with small unit space, ideal for the have-a-go entrepreneur. It offers the best of both worlds, because it is located in a busy shopping centre but is aimed at encouraging and growing unique and individual independent businesses.
Such businesses are the heart of our town centre community. They are known, loved and trusted by locals and visitors alike. However, Small Business Saturday is not only about retail. Falkirk town centre is home to lawyers, accountants and translators—and we even have a 3D printer—all of whom rely heavily on local businesses, so Small Business Saturday and the wider “keep it local” campaign play a part for those services as well.

Falkirk Delivers and its partners are working on a range of projects and initiatives to continue to support the town centre during a time of change. With the £5 million-plus investment through the Townscape Heritage initiative, the successful launch of our “can do” space and projects such as the Carnegie Trust’s TestTown, the message is that Falkirk is very much open and ready for business. I totally support my hon. Friend the Member for Inverclyde on this issue.

11.21 am

The Minister for Small Business, Industry and Enterprise (Anna Soubry): It is a pleasure to serve under your chairmanship, Mr Stringer. I pay tribute to the hon. Member for Inverclyde (Ronnie Cowan) for securing the debate and to everyone who has contributed to it. I will begin with some stats: 99.3% of United Kingdom businesses are small businesses. Small businesses employ 12.4 million people, which is 48% of total private sector employment. They have a combined annual turnover of £1.2 trillion, which is 33% of turnover in the private sector, and there are a record 5.4 million private sector businesses in 2015, which is an increase of 908,000 from the start of 2010. I say that to give context and to show that we should never underestimate the huge importance of our small businesses.

I also pay tribute to the hon. Member for Streatham (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country. It is a welcome American import (Mr Umunna) and others who brought Small Business Saturday to this country.

The hon. Member for Inverclyde made the good point that they provide an excellent service to their communities. We should not forget that.

I will go to Beeston. The town unfortunately suffered because of the tram works that blighted it, but it is on its way up. Now we have got the tram, and we look forward to more people coming into the town and other people who previously shopped there coming back.

My hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood) made a good point about the need for free parking. She talked about her own constituency, where there will be free parking this Saturday, and I am pleased that my borough council will have free parking throughout December. I have quite controversial views on parking, which we will not go into, but let me put it this way: the more towns that embrace free parking, the better. As I said, I shall go into Beeston and enjoy Fred Hallam Ltd—it has a fishmonger, which is rare.

Bill Esterson: To show the cross-party consensus on this issue, may I congratulate Sefton on providing free parking throughout December for the very purpose that the Minister describes?

Anna Soubry: I completely endorse that.

I will go to the deli and buy, if not fine cheese, some Blue Monkey beer called BG Sips, which I recommend to everyone. Microbreweries are another type of small business that employ people and contribute hugely to the local and national economy. Many are now stepping
into exports, and the Government are keen to ensure that UK Trade & Investment looks at the benefits it can provide to small businesses.

No doubt I shall go into Relish, where I will have to have another bacon butty or some similar delight. That is another good example of a small business that is doing well. I shall finish in Stapleford, where I will go to an excellent small business that alters clothes—it has been going incredibly well and is now growing and leading the town team. No doubt, I will end up in Shabbylicious with yet another excuse to drink more tea or coffee and indulge in more cakes and mince pies.

I hope I have made a serious point. Small business are important to the economy, and the statistics show it. I want to finish on a hopefully positive note, which is about business rates: small businesses now pay less tax. We are supporting them by extending the doubling of small business rate relief in England to April 2017. More than 400,000 small businesses will pay no rates at all as a result of that welcome extension.

I know that all Members will be out there on Saturday celebrating Small Business Saturday. I am grateful to the Federation of Small Businesses, which brought the event to my constituency. I pay tribute to it, and to the Institute of Directors, the British Chambers of Commerce and everyone who supports this excellent initiative.

Question put and agreed to.

11.29 am

Sitting suspended.

Employment Tribunal Fees

[Mr Gary Streeter in the Chair]

2.30 pm

Justin Madders (Ellesmere Port and Neston) (Lab): I beg to move, That this House has considered the effect of the introduction of fees for employment tribunals.

It is a pleasure to serve under your chairmanship, Mr Streeter. An essential part of any democracy is an economy that works for the whole population. That means there should be not only full employment, or as close to that as can be managed, but opportunities for everyone to make the most of that economy. There should be no glass ceilings. People from different backgrounds should all have the same chance of making it into their chosen job. Crucially, in the context of this debate, an individual should have the security of knowing that if things go wrong, they have a realistic avenue through which to seek redress.

To my mind, we have a system in place that puts security near the bottom of the pile in terms of priorities. Security should be the cornerstone of any settlement on how the workplace operates. No matter how imperfect the current system is, if there are workplace rights and protections that this place has deemed a necessary part of the social contract between Government and the country, we should be absolutely sure that those rights can be genuinely enforced, if we are not to have an illusory scheme of protection.

The employment tribunal system has a social benefit for everyone and should therefore be accessible to all members of society. It is worth reminding ourselves that tribunals took on their present character as employment courts to resolve disputes between employers and workers in 1971, as part of that year’s Industrial Relations Act, largely arising from the recognition that unresolved workplace grievances had led to a proliferation of official and unofficial industrial action. Those origins should serve as a clear warning that if we are to live in a just society, we need an accessible and fair system for resolving disputes.

Ian Lavery (Wansbeck) (Lab): I congratulate my hon. Friend on bringing this important issue to the Chamber. Does he agree that the introduction of these fees disproportionately affects women, particularly those who are pregnant or in part-time employment? That issue must be addressed.

Justin Madders: I thank my hon. Friend for his intervention. I will address later some of the disproportionate impacts of the fees, but they are part of a bigger picture: they are part of a sustained attack on working people in this country. A lot of the legislation in the previous Parliament and currently going through the House is nothing more than an attack on basic workplace rights and protections. If our ambition is to have an economy and country where everyone has a stake in their prosperity, we should value the security and sustainability of jobs as much as the means of creating them.

It is widely recognised that losing a job is one of the major occasions in life on which people face extreme pressure and stress. Obviously, it is not quite as significant
as some other issues, but for many, it can be a pretty traumatic experience. It can affect a person’s marriage, health, home, finances and, of course, family, yet we seem to be fostering a culture in which an individual is considered a disposable item to be cast aside with barely a second thought. While that culture exists, it is important that we have strong protections in place and—this relates to today’s debate—an effective and accessible system enforcing those protections.

Let us look first at the stark data, which show that the number of tribunal claims lodged has fallen off a cliff since the introduction of fees in July 2013.

Chris Stephens (Glasgow South West) (SNP): I congratulate the hon. Gentleman on securing this important debate. One of the reasons given for the introduction of these fees was to protect hard-working taxpayers from having to contribute to the cost, ignoring the fact that the people bringing these claims are hard-working taxpayers. Does he agree?

Justin Madders: I thank the hon. Gentleman for his intervention; his record on representing working people is one of note. He is absolutely right that everyone who takes part in the system contributes already through their taxes. As I will go on to demonstrate, there is little sign of any wider benefit to society. In fact, it could be argued that the fees are creating more problems than they solve.

Between October 2013 and September 2014, there were 32,671 fewer single claims brought by individuals than in the previous 12 months. That is a decrease of 64%. Over the same period, the number of multiple claim cases—those brought by two or more people against the same employer—was down by 3,527. That is a decrease of 67%. Comparing different periods can produce different figures, and an awful lot of different comparisons can be made. Indeed, some comparisons show up to an 80% drop in claims lodged. Whatever the comparisons or periods used, there is an average drop showing up to an 80% drop in claims lodged. Whatever the comparisons or periods used, there is an average drop of around 70% in the number of claims lodged. It is therefore indisputable that there has been a significant decrease of around 70% in the number of claims lodged. It is a drop of 67%.

Chris Stephens: But does the hon. Gentleman accept the same statistic: a 60% drop in claims brought by women, and a 67% drop in claims brought by men?

Justin Madders: We have to be careful about comparisons or periods used, but the drop in claims brought by women is a decrease of 67%. Comparing different periods can produce different figures, and an awful lot of different comparisons can be made. Indeed, some comparisons show up to an 80% drop in claims lodged. Whatever the comparisons or periods used, there is an average drop of around 70% in the number of claims lodged. It is therefore indisputable that there has been a significant drop in the number of claims since the introduction of fees.

Ruth Cadbury (Brentford and Isleworth) (Lab): I congratulate the hon. Gentleman for his intervention. His record on representing working people is one of note. He is absolutely right that everyone who takes part in the system contributes already through their taxes. As I will go on to demonstrate, there is little sign of any wider benefit to society. In fact, it could be argued that the fees are creating more problems than they solve.

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Justin Madders: I pay tribute to my hon. Friend. Friend on securing this important debate. I held a debate in this room a few weeks ago on women and low pay, an issue that my hon. Friend the Member for Wansbeck (Ian Lavery) just raised. The tribunal process is an important mechanism through which women can secure equal pay in their place of work, because if the claim is successful, their employer is instructed to carry out an equal pay audit. The financial barrier, however, means that many women are not getting to that stage, and therefore fewer equal pay audits are being done than could be done. Does my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) agree that tribunal fees represent a barrier to equality in the workplace for not only the women making claims, but those in workplaces where claims could be made but are not?

Justin Madders: I thank the hon. Lady for her intervention and I understand the passion that led her to speak for slightly longer than is the norm. She is
absolutely right that pregnancy discrimination is still rife in the workplace. Figures that I have seen suggest that of the 54,000 women who are dismissed on the grounds of pregnancy each year, only 1.5% proceed with a tribunal claim. Is that not a damning indictment of the difficulty that people have in accessing justice?

We need to examine the supposed reasons that the Minister may put forward for why the number of claims has dropped. I am sure that the Government would like to claim that the success of the Advisory, Conciliation and Arbitration Service early conciliation scheme is part of the explanation, but we should remember that the scheme was not in place for the period immediately after fees were introduced, so that cannot explain the number of claims dropping so dramatically immediately after fees were introduced. The figures that we have seen on early conciliation provide little comfort for those seeking to explain the reduction; indeed, as I will argue, the fee system can be seen as an impediment to effective early conciliation.

The figures on early conciliation tell us that of the 60,800 notifications made to ACAS in April to December 2014 as part of the early conciliation scheme, 15% were formally settled by ACAS and 22% progressed to an employment tribunal claim. That leaves a massive 63% that were not formally settled through ACAS but did not progress to an employment tribunal. Of course, it is not possible to identify how many of those claims had merit, but it is too large a figure to ignore, and the similarity between that figure of 63% and the figures that I have already referred to is too much of a coincidence for us to ignore.

Jo Stevens (Cardiff Central) (Lab): Interestingly, if we look at employers taking up early conciliation through ACAS, we find that Government Departments are some of the worst offenders for not participating in early conciliation; that includes the National Offender Management Service, which is very poor at engaging. Does my hon. Friend have any comments on that?

Justin Madders: My hon. Friend, of course, has great experience in this area. The Government should be setting an example. They should be leading from the front and be seen to be engaging in the processes that promote and encourage good workplace relations. Is it not really something when we have a Government Department potentially discriminating against someone or impinging on their workplace rights, then refusing to engage with the systems that that Government have set up to try to resolve that dispute? And then the Government charge that person to force their rights. What kind of situation is that? It is not a fair, equitable or just way of dealing with matters.

Let me turn to the significant amount of evidence submitted to the Justice Committee. I think my hon. Friend the Member for Wirral West (Margaret Greenwood) has referred to evidence that was given to the Justice Committee in respect of NOMS, and I recommend anyone who has not read those transcripts that look at that evidence. In it, multiple witnesses demonstrate the deterrent effect that fees have had; that evidence goes well beyond the data that have been referred to.

Chris Stephens: The hon. Gentleman is making a number of excellent points. On fees, does he agree that there will be an impediment to cases in which a worker brings a case for an illegal deduction of wages, because the fee will be higher in some cases than the amount that the worker is looking for in their claim?

Justin Madders: The hon. Gentleman is absolutely right on that point, which I will come to later. Speaking from personal experience as a lawyer before I entered this place, I have a number of examples of such situations, and that cannot be right in a fair and just society. Returning to the Justice Committee, it received evidence from Citizens Advice, which published a report called “Fairer Fees” in January 2015. It stated that 82% of its clients said that the fees deterred them from bringing an employment tribunal claim.

All the Government talk at the introduction of the fee regime was about weeding out vexatious claims. As I will go on to demonstrate, there has been no convincing evidence put forward that this system has done anything to reduce such claims, in stark contrast to the significant body of evidence suggesting that people with genuine complaints have not been able to pursue their rights as a result of the fee system. It may be that part of the Government rationale is that those who use the system should contribute to it, in which case far more equitable solutions can be found. It may be that despite everything else, it is and always was part of the Government’s plan to reduce the number of claims being made, in which case they have succeeded.

Richard Arkless (Dumfries and Galloway) (SNP): I thank the hon. Gentleman for securing this very important debate. Does he agree that one of the reasons given in the Beecroft report, which initiated the imposition of tribunal fees, was the desire to make business more efficient, and that the very notion that people being prevented from having access to justice within the workplace would increase productivity and make a business more efficient is completely misguided?

Justin Madders: The hon. Gentleman is absolutely right. The suggestion that workplace rights and treating people with respect and decency is somehow an impediment to a business running well is the stuff of nonsense. Having a stable and well-motivated workforce actually helps to improve productivity. The Beecroft report is really where all this is coming from. There is a view that employment rights are somehow an impediment to the good operation of business. If someone has the misfortune of having worked somewhere for less than two years, they effectively have no employment rights, so that has been got through almost by the back door.

Let me return to the reduction in the number of claims. Undoubtedly, that has been stark, and if that is the Government’s intention, it has been successful, but it is unfair, crude and a denial of basic justice. The Citizens Advice report stated that 47% of its clients who were potential type B claimants—those bringing unfair dismissal or discrimination claims—said that they would have to save all their discretionary income for six months in order to be able to proceed with a type B claim. And those are the lucky ones—many who have lost their job have no discretionary income. Keeping a roof over their head and putting food on the table will always take priority over pursuing a claim for which the outcome is uncertain and which will not be resolved for months.
Margaret Greenwood: Somebody facing a situation in which they may want to go to an employment tribunal is stressful enough, and they may well be thinking that they might lose their job or have to leave their job because they are so unhappy. With that in mind, there was the figure from Citizens Advice that four out of five clients they dealt with felt that the current levels of fees would deter them from even bringing such a claim. Does my hon. Friend think that is an acceptable state of affairs?

Justin Madders: No, it is not an acceptable state of affairs. My hon. Friend makes a really pertinent point: if somebody is still working for an employer, the last thing that they want to do is take them to a tribunal. It does not help the employment relationship to improve, and it almost certainly leads to a parting of the ways one way or another. We should be there to help people if they have had a violation of their rights. There should be an easily accessible system to enable them to resolve things.

Let me go back to the startling statistic that those bringing type B claims would have to wait six months in order to afford the fee. Does that not tell us something? When the time limit for bringing such claims is three months, the fact that a person would have to wait six months in order to afford the fee is a complete expose of how wrong-headed and unjust the system is, so if the Government are minded to make any changes, at the very least, they should look at the level at which fees are set.

I will say a few words on remission, because no doubt that will be used to justify the level of fees. However, do not forget that the comments that I just referred to have been made by people at a time when fee remission is available, so it obviously is not working for many. It is worth noting that when the Government first looked at the fee remission system, they estimated that about 63% of claimants were predicted to benefit from fee remission in whole or in part, but in reality, only about 21% have. The average monthly take-home salary in this country is just under £1,800. Remission is not available to people on that salary, but they are asked to stump up two thirds of that sum just to pursue a tribunal claim. Does that not highlight how unrealistic the fee remission system is?

We also have the completely indefensible situation in which an employer does not pay their staff, which is one breach of the law, but that is then compounded by the fact that the employer does not issue payslips and, because the individuals have not received payslips, they cannot access the remission system. How can that be a just situation?

If the objective of introducing fees was to weed out unmeritorious claims, the policy has been a failure. The success rate has not really changed, and I argue that the employment tribunal structure has plenty of well-developed measures to deal with unmeritorious claims, such as deposit orders, strike-outs and costs awards. Indeed, over the last decade or so, there has been a general ratcheting up of measures designed to deter and weed out frivolous, vexatious and misconceived claims. The rules are there, are clear and are perfectly capable of being applied, so I suggest that that is the route to go down if the concern is really about stopping people pursuing claims unreasonably or vexatiously.

Justin Madders: I thank my hon. Friend the shadow Minister for his intervention. Of course he is absolutely right: that advice is an important safety net. I know from experience that the majority of people who are advised that they do not have a claim will take that advice on the chin and will not pursue the claim, so the fact that we have not been able even to maintain levels of access to advice has probably only made the situation worse.

As I was saying before the intervention, there are rules to deal with unmeritorious and vexatious claims. I want the Minister to tell us today whether he considers that those rules are effective, and if he does not, what he will do to change them.

Denying access to justice via a high fee level is arguably making no difference at all to the number of vexatious claims being lodged, because if this system was weeding out vexatious claims, the success rate would increase. The fact that it has not suggests that the fee system is a deterrent to all. Ministry of Justice statistics indicate that success rates have in fact remained broadly the same, rather than increasing. In the four quarters before fees were introduced, success rates ranged between 10% and 9%. In the four quarters after fees were introduced, success rates were broadly similar at 9%, 9%, 5% and 13%. Even the president of the employment tribunals, Mr Brian Doyle, suggested that only a very small percentage of claims can be identified as weak or unmeritorious and that we need to be careful about the way in which we bandy around the term “vexatious” when it comes to claims.

Chris Stephens: Can the hon. Gentleman confirm that those workers who have the benefit of trade union membership will find that a trade union also has a test as to whether to proceed with a claim to a tribunal?

Justin Madders: I thank the hon. Gentleman for his intervention. He is of course absolutely right. Trade unions play a vital role in ensuring that justice is served for their members, but they also play a wider role by not supporting or endorsing claims that are considered vexatious or weak. We really should mark out that contribution that is made. Of course the vast majority of people who work in this country are not trade union members. Perhaps that is one reason why the figures have not substantially changed as a result of these initiatives from the Government.

The myth that there is a vexatious culture out there has been perpetuated by parts of this Government and certain sections of the media. It is almost as if they believe that there is an army of litigious individuals out there who are routinely fleecing employers with spurious claims. That view has no basis in fact. As I said, there are already rules to stop vexatious claims proceeding.
Each case is considered by a legally qualified judge. Most employers have access to professional advice on their case and far more are legally represented at tribunals than claimants—and all of that in a country that regularly appears near the bottom of the pile in any OECD studies of the strength of employment protection across the planet. It is far from the easy ride for employees that some people would portray.

In addition, it is simply not the case that there are hundreds of no win, no fee lawyers out there ready to exploit employers by bringing forth spurious claims. The clue is in the title: “no win, no fee”. If the lawyer does not think that the claim will win, they will not get paid for it, so why would they waste time pursuing a claim that they know will ultimately be unsuccessful?

The idea that employers are a soft touch in these matters is simply untrue. Most are professionally represented and should be able easily to spot someone trying it on. There is a question about how those who are not members of trade unions access affordable representation. We have dealt with that in some of the interventions today. Of course I would say that the best thing that anyone can do to protect themselves in the workplace is to join a trade union, but that is not a substitute for basic advice and support for people who find themselves in these very difficult situations. The Government have pulled the rug out from under them.

This system not only prevents access to justice, but feeds the myth that employment rights are some sort of undesirable impediment to properly functioning businesses. At its worst, it acts as encouragement to those rogue employers who think that employment protection and workplace rights are an optional extra to be ignored whenever possible.

There is plenty of evidence from those representing individuals in employment tribunals, including those who gave evidence to the Justice Committee, that some employers will deliberately decide not to engage in any kind of discussion about resolution of a claim until the very end of the process, even when they may very clearly be in the wrong. The pre-claim conciliation process run by ACAS can be and often is met by employers refusing to engage at all. They know that if they have dismissed an employee, they may not have the funds to pay for a tribunal claim. Even when one is under way, they still hold off until the hearing fee is paid before seriously considering whether they should engage in settlement negotiations. That can be as little as three weeks before the tribunal hearing. That wastes everyone’s time and the tribunal’s and the taxpayer’s resources. There is a category of employers who will not engage with anything unless they know that the employee has paid their £1,200, but even in the cases in which the lower fee applies, there is now a real dilemma facing employees, who are asking themselves, “Can I afford to take this on even though I know I am in the right?”

The starkest example—I referred to this earlier—is one from my own experience shortly before I was elected to this place. It involved an employer systematically refusing to pay their staff over a period of weeks. They refused to engage with ACAS in early conciliation and decided instead to sit back and wait for the tribunal claims that never arrived. The people affected whom I saw were all women and had all lost several weeks’ wages. There was no doubt that money was owed, but all of them questioned spending £390 to recover a similar amount and some of them were actually seeking to recover less than their initial outlay in fees, so for them the dilemma was even greater. Of course, there was no reason to suppose that they would not succeed in their claims, but it is a sad fact that employers, even if they do lose, do not actually pay the compensation due to the employee more than 50% of the time. Given the intransigence shown up to that point, I could not criticise those people at all for not wanting to take that risk.

How can anyone defend the bad employer playing the system and preventing very basic employment rights, including the right to be paid, from being enforced? It does not take a great feat of imagination to see how that attitude can inform an employer’s thinking on whether they should, for example, take steps to dismiss an employee fairly in the first place. After all, if they want rid of someone, why waste too much time on that process if they think that the person will not have the resources to challenge it afterwards? Far from the picture painted by some, this Government are actually creating a culture in which an employer can hire and fire with impunity.

Then there is the situation in which the employer becomes insolvent. The claimant has to apply to the Redundancy Payments Service for redundancy pay, but if there is no employer left to order reimbursement from and it is not recoverable from the national insurance fund, the claimant never recovers their fees. How can it be right that the state can profit from that situation? What kind of situation allows an employee to be, in effect, fined for attempting to exercise their rights in the already difficult situation in which there is an insolvency?

The GMB union has provided a very clear example of what amounts to a significant profit made off the backs of trade union membership fees. It was involved in a claim in Sheffield against a company that in February 2015 went into administration. The business was later sold to new owners, with the original company being wound up. There were redundancies, and the employment tribunal found in favour of the 48 people who brought claims in respect of a failure to consult and unfair dismissal. The claimants were supported by the GMB and three other unions, with fees totalling £13,200 being paid to issue the claims and have them heard. Although the tribunal ordered the respondent to refund the fees, there was virtually no chance of recovering them, as the legal entity had been wound up. Notably, it was only possible for those employees to bring claims because they were supported by a union to get their case before the tribunal. That is a tribute to the importance of trade union membership, but it cannot be right that trade unions or individuals have to make such payments with no avenue for recovering the cost. In that situation they were completely blameless, so why should the state penalise them?

On the question of costs, it has been suggested that one of the justifications for the fee system is that it will recoup some of the costs of the tribunal system. If that was the intention, the system has been a failure. The latest accounts from the Ministry of Justice show that in 2014-15, the net income from employment tribunal fees was £9 million and expenditure on employment tribunal services overall was £71.4 million, which means that the increase in net income from fees covers 12.5% of the cost of running the employment tribunal service. The Government seem to have been unable to quantify, in response to written questions, the extra administration costs associated with the new system and how that adds to the costs of running the service.
and staffing costs in the tribunal service of having to administer the fees and the remission system. In reality, the gain in revenue is probably lower than 12.5%, and it has been achieved at the expense of a 69% drop in the number of claims.

There is no mention anywhere in any of the documents I have seen of the benefit to the taxpayer from the application of the recoupment regulations, which can result in an employer paying back to the taxpayer thousands of pounds—for example, in jobseeker’s allowance already paid to the claimant—which is offset against the claimant’s compensation. Such repayment is normally ordered where a tribunal has made a finding of unfair dismissal. Why is that clear benefit to the taxpayer not included in any considerations, and has anyone stopped to consider that the level of recoupment will have reduced as the level of claims has reduced—

Mr Gary Streeter (in the Chair): Order. I am reluctant to intervene, because the hon. Gentleman is making a fine speech, but he has been speaking for half an hour. He might want to take into account the fact that several colleagues want to catch my eye.

Justin Madders: I will be brief, Mr Streeter. As we have discussed, do not the participants contribute to the system through their taxes anyway? Is it not simply part of the cost of a civilised society? In the long run, we all benefit from stable and balanced employment relations. If the Government are so determined to recoup costs and if they are genuinely interested in ensuring access to justice, surely the obvious way to deal with the matter is to levy a fee or apportion a percentage of compensation at the end of the process, not at the beginning.

At the moment, if a claimant is successful, they can recover their fee from the respondent, but what is the respondent’s contribution to the costs of the tribunal? It is nothing. I suppose it could be argued that they indirectly contribute by recovering the fee and repaying it to the employee, but as we have seen, that outcome is not certain, and the burden disproportionately falls on those who seek to enforce their rights.

Employment tribunals play a vital role in ensuring the effectiveness of basic rights, such as the rights to the minimum wage, paid holiday, time off and maternity leave, and the right not to be unfairly dismissed or discriminated against. If we value those rights and think that they are important, we should also value the surety of justice, and that right should not be based on their ability to pay the fees. That can only mean that a growing number of unlawful employment practices are going unpunished, which is detrimental to the achievements of a fair workplace. As the general secretary of Unison, Dave Prentis, said recently: “There is stark evidence that workers are being priced out of justice and it is women, the disabled and the low-paid who are being disproportionately punished.”

Dr Rupa Huq (Ealing Central and Acton) (Lab): Does the hon. Gentleman agree that we are also talking about gender discrimination, because women who are suffering from pregnancy discrimination or maternity discrimination will be afraid to take cases with a price tag of £1,200, so they will suffer in silence?

Chris Stephens: I agree with that, and there has been growing evidence in the last few years of pregnant workers being dismissed unfairly. The hon. Lady is absolutely correct to say that the fee of £1,200 would be a natural barrier for women workers, particularly in sectors of the economy that are traditionally low paid, such as the retail sector. It would be very difficult for someone in such circumstances to progress. The hon. Lady’s statements are backed up by the legal affairs spokesperson of Citizens Advice Scotland, whom I have just mentioned: “Employment Tribunals regularly include cases where people have been un-paid or under-paid for work they have done, or cases where they have been mistreated—including bullying, racism, sexual harassment. People who have suffered such treatment surely have a right to justice, and that right should not be based on their ability to pay.”

All the evidence suggests that the review of employment tribunal fees should include an equality impact assessment. As I have indicated, I am concerned about the divisive rhetoric that we sometimes hear on workplace and trade union issues. We are told that fees were introduced to save the hard-working taxpayer money, but those who are chasing a tribunal or who wish to submit a tribunal claim are, indeed, hard-working taxpayers.
In Scotland, the administration of employment tribunals is due to be devolved under the Scotland Bill. In the Scottish Government’s programme for government, First Minister Nicola Sturgeon said: “We will abolish fees for employment tribunals, when we are clear on how the transfer of powers and responsibilities will work. We will consult on the shape of services that can best support people’s access to employment justice as part of the transfer of the powers for Employment Tribunals to Scotland.”

That proposal is supported by Scotland’s “workers’ parliament”—the Scottish TUC’s annual congress—and by Citizens Advice Scotland. I will end with the words of the latter in welcoming the Scottish Government’s intention to abolish tribunal fees:

“So we are delighted that the government has addressed this issue, and has seen the urgency in putting it right. These fees should never have been introduced, and they need to be scrapped as soon as possible.”

I could not agree more.

3.8 pm

Jo Stevens (Cardiff Central) (Lab): It is a pleasure to serve under your chairmanship, Mr Streeter. May I refer the House to my entry in the Register of Members’ Financial Interests regarding my previous occupation as a director of Thompsons Solicitors, which is a national firm of employment law specialists that conducts a substantial number of employment tribunal cases on behalf of trade unions and their members?

I congratulate my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) on securing the debate. Like him, I am deeply concerned about this issue. As he outlined, the impact of the coalition Government’s tribunal fees has been to price people out of access to justice. The Conservative party calls itself the party of working people, but if there is one single policy that totally exposes that statement as a myth, it is the introduction of employment tribunal fees. The Conservatives knew exactly what the impact of the policy would be, because they and their Liberal Democrat coalition partners at the time were told repeatedly and forcefully that the proposal would decimate access to justice. Just as with legal aid cuts, civil court fee increases, restrictions on judicial review, the Trade Union Bill, the proposal to repeal the Human Rights Act and the intended increase to the small claims limit that the Chancellor announced in last week’s spending review, employment tribunal fees were not introduced to solve a real problem. They were introduced to diminish the voice of ordinary working people, of trade unions and of their members.

I am sure the Government will try to say that the rationale for introducing the fees was to defray the cost of the Courts and Tribunals Service. If that really was the rationale, it has failed spectacularly, because so few people can afford to bring claims that the revenue has not been generated, as my hon. Friend the Member for Ellesmere Port and Neston said.

The Minister for the Cabinet Office and Paymaster General openly stated that the purpose of the fees was to deter people from bringing employment tribunal claims. In an article for The Telegraph website in March 2014, he wrote:

“Unscrupulous workers caused havoc by inundating companies with unfounded claims of mistreatment, discrimination or worse. Like Japanese knotweed, the soaring number of tribunal cases dragged more and more companies into its grip, squeezing the life and energy from Britain’s wealth creators.”

He went on to say that the tribunal system had “become a system that in too many cases was being ruthlessly exploited by people trying to make a fast-buck.”

Where is the evidence for that? If the situation really was as he stated, the success rate in employment tribunal cases brought after the introduction of fees would have risen significantly, because the fees would have acted as a disincentive for unmeritorious claimants. What has actually happened? The success rate has stayed at the level it was at before the introduction of fees.

Preventing access to justice through high fees, therefore, weeds out not just unmeritorious cases—I accept there will be a few of those—but nearly all cases. In that respect, the policy has been tremendously successful. Fees have had a severe negative impact on the ability of people—particularly those on low and average household incomes and the more vulnerable in society—to access the justice system. That was a shameful intention. We had a Minister openly stating that he and his coalition partners wanted to prevent members of the public from accessing the justice system.

Ian Lavery: My hon. Friend will not be surprised by that attack on hard-working people in the workplace who want to seek justice. Like me and other Members, she has experienced the gagging Bill part 1, the gagging Bill part 2 and what is classified as a trade union Bill. All in all, they are a concerted attack on people who just want to get on in life. If there is a problem with justice in the workplace, they want to be able to challenge it.

Jo Stevens: My hon. Friend is absolutely right. I could not have put it better myself.

As we have heard, there has been a 69% drop in single-applicant cases since the introduction of fees. However, I want to comment on a couple of other statistics. There has been a 90% drop in sex discrimination cases and a 45% drop in pregnancy-related unfair dismissal cases. That is yet another example of the Prime Minister’s problem with women. He does not want public money spent on women, so they bear the brunt of 75% of his Government’s public sector spending cuts. He does not want to do anything about the grossly unfair VAT regime—the tampon tax. Instead, he cuts funding for domestic violence refuges and rape counselling services, and he makes women pay for those services themselves through the VAT on sanitary products. Furthermore, if any of us is subject to sex discrimination at work or sacked because we are pregnant, he prices us out of access to an employment tribunal to challenge that unlawful treatment.

Dr Huq: Does that not make a mockery of the claim the Prime Minister made to me at Prime Minister’s questions that he is now a feminist? How does all this marry up with that statement?

Jo Stevens: My hon. Friend makes a valid point. Irony is alive and well in this House. I do not quite know where to start with my thanks to the Prime Minister for the way he treats women.

I turn to what I expect the Minister to refer to as the Government’s mechanism to mitigate people’s being priced out of justice: the fee remission system. Given that the affordability of fees is a central issue in the debate, the remission system’s effectiveness in addressing
it is important. However, the reality is that the system is little more than a fig leaf. For each separate fee incurred, a separate application for fee remission, with detailed evidence of income, must be provided. The booklet to guide people through the process is 31 pages long, and the preparation of applications can take up to 30 minutes, increasing the costs of the case every time a court fee is incurred. That work also has an impact on the time of court and tribunal staff. It represents unnecessary bureaucracy, as well as a backward step in the Government’s stated intention to move towards deregulation, efficiency and cost cutting.

In a speech to the Engineering Employers Federation in November 2011, the then Business Secretary, Vince Cable, said:

“I want to make it very clear that for those with a genuine claim, fees will not be a barrier to justice. We will ensure that there is a remissions system for those who need help.”

The latest available information on remission comes from statistics issued by the employment tribunals. They show that, from July 2013 to June 2015, only 17.7% of issue fees requested were remitted.

My hon. Friend the Member for Ellesmere Port and Neston commented on the redundancy fund. Claimants are forced to pay tribunal fees out of their redundancy pay. I really hope the Justice Committee will address that issue in its report on access to justice. I also hope it will look specifically at the terrible problem of employment tribunal fees, which affect women in particular. I ask the Minister to take those comments back to his colleagues to ensure that fees are scrapped.

Richard Arkless (Dumfries and Galloway) (SNP):

Like my colleagues, I can confirm that it is a pleasure to serve under your chairmanship, Mr Streeter. Special thanks to the hon. Member for Ellesmere Port and Neston (Justin Madders) for securing what I, like his colleagues, consider to be an extremely important debate.

I rise as a member of the Scottish National party to put the SNP’s case, and I want to start by putting the issue in a Scottish context. The issues of employment law and employment tribunal fees are reserved to the Westminster Parliament. There is an expectation that clause 37 of the Scotland Bill will devolve the financial powers to Scotland. The Scottish Government have a clear policy of abolishing the fees as soon as we have the authority to do so. The premise on which the imposition of the fees was based is therefore flawed at best. This is all being done to save the £82 million or so a year that was spent on employment tribunal cases.

The upshot is that someone with a simple claim for being refused time off, or for a breach of working time regulations, faces a £160 issue fee and a £230 hearing fee. For a more serious case of discrimination for wrongful dismissal, there is a £250 issue fee and a whopping £950 hearing fee. God forbid that anyone would ever need to go to appeal, as the combined cost is £1,600 on top of what has been paid for the previous hearing. It does not take a rocket scientist to figure out that this will be a material deterrent to claimants bringing their cases.

Every litigator worth their salt—I speak with some credibility as I used to be a litigator—understands acutely that quite often the way to win a case is not to win a substantive argument, but to pile cost pressure on the other side. This is the Government trying to use a litigious tactic to pile cost pressure on claimants who, ordinarily, just want their grievances heard. It is a disgraceful course of action. The result in Scotland has been a 92% reduction in redundancy claims, an 81% reduction in sex discrimination claims, and a 90% reduction in claims for breaches of working time regulations.

Legally, through free access to employment law tribunals, we went as far as we could in making rights that protect workers absolute; now, they are not absolute. The right to not to be unfairly dismissed, to be free from sex discrimination, and to be consulted on redundancy is no longer absolute. I asked the Minister what kind of message this sent out. It sends out a message that it is okay to abuse workers because, essentially, they have no course of redress, and that is okay for the rest of the workers in that organisation to feel that their fellow workers have been marginalised. That has a direct impact on their productivity levels, wellbeing, morale and, ultimately, the financial success of the organisation for which they work. With these changes, it appears that the lower someone is on the income scale, the more inaccessible justice becomes.

I will pick up on points made by previous speakers. The hon. Member for Ellesmere Port and Neston was right to highlight that tribunals do not just award compensation. They can provide a statement of fact—of
terms and conditions that give vulnerable workers clarity about their position in a company. He is also right that there has been substantial evidence to the Justice Committee—which, as a member of that Committee, I have heard—highlighting how much of a deterrent the fees are. He is right to point out that some employers will not even consider the claim until the issue fee is paid. That is piling even more cost pressure on to the vulnerable workers and works in favour of the employer. It tips the balance away from justice and towards employers for no good reason, as far as I can see.

My hon. Friend the Member for Glasgow South West rightly made the point that workers have been priced out of justice. The changes disproportionately affect women, minorities and those at the lower end of the income scale. He is also right to point out that there is wide support in Scottish civic society for the Scottish Government’s policy of abolition.

The hon. Member for Cardiff Central (Jo Stevens) made some excellent points very well. She is right to say that the policy completely makes a mockery of the Conservative party’s claims to be the party of working people, and it is not evidence-based. As with much of the legislative agenda that I have witnessed since becoming a Member in this House, particularly the Trade Union Bill, this seems to be an ideological attack with no evidence base whatever. That follows a consistent theme in the legislation that I have seen come before Parliament since joining the House in May.

Chris Stephens: The hon. Member for Cardiff Central (Jo Stevens) also mentioned the wealth creators. Does my hon. Friend agree with me that the genuine wealth creators in this country are low-paid, long-hours workers—many of them women—who are helping to keep the economic wheels turning, yet they are the ones under attack?

Richard Arkless: I completely agree with that. Any business that sees its staff as disposable units of production is headed for disaster. I go back to what I said: if businesses treat their staff properly, the staff treat customers properly. If customers are treated properly, the business will be successful. If a business is successful, there is a dividend for shareholders, which, no doubt, is the motivation of the Conservative party.

In conclusion, I urge the Minister to persuade the Government, when he takes this information back to them, that their review should conclude what the Scottish Government, Scottish civic society and Opposition party Members conclude: that they should abolish these draconian fees without delay.

3.25 pm

Karl Turner (Kingston upon Hull East) (Lab): It is always a pleasure to serve under your chairmanship, Mr Streeter. I congratulate my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) on securing this very important debate. He speaks with huge experience—far more than me. He was, I think, an employment solicitor from 1998. I ought to declare my interest: I am a lawyer. Prior to my election to this House, I was a barrister at Wilberforce Chambers in Hull. Since then, I have been admitted to the roll of solicitors, practising only occasionally on a completely pro bono basis. As we are discussing tribunals, including employment tribunals, I ought to declare the fact that my wife is a fee-paid judge in the social entitlement tribunal, and a legal aid lawyer. She does not practise employment law. If she did, she would not do so through public funding, because the Government took away the little public funding that there was for employment law in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Since the introduction of employment tribunal fees in 2013, there has been a massive decline in the number of cases brought to tribunals. The number of single employment tribunal claims has fallen by 69%, and the number of discrimination cases has fallen by a massive 80%. It cannot be said that that is a result of weeding out unmeritorious claims. It is beyond what is reasonable to suggest that the Ministry of Justice could have calibrated fees perfectly to deter 50,000 or more vexatious cases every year while ensuring that all meritorious cases were heard before tribunals.

It is important to look at a couple of cases that have come to my surgery. One is the case of Steve, who is a full-time forklift truck driver in Hull, working for a builders merchant. He had worked five consecutive Saturdays but had not been paid. A simple wage claim amounted to £280, but the fee was £390—completely prohibitive. He would have been entitled to fee remission had he been advised, but as the Minister knows, there is no longer legal help for employment law. In any event, the procedure for claiming fee remission is so complex and long-winded that it would put anybody off. The suggestion that a layperson could tackle the complexities thrown at them in applying for the fee remission is just ludicrous, and the Minister probably knows that. He might not accept or want to concede that, but it happens to be absolutely right.

There are three problems. One is the possibility that fee remission is not brought to the public’s attention. I do not think that people know about it, and even if they did, it is too complex to tackle without some legal help. The fee remission scheme is an absolute minefield. I looked at it briefly today. [Interruption.]

Mr Gary Streeter (in the Chair): Order. We have a fourth problem: there is a Division in the House, so the sitting is suspended. I understand that we are expecting possibly two votes, so we will suspend for 25 minutes. If it is only one vote, please come back as quickly as possible, as we will suspend for 15 minutes.

3.29 pm

Sitting suspended for Divisions in the House.

3.55 pm

On resuming—

Karl Turner: Before the short suspension for us to run along to the Division Lobby, I was explaining that there is a difficulty with the Government suggesting that the fee remission scheme is the answer to employment tribunal fees. I said that there were three problems. First, there is the possibility that the remission scheme is not being brought to public attention. As far as I understand it, most people do not know it exists. I have spoken to various law centre staff and citizens advice bureau advisers who have said that people genuinely do not know that the scheme exists and are sometimes surprised to find that it does. Secondly, the fee remission scheme is an absolute minefield. Thirdly and lastly, how
can any individual without legal help know what their own legal position is and whether they might be entitled to a fee remission?

I mentioned the first case study, but another one has come to me as an MP. It is the case of Mary, who was employed as a personal assistant. She brought a sexual discrimination claim when her employer was not happy that she had become pregnant. She left the job and immediately found other employment. Even with the fee remission, she was still required to find £840. It is fair to say that she begged and borrowed to come up with that money. However, she said to me that if she had not had family members and friends who were prepared to help her out financially, she would have had a problem. She could not have gone to a loan shark, and clearly she did not want to borrow money, but she considered it and eventually borrowed from friends and members of her family. But for that, she estimated that it would have taken her three months, even on a reasonable salary, to save the money to pay for the fee. We know that the statutory bar for bringing an employment case is three months. Clearly, people are not managing to get the money together to get an application in on time.

Such examples show that since 2010 the Government have attacked the rights of workers. Under the Legal Aid, Sentencing and Punishment of Offenders Act 2012, employment cases were taken completely out of the scope of legal help; the Government have increased the time required to gain employment rights from 12 months to two years; we have seen the introduction of employment tribunal fees; and we have also seen the introduction of the Trade Union Bill, which further dramatically undermines the rights of working people. Any claim that this Government are on the side of working people is utterly disgusting, and I put that in the strongest possible terms. It is absolutely disgusting to suggest that this Government are on the side of working people.

The Government argued that the reason for introducing fees was to prevent vexatious claims, and then they argued that it was mainly to recover the cost of running the employment tribunal service from users who could afford to pay. However, the latest accounts from the Ministry of Justice show that in 2014-15 the net income from employment tribunal fees was £9 million, while the expenditure on the service was £71.4 million. That means that the increase in net income from fees covers 12.5% of the cost of running the service. That 12.5% gain in revenue was achieved at the expense of a 69% overall drop in people bringing claims to employment tribunals—tens of thousands of workers deterred from seeking justice for breaches of their employment rights. The evidence must suggest that the Government’s introduction of tribunal fees is purely ideological. It is punitive and shuts thousands of workers out of accessing justice.

I am conscious of the time, and I am keen for the Minister to reply to hon. Members who have spoken. As I said at the outset, they are probably an awful lot better informed on the subject than I am. I do not want to take up too much more time, but I have some questions that I hope the Minister will make a note of and try to answer.

What is the Minister’s assessment of the high expenditure of the employment tribunal service? If it is terribly difficult for him to come up with a full answer immediately, I am happy for him to write to me. Given that the volume of cases is down massively, will the Minister explain why there has not been a corresponding drop in running costs? We are all keen to save money—we all want to make efficiency savings wherever possible—but the evidence seems to suggest that there is no genuine saving from the completely unfair introduction of fees.

Jo Stevens: I just want to provide an anecdote. I was talking to an employment tribunal panel member last week. He is supposed to sit for 31 days a year, but in the past 12 months, because of the paucity of cases being brought to the tribunal, he has been able to sit for only nine. We have some expensive people sitting in employment tribunals having to string cases out because people cannot afford to bring claims.

Karl Turner: I said that Opposition Members have a great deal of knowledge and experience in the field, and my hon. Friend has just highlighted that. Employment judges, who are paid—I will guess at the amount—probably upwards of £140,000 a year often sit idly without any work, as a result of what the Government have done with fees.

Finally, if as the Government have claimed, the dramatic fall in the number of cases is down purely to the removal of vexatious claims, why have we not seen an increase in the percentage of successful claims? If the necessity to introduce the fee scheme was about preventing vexatious and unmeritorious claims, surely the success of the claims that are in the tribunal system should be going through the roof, but that is clearly not happening.

I congratulate the hon. Member for Ellesmere Port and Neston (Justin Madders) on securing the debate. It is an important subject, and I know that in his case it is particularly so, given his background as an employment solicitor. I thank the other contributors, the hon. Member for Glasgow South West (Chris Stephens) and the hon. Member for Cardiff Central (Jo Stevens), and the two Front-Bench spokespeople, the hon. Member for Dumfries and Galloway (Richard Arkless) and the hon. Member for Kingston upon Hull East (Karl Turner). I also thank the hon. Member for Ellesmere Port and Neston for allowing me the opportunity to put on record the Government’s position.

The Government recognise the crucial service that employment tribunals provide to those employees who have serious disputes with their employers. It is vital that people in that position have meaningful access to justice and an effective way to remedy their problems.

Ian Lavery: If it is that vital for ordinary people in the workplace to access justice, will the Minister explain why his Government introduced a £1,200 tribunal fee?

Mr Vara: I ask the hon. Gentleman to bear with me, as I will turn to that issue, and also to the issue of working people that has been mentioned by a number of colleagues.
Hon. Members will be aware that the Government were elected as a majority Government with a clear mandate to eliminate the budget deficit during this Parliament. That requires a responsible approach to funding public services, which must include the courts and tribunals, both now and in the future. When the Government introduced fees in employment tribunals in 2013 it was estimated that the cost of running the service was about £84 million per year. Before the introduction of fees, the whole burden of that cost was met by taxpayers. Fees were introduced to reduce the burden, and to ensure that those who were using the service and benefiting directly from it were making a reasonable contribution to the cost, when they could afford to do so.

At the time the fees were introduced, we also applied Her Majesty’s Courts and Tribunals Service fee remissions. That scheme is there to ensure that those on low incomes are not prevented from lodging a claim. Under the scheme, those who qualify may have their fees waived, either in part or in full, depending on their financial means. I am a little disappointed that although much has been made of the employment tribunal fees, only a passing reference was made to the conciliatory scheme introduced by ACAS, to which I will turn shortly.

As far as remissions are concerned, I am grateful for, and have very much taken on board, hon. Members’ practical comments, and I can assure colleagues that my officials are looking at how applications are made to see how the process can be made simpler and more user-friendly.

Chris Stephens: Will the Minister reassure us that he will pay particular attention to cases in which there is a claim for an illegal deduction of wages, the amount of which is lower than the fee demanded by the service?

Mr Vara: I will not make any instantaneous decisions. I will look at everything in the round. We are considering the matter, and the hon. Gentleman will be aware that we are undertaking a review—which I will come on to—of the whole employment tribunal fees structure, of which I am sure that matter will be a part.

Jo Stevens: The Minister mentions the review that is under way. The terms of reference for the review make no reference whatsoever to the question of whether the fees should be abolished. They simply say that the review will make “recommendations for any changes to the structure and level of fees”.

Will the Government reconsider the terms of reference, and think about whether the fees should be scrapped?

Mr Vara: The terms of reference are a little broader than the hon. Lady says. They are “to determine how successful” the employment tribunal fees have been in achieving “the original objectives”. There were three original objectives. One was financial, to consider transferring “a proportion of the costs from the taxpayer to those who use the tribunal where they can afford to do so”.

The second objective was to consider any behavioural aspects, “to encourage parties to seek alternative ways of resolving their disputes”, and the third was to ensure that we maintained “access to justice”. We are carrying out the review in terms of those three broad original objectives.

Jo Stevens: May I take it from the Minister’s reply that the question of abolition of fees is not ruled out, in the context of the review?

Mr Vara: As I said in reply to an earlier intervention, I am not making any decisions on the spot, much as the hon. Lady would like to tempt me into those waters.

Justin Madders: I do not wish to labour the point, but the question is simple. We are not asking the Minister to make a decision today; we are simply seeking clarification and confirmation that he is not ruling out the abolition of fees altogether as part of the review.

Mr Vara: It is important to appreciate that once the Government website publishes terms of reference, which have been there for many weeks, it is not appropriate to seek to change those terms of reference simply because one is in a debate, no matter how many times colleagues try to press me to respond in that way.

Karl Turner: I will give the Minister one last opportunity: is the possibility of the complete abolition of the fees in the review?

Mr Vara: I refer the hon. Gentleman to the answer I gave setting out the three objectives against which we are basing the review.

It is important to note that the introduction of fees was designed to encourage parties to use alternative ways of resolving their disputes. Colleagues will appreciate that such means can often be more effective, less stressful and less expensive than formal litigation. For that reason, the previous Administration introduced the new early conciliation service, under which anyone contemplating bringing a complaint to an employment tribunal must first contact ACAS, which will offer conciliation that is free of charge.

ACAS’s evaluation of the scheme during its first year shows that the early results are promising. Although participating in early conciliation is not compulsory for either party, the vast majority do so. In 75% of cases, both parties agree to participate. The scheme was used by more than 80,000 people in its first year. Recent research by ACAS shows that more than 80% of participants in early conciliation were satisfied with the service. Much has been said so far about lawyers acting for people, so it is important to note that we have a free option, without lawyers who charge fees, that will also be less stressful and in an environment that is constructive to arriving at a solution. Sadly, it is often the case that when lawyers are involved, it can be antagonistic. That is not always the case, but it can be the case when two sets of lawyers are acting.

I assure colleagues that it was always our intention to carry out a post-implementation review of the impact of fees on employment tribunals. As Members will be aware, we announced that review in June. The aim of the review is to look at how effective fees have been in meeting the original objectives, as I mentioned. Following their introduction, there has been some concern—it has been expressed today—about the impact fees have had
on people’s ability to bring claims before the tribunal. Those criticisms have tended to focus on selected statistics, taken in isolation and out of context. In particular, the fall in the volume of claims issued in the employment tribunal has been pointed to as proof that people are being denied access to justice. That is too narrow a perspective when considering this rather broader issue. The fall in the number of claims is likely to be the result of a number of factors. Crucially, there is a failure to take account of the significant increase in the take-up of conciliation.

Justin Madders: The Minister will be aware that conciliation was introduced some time after the fees were introduced. Will he explain why there was such a significant drop immediately after fees were introduced?

Mr Vara: I maintain that it is too simplistic to say that the fees were responsible for the drop. If the hon. Gentleman will bear with me for just a moment, I will explain the other reasons that may have contributed to the decline in the numbers. As I have already mentioned, ACAS’s evaluation of the service suggests that the early results are promising. It is noteworthy that the trend was that the number of claims was declining before fees were introduced. It is likely that that was related, at least in part, to the improving economy, which has delivered higher levels of employment. The economy and employment have continued to improve, and it is therefore likely that we would have continued to see a trend of falling claim numbers, irrespective of whether fees were introduced.

Ruth Cadbury: The Minister says that there was a decline for other reasons. The figures that we heard earlier in the debate were of 60% drops and even a 90% drop in certain types of cases. Was the level of drop in claims that the Minister saw of that order?

Mr Vara: I am giving a general analysis of the number of claims that were made to the employment tribunal. The trend of the total number of claims was declining. The hon. Lady seeks to talk about specific types of cases, and I am not going to go into that. I am talking about the general trend, because the debate and the numbers given so far have been broad and have related to the total number of applications received to employment tribunals.

Chris Stephens rose—

Richard Arkless rose—

Mr Vara: I will give way first to the hon. Member for Glasgow South West.

Chris Stephens: Is the Minister casting doubt on the specific research on this matter carried out by Citizens Advice Scotland, Citizens Advice for England and Wales, the TUC and others? Will he write to me with the figures on the declining number of employment tribunals prior to the introduction of fees?

Mr Vara: I am certainly not casting doubt on research. If the hon. Gentleman recalls, I said that I was not going to discuss specific issues and specific types of case. It is important to take things in the context of how the debate has been going so far. The hon. Member for Ellesmere Port and Neston spoke in broad-brush terms about the fees coming in and the total number of reductions.

Richard Arkless: I politely ask the Minister, when he takes the information from this debate back to the Government and his colleagues, to point out to them that although there may arguably have been a small decline or a trend before the imposition of fees, since then the numbers have fallen off the edge of a cliff. The trend has not continued.

Mr Vara: I take on board what the hon. Gentleman says. As I have said, we are undertaking a review at present.

Other policy reforms, including changes to employment law, which the hon. Member for Ellesmere Port and Neston referred to, are also likely to have had some impact on the figures. It is clear, therefore, that a wider range of factors needs to be taken into account if we are to have a proper assessment of the true impact that fees have had, and that needs to be considered in the round. That is why we are doing a review, and that is what the review will seek to evaluate. If, after the review has reported, the Government believe that there are compelling arguments for changes to the fees structure or to the operation of the fee remissions scheme, we will, of course, bring forward proposals for a consultation, to which Members may wish to contribute.

We recognise that fees are never popular, but in the current financial climate we have a duty to consider all possible ways of ensuring that the courts and tribunals are adequately funded, so that access to justice is protected in the long term. Let me be absolutely clear, however, that at every step we have ensured that the most vulnerable are protected through the fee remissions scheme, so that the burden falls on those who can afford to pay. The conclusions of the review will provide us with a clearer picture of how fees have affected the way people seek to resolve their disputes.

Turning to some of the issues that were raised by colleagues in the debate, there was a charge that the fees were a sustained attack on working people. [Hon. Members: “Yes.”] I do not accept that for one moment. I refer to something that the hon. Member for Ellesmere Port and Neston said in his speech—I will more or less quote him—which was along the lines of, “If you are still working, taking your employer to a tribunal is the last thing you want to do.”

That is exactly why an ACAS proposal and early conciliation is a lot better than going to the tribunal. I like to think that the proposal for ACAS fits in nicely in the context of that interpretation of his sentence. The conciliation system is free. Colleagues talk about considering the working man but it seems that, by proposing to scrap or not recognise the free early conciliation system, they are showing that they would prefer a system where lawyers are instead paid by the people whom they speak about.

Jo Stevens: I am glad that the Minister has praised ACAS and the service that it provides. On that basis, will he please therefore speak to his colleagues in government about the fact that Government Departments are not engaging in early conciliation via ACAS, and specifically, on the point that I made earlier in the debate, about the National Offender Management Service?
Mr Vara: I take on board what the hon. Lady says, and I will certainly look into the matter further. On the remissions system, I have already said we are looking to see how it can be made more user-friendly, and we will continue to look at it. The hon. Member for Ellesmere Port and Neston also quoted Lord Justice Underhill in the case in which Unison had been involved. I gently point out to him that both the cases brought by Unison to seek judicial review were rejected by the Court of Appeal. Unison is seeking permission to appeal from the Supreme Court, but let me put it on the record that we will object robustly if the appeal process is granted.

Richard Arkless: The Minister is being extremely generous with his time; Opposition Members appreciate that. As part of the brief that he gives back to his colleagues—I am afraid I have had a memory freeze. I will come back to my point. I apologise.

Mr Vara: We still have about three and a half minutes, so I am happy to give way to the hon. Gentleman again if necessary.

On the issue of women and pregnancy discrimination, let me make it absolutely clear that it is unacceptable that women, pregnant or not—indeed, anyone—should be discriminated against when there are laws against it. We have strict laws and the Government take the matter very seriously, as do all Members of all parties. The reviews that have been referred to will certainly be taken into account by my Department’s review into the employment tribunals.

The hon. Member for Dumfries and Galloway spoke of the Scottish aspect. I can assure him that my officials are in contact with Scottish officials to ensure that, pursuant to the Smith Commission, there is a smooth transfer in the running of the tribunals. I hope I have managed to persuade colleagues that the matter is not simply about preventing vexatious claims; it is much broader than that and is intended to ensure that where there is a need to reach a settlement with an employer, it is done in an environment that is less stressful than the court environment. Given the financial climate in which we operate, it is right that those who use the court service should in some way contribute to it.

I will conclude by congratulating the hon. Member for Ellesmere Port and Neston on securing this debate. It is absolutely clear from the 90 minutes or so that we have had that it commands a huge amount of interest from colleagues. I am grateful to him for giving his colleagues an opportunity to air their views, and for allowing me to take on board their comments and views and put on the record the Government’s view.

4.24 pm

Justin Madders: It is a pleasure to serve under your chairmanship, Mrs Gillan. I will be brief. I am disappointed in what the Minister has said today. I do not believe that he has really taken on board our concerns. I am very disappointed that, despite having had four opportunities to confirm that there is a possibility that the review of the fees will lead to their abolition, he has declined to confirm that. So we have a consultation and a review of the system, but it is nothing more than a comfort blanket to justify the original decision. I am also disappointed that, apart from the Minister, who spoke as best he could in a difficult situation, no one else from the Conservative party was here today to speak up on behalf of the Government’s policy. Perhaps they do not want to defend the indefensible.

It is worth bearing in mind that the Government’s approach is all part of a strategy in a race to the bottom. It is not a race that we should take part in. In the long run, we will all be the poorer for that kind of mentality. Let us get a system that allows workplace justice. Let us have a proper consultation and take on board all the evidence—the weight of evidence from the Justice Committee that we have heard today—about how the fees have really denied access to justice. Let us get a system that really allows access to justice. The only way to do that is to scrap the fees altogether.

Question put and agreed to.

Resolved,

That this House has considered the effect of the introduction of fees for employment tribunals.

4.26 pm

Sitting suspended.
Post Office Closures

4.30 pm

Huw Merriman (Bexhill and Battle) (Con): I beg to move,

That this House has considered service provision in the event of post office closures.

It is an absolute pleasure to serve under your chairmanship this afternoon, Mrs Gillan. I am grateful for the opportunity to lead this debate about post office provision. I have particular concerns about post offices closing and not being reopened, or not for some significant time. This being a debate about post offices, I very much hope to receive your stamp of approval, Mrs Gillan. I am conscious that other MPs will wish to speak—mail or female—and I will leave plenty of time for them to do so. If I go on for too long, I am sure that Members will tell me in no uncertain terms, “Letters speak!” I shall leave behind the appalling puns and move on to the subject of the debate.

With the Post Office having moved towards a franchise model, local provision is increasingly reliant on private individuals providing a post office as well as running their own business. If those individuals decide to hand in the keys, the Post Office is left to try to find a replacement, and the community is without a post office until it does. I shall explore three areas in my speech. First, I shall provide a brief case study of the closure of my local post office in Heathfield in my constituency, Bexhill and Battle. Secondly, I shall assess whether the Government’s contract with Post Office Ltd obliges the latter to provide replacement post offices following closures. Thirdly, I shall ask the Minister what more can be done to ensure that Post Office Ltd is held responsible for better service provision.

Turning first to the case study on post office closure, Heathfield is a rural settlement serving 12,000 residents. It is the largest parish in the country by population. In most eyes, it is a town, although it is fair to say that I would be run out of town—or, indeed, parish—if I suggested so. As befits a population of that size, Heathfield has a high street with banks, supermarkets, and both national and local shops. Whereas high streets around the country may be struggling, Heathfield’s has strong footfall, with new national retailers opening for business.

In March this year, the postmaster running the post office branch expressed a wish to leave the business. Post Office Ltd identified a potential new postmaster, but he was unfortunately unable to secure a lease agreement on the site. Sadly, the branch closed on 1 April 2015. The Post Office employed an agent postmaster, but he could not agree a lease on the premises either. That leads to my first issue: Post Office Ltd must have huge buy-in clout when it comes to making this work. Post Office Ltd will not look at alternative temporary premises for the temporary postmaster, despite there being plenty of premises available in my Heathfield example.

By summer, the pressure applied by the community and our fantastic county, district and parish councillors caused Post Office Ltd to consider a temporary solution in the form of a portakabin post office. Despite the district council offering a berth in the car park adjacent to the existing site, Post Office Ltd decided that that was not logistically possible, so it opted for a different car park in Heathfield. Having delivered the portakabin via crane, time was taken waiting for BT and other suppliers to kit out said portakabin. That leads to my second issue: Post Office Ltd must have huge buy-in clout when dealing with its vendors, but there appeared to be an institutional unwillingness to drive BT and others to deliver the required capability, or to hold feet to the fire.

When the portakabin was finally ready to go live, Post Office Ltd engineers found that the site was not flat enough to provide safe access for customers. The portakabin was promptly removed, and no temporary solution has been provided. That leads to my third issue: there are more than 11,500 post offices in operation, so if my local one can close, I am sure that others can and have closed.

Mark Pawsey (Rugby) (Con): My hon. Friend makes an important point. I am sad to hear what has happened in Heathfield. I hope that the same will not happen in Bulkington in my constituency, where the Co-op gave notice of withdrawing its post office franchise only last week. That set all sorts of hares running in the village, with talk of the post office closing down. It is not the post office that is closing down; the Co-op has elected to take away the franchise and has not, at this stage, taken any steps to find an alternative site. My hon. Friend has raised an important problem, and I look forward to hearing from the Minister how the Post Office might deal with such matters.

Huw Merriman: I thank my hon. Friend for making that point. Indeed, Co-op was one of the retailers we approached in Heathfield to see whether it would be willing to take on the post office, but that particular Co-op franchise at least made it clear that it was not in the business of post offices anymore. That might add fuel to my hon. Friend’s fire.

David Simpson (Upper Bann) (DUP): I found it humorous when the hon. Gentleman mentioned post offices in portakabs—they would not last too long in certain parts of Northern Ireland. Does he agree that although the Co-op might have had some responsibility, so does the Post Office, because post offices are part of the fabric of the community, and are where pensioners and others meet? Surely the commitment needs to come from the Post Office.

Huw Merriman: I absolutely agree, and will touch on that when I discuss the effect on my constituents.

Karen Lumley (Redditch) (Con): I thank my hon. Friend for securing this debate. I add my concerns to the others expressed, because the post office in Inkberrow in my constituency is up for consultation. The local shop was keen to have it, but the Post Office could not consult properly with local residents. It would be great if post offices could be sited in community facilities such as pubs.

Huw Merriman: I very much take my hon. Friend’s point. One of the challenges we have found has been in trying to find businesses that are willing to take on post office sites. The choice does not seem to be there any longer—at least, not that I can see from the situation in Heathfield.
Andrew Percy (Brigg and Goole) (Con): Will my hon. Friend give way?

Huw Merriman: I will give way one more time, because I am a sucker.

Andrew Percy: I congratulate my hon. Friend on securing this debate. In my constituency we have exactly the same problem, with post offices closing and there being a long gap before they are replaced. There are problems even when people are willing to take on a post office. A sub-postmaster in my constituency wishes to take on a post office in another community, but he cannot because the Post Office demands that he goes through all these hoops, despite being a serving sub-postmaster. Often, because of the processes put in place by the Post Office, willing people will not accept the role, and we end up with no facility at all.

Huw Merriman: I very much agree with my hon. Friend. The compliance process is long and detailed. The current consultation in Heathfield means that we will not see a solution until February at the earliest.

Returning to my story, the portakabin was removed because the Post Office Ltd had no plan in place for portakabin roll-outs. If the closures that I believe will come do come, there needs to be a plan. The councillors realised that a permanent replacement was the only option, so they approached a number of national and local stores in the high street. I will give examples that show how difficult it now is to get businesses to take on a post office. Having previously hosted the post office, Sainsbury’s said no, despite losing footfall following the closing of the adjacent post office and having to compete with a new Waitrose. A WHSmith is opening soon, which is a good sign that the town is vibrant; one would think that the business would work well there, but it said no. As I say, Co-op said that it is not taking on post offices. The post office used to be sited in the sorting office. A sub-postmaster in my constituency wishes to take on a post office in another community, but he said no. As I say, Co-op said that it is not taking on post offices. The post office used to be sited in the sorting office. A sub-postmaster in my constituency wishes to take on a post office in another community, but he cannot because the Post Office demands that he goes through all these hoops, despite being a serving sub-postmaster. Often, because of the processes put in place by the Post Office, willing people will not accept the role, and we end up with no facility at all.

Finally, one local business, an off-licence, was willing to make an application. Thank goodness for that gentleman. That leads me to my fourth issue: the model now seems to be that neither village post offices—often called “locals”—nor main post offices in towns will operate as a stand-alone business now. That would be fine if existing businesses were willing to take on the operation, but as our experience in Heathfield shows, they are not. I question whether the commercial terms will stand the test of time for the other 11,500 post offices when renewal comes up.

As I said earlier, the Post Office is now in consultation with the community until January 2016. The expectation, if all goes well—touch wood—is that the new post office service will be in place in February 2016. That is almost a year after the doors closed to a post office that serves 11,500 to 12,000 residents.

Throughout the period of closure, the vast majority of customers have had to use services at a village a few miles from Heathfield. That is fine for those who have a car and can travel, but like many hon. Members here, I represent a rural constituency in which the bus service has been reduced. The proportion of over-65s in my constituency is 10% above the national average. The elderly cannot jump on a bus and then wait more than an hour in the cold to come back.

That leads me to my fifth issue and my second key question. Does the Government’s contract require the Post Office to provide a post office replacement following a closure if the branch serves a significant number of community members, or has been closed for, say, six months? It appears that it does not. Post Office Ltd must meet access criteria, as they are called, and overall branch numbers, but as somebody at the Post Office rather haughtily said to me,

“The way in which the Post Office meets the access criteria and branch numbers is an operational matter for the Post Office.”

That may be so, but it is also of great significance to my constituents and those of other hon. Members. The Post Office currently meets the access criteria, but I question how long it will continue to do so in the marketplace that I have described.

My concluding question is: what more can be done to ensure that Post Office Ltd is held responsible for better service provision? If the Government contract required either a temporary or permanent replacement to be in place within a set period, Heathfield would not have been without its post office for so long. I call for the contract terms to be amended to require a replacement post office to be in place within six months if the previous post office serviced a community of, say, 10,000 residents or more. If a replacement fails to be found, there should be financial penalties and ramifications on the career ladder. Although the Post Office staff have done everything they can, their roles are not subject to incentives, and there are no penalties if a post office closes, provided that the general access criteria are met. Those are the changes I ask for.

Mrs Cheryl Gillan (in the Chair): Four Members have indicated that they would like to speak, and we must accommodate the three Front Benchers’ speeches. I will not impose a time limit, but I hope that you will all bear that in mind.

4.42 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak on this issue. I commend the hon. Member for Bexhill and Battle (Huw Merriman) for bringing it to Westminster Hall for consideration. This is a key issue in my constituency—as in, I believe, every other constituency. We have experienced a lot of changes to our post offices over the years, not all of them for the best, although some have been carried out constructively.

The post office is a national institution that has been at the heart of British society since its inception. The post office in my constituency is more than just a post office. The post office is a community hub for people in towns, villages and hamlets up and down the country. It holds together the fabric of society. My post office, although I do not visit it very often, is also a shop, and that is where the change has taken place. It is clearly the thriving centre of the village. For many of the people who go to the post office to post letters or whatever else, the social interaction they get there is vital. Without it, they would suffer.

Mr Gregory Campbell (East Londonderry) (DUP): On the issue of the other services that local post offices provide, over the past 20 years there has been a reduction of almost 50% in the number of branch post offices, and that trend looks likely to continue. We need a fundamental reassessment of the services provided by branch post offices, particularly in rural areas.
Jim Shannon: As always, my hon. Friend sums up the whole debate in about two sentences. He is absolutely right. Those are clearly the issues, and that change needs to take place across the whole Post Office.

Post office restructuring and modernisation will affect different post offices in different ways. In some places, there is concern that the post office, its services and its community value will be lost. In others, including my constituency, the concern is about the staff who face dramatically increased working hours for the same wage. That issue has to be taken into consideration. When post offices, their services and their provisions are lost, our role is to protect those who are adversely affected by those changes. Elderly people can be left vulnerable and isolated by the loss of what for many is a community hub.

Over the years, I have had the chance to work with post office counters. I want to mention Mark Gibson, who has worked hard to make the necessary changes. Over the years, with his help and the help of local people, we were able to move local post offices into shops in several villages on the Ards peninsula: Kircubbin, Cloughhey, Portavogie, Ballygowan, Saintfield and Ballynahinch. The Scrabo estate post office was moved into the Ards shopping centre. Those are the things that can be done if we have the co-operation of the post office counters and those who own shops.

Changes can result in job losses in my constituency, as well as the loss of the community value of the post office. We need to put in place mechanisms, to which my hon. Friend the Member for East Londonderry (Mr Campbell) referred, to enable the post office to do more. For example, why cannot every post office deal with vehicle tax? That could be done in every post office across the Province. They could deal with benefits, banking and other things. I spoke to the Minister before the debate, so he knew that that question was coming. I hope for a full answer when he speaks.

We have some questions about the post offices in Ballywalter, Portavogie and Killeylegh in my constituency. They are coming into the new system. The postmasters and postmistresses are concerned about how the changes will take place, and the staff are worried about their working hours. Hopefully, relocating staff from closing post offices will alleviate that problem.

It seems that when the individual in charge of a post office decides that they no longer wish to trade, they simply shut up shop. On some occasions, post offices have closed. We were able to move all but one of the post offices I mentioned into other shops in the area. The hon. Member for Bexhill and Battle mentioned a post office that moved into a pub. That is unusual, but it is important that it was retained.

We warned about the drawbacks of the privatisation of the Post Office. Now that it has happened, the Government should do everything they can to ensure that the Post Office has plans in place to make adequate provision. I understand that the contract with the Post Office was geared towards requiring Post Office Ltd to find temporary or permanent replacements for closed post offices. We have to be careful about how the Government push Post Office Ltd. The Government need a hands-on approach to ensure that the major changes happen smoothly, that those who are adversely affected are protected, and that Post Office Ltd fulfils its contractual obligations.

In conclusion, the post office is an integral part of my society—the villages, estates and towns of Strangford, which I represent. People in those villages and estates need post offices for social interaction and for the services they provide. Post offices are the lifeline of all the villages and estates in my constituency. My plea to the Minister is that he helps them to remain that way.

Dr Daniel Poulter (Central Suffolk and North Ipswich) (Con): It is a pleasure to serve under your chairmanship, Mrs Gillan. I congratulate my hon. Friend the Member for Bexhill and Battle (Huw Merriman) on securing the debate. I pay tribute to the hon. Member for Strangford (Jim Shannon), whose remarks, as always, were considered.

I hope to inject some optimism into the debate. Our debates in this place are often full of doom and gloom about issues facing our constituencies. Of course, it is right that we advocate on behalf of our constituents, who need to access local services, but some good things have been happening to post offices that have benefited my constituents. I will refer to a few of those things and talk about the issue, which my hon. Friend the Member for Bexhill and Battle raised, of the challenges that communities face when post offices temporarily close, often due to unforeseen circumstances.

Post offices are the lifeline of many rural areas and of many of the shopping parades on the periphery of our larger town centres. That is certainly true of my constituency. The service that they provide to older people is particularly important, offering a focus in the village or community for people who have little daily contact and may otherwise be isolated. That is particularly true in rural areas of Suffolk. There is some cause for optimism, however, because the Government have taken supporting post offices seriously. At the beginning of the previous Parliament, as a result of the spending review, £1.3 billion was put into securing a modernisation programme for post offices both large and small, including Crown post offices, main post offices and local post offices. The programme is bringing benefits, certainly to my constituents. A further raft of £640 million was announced in 2013, £20 million of which is specifically for remote rural post offices. Residents in central Suffolk have benefited from that.

One issue that was flagged up when the modernisation programme was taken forward was that the Post Office needed to modernise some of its practices, recognising that we now live in a digital age. We need a Post Office that can benefit from economies of scale and from collocation with other community services. Post offices can benefit village shops by attracting more customers and helping to maintain the viability of shops and services that may otherwise be at risk as people move towards online shopping.

Andrew Percy: I hope my hon. Friend does not think that we are all being negative. The post offices at Pollington, Eastoft, Airmyn and Wrawby were all closed under the previous Government’s closure scheme, and we are pleased that that scheme has gone. The concern about the current positive policy is the huge delays when people are told that they are getting a new post office but then it does not open, meaning that people change their behaviour and start using other services or post offices elsewhere. That is the concern, and I would not want
Dr Poulter: My hon. Friend makes a valid point. I am sure that the funding and investment that I have just outlined is welcomed by Members from both sides of the House, because it has gone directly to maintaining the viability of some of the most remote rural post offices. However, the challenge that my hon. Friend throws down, which was also raised at the outset by my hon. Friend the Member for Bexhill and Battle, is a good one.

When a post office is temporarily closed, such as the one that my hon. Friend mentioned in Heathfield, a village with which I am familiar having spent some of my younger days in his constituency, the problem is that the closure can become de facto permanent. Even when a temporary closure is flagged up to the local community and the Post Office many months in advance, the Post Office does not always act quickly enough to put in place either a temporary or permanent solution. I am lucky to have an engaged parish council that considered a number of options for maintaining the viability of the post office in Stradbroke. I helped in that process, and I am pleased that we still have a functioning post office service.

As my hon. Friend pointed out, the danger, and the evidence from elsewhere, is that a temporary closure can last for many months. The viability of the service is then lost and many customers start to take their custom elsewhere, which can have a knock-on effect on the potentially fragile local economy that benefited from having a post office. When the original £1.3 billion was provided, conditions were imposed to ensure that services remained accessible and viable. I am interested in what the Minister has to say about how we can better work with the Post Office to deal with the issues around temporary closures and to speed up the process, so that such closures do not become de facto semi-permanent and so that services can be put back in place. At the moment, it seems that a good policy that has benefited and encouraged the viability of many rural post offices, particularly through collocation, can be undermined in some communities by temporary closures.

Dr Poulter: My hon. Friend is absolutely right that any community could face temporary closures. The great tragedy of such closures, some of which can be unforeseen and happen at short notice, perhaps due to the death of a long-standing postmaster, is that they are often not sudden and are flagged up many months in advance when a postmaster wants to retire. We need prompter action and early engagement from the Post Office in such circumstances. Given the conditionality of the money in the £1.3 billion modernisation programme, I am interested to hear what further steps the Government can take to ensure that the Post Office gets it right. We do not want temporary closures to become permanent, and we must recognise that temporary closures can have a detrimental effect on the other shops in a village or community that relied on the footfall brought in by the post office.

The Government have taken some promising steps towards reinvigorating the Post Office. I believe that 150 new branches opened last year as a result of the modernisation programme. That is good news, but we need to address temporary closures properly. I look forward to the Minister’s remarks.

Several hon. Members rose—

Mrs Cheryl Gillan (in the Chair): Order. We still have five speakers left, with half an hour to go. I call Dr Paul Monaghan.

4.57 pm

Dr Paul Monaghan (Caithness, Sutherland and Easter Ross) (SNP): Thank you, Mrs Gillan, for the opportunity to discuss the important issue of service delivery in the event of post office closures. I congratulate the hon. Member for Bexhill and Battle (Huw Merriman) on securing the debate and on highlighting his case study, the features of which I recognise only too well.

Post offices play an enormously important role in the lives of communities across the UK, and nowhere is that more evident than in constituencies such as mine that have many remote and rural communities. Indeed, the post office is the heart and soul of many villages in my constituency, and for many people it is the only means to interact with the outside world. They do not only through postal services and parcels but through banking and accessing business services, submitting identity documents, obtaining a passport or driving licence, accessing cash, building up a modest savings account, receiving pensions and collecting benefit entitlements. I appreciate the challenges that the Post Office faces in delivering that range of crucial range of services, and I appreciate that it is working hard to ensure that its services remain as accessible as possible, particularly for older and disabled customers.

Between March 2001 and March 2015, 531 of Scotland’s post offices were closed. That is equivalent to over 27% of all post offices being lost—more than one in four. Each of those closures is a disaster for the local community, depriving it of the means to interact with the world in the ways that I described. On 8 November 2015, just a few weeks ago, The Mail on Sunday published an article stating that there had been a large number of temporary post office closures in rural villages and towns of Scotland. Figures obtained by the paper showed that 90 post offices in Scotland are now officially registered as temporarily closed. I say “temporarily”, although a
third have been closed for more than five years. Commenting on that sad fact recently, the consumer spokesman for Citizens Advice Scotland noted:

“Local Post Offices are vital for remote and rural communities as consumers and business there can face difficulty in travelling to alternative branches.”

The paper noted that new figures provided by the Post Office under the Freedom of Information Act demonstrated that as of 31 March 2015 there were 1,492 post offices in Scotland, of which 1,402 remained open. Of the 90 classed as temporarily closed, 77 were in rural areas. Several of those are in my constituency. Of the temporarily closed post offices, 34 have been closed for five or six years, six for four years, two for three years, seven for two years and 14 for one year. Within the past year alone, 27 post offices have closed temporarily throughout Scotland.

The effect of post office closures is dramatic, not least because many of the post offices have evolved to take on responsibility for delivering a range of banking and business functions, in addition to the traditional post office role. That evolution has taken place because many of the banks operating in the UK have implemented a programme of branch closures and reduced opening hours in many communities. In the rural areas of my constituency that often means that the local post office is the only available financial service provider within a 60-mile radius. It goes without saying that where the banks have closed and the post office follows, communities are left in grave circumstances. Such a situation is far too common, as we have heard.

To be clear, accountability for the post office network lies with the UK Government, who have a responsibility to ensure that post office services are available for Scotland’s rural communities. In those communities there is no alternative to post office services.

The Postal Services Act 2011 sets out the minimum requirements of the universal service obligation, on which the Post Office must deliver. The requirements are statutory and may be altered only with the consent of the UK Parliament. The minimum requirements are: at least one delivery of letters every Monday to Saturday to every address in the UK; at least one collection of letters every Monday to Saturday; postal services at an affordable, uniform tariff across the UK; a registered items service at an affordable public tariff; an insured items service at an affordable public tariff; a free-of-charge postal service to blind or partially sighted people; and free carriage of legislative petitions and addresses.

The Post Office, posts and postal services are reserved to the UK Government under the Scotland Act 1998, but the Scottish Government are committed to strengthening the long-term sustainability of the post office network in Scotland, consistent with the national performance framework. Recognising the importance of post offices, the Scottish Government have determined to provide funding to local post offices to maintain their crucial service delivery through, for example, the post office diversification fund for Scotland. The objective of the fund is to contribute to the regeneration of deprived urban areas by sustaining and improving post office branches on the margins of viability that provide socially important services and facilities and that act as an anchor for other retail activity. Such objectives clearly apply to rural areas as well. In 2011-12, for example, 48 post offices throughout Scotland received funding of upwards of £25,000, individually awarded to various outlets for a variety of improvements, including refurbishments, improved security, retail equipment and so on.

The Scottish Government recognise the valuable social role of post offices, particularly in deprived and remote areas of Scotland. That is why the Scottish National party continues to promote innovative approaches to delivering public services through post offices. We want to support local authorities, local enterprise networks and third sector organisations to work together to find sustainable solutions that place post office services at the heart of community-based services.

The UK Government must do all in their power to protect rural communities from the destructive impact of post office closures. Post offices perform a vital service in many areas of the UK. They have a pivotal role to play and are often the only place where letters and packages can be sent and received, bills paid, cash withdrawn and savings deposited. For communities that as often as not do not have internet connections, such services are essential in every meaning of the word.

Scotland has many remote and rural households and communities, and in common with communities in other countries in the UK, they should not have vital services taken away from them. I call on the UK Government to improve strategy and policy and to secure post offices for communities throughout the UK, but particularly in remote and rural areas.

Mrs Cheryl Gillan (in the Chair): I would like to start the wind-ups at 10 minutes past 5, with five minutes for each of the Opposition Front Benchers and, I hope, 10 minutes for the Minister. That is what I am aiming for, so I hope Members will accommodate it.

5.5 pm

Ian Lavery (Wansbeck) (Lab): I congratulate the hon. Member for Bexhill and Battle (Huw Merriman) on bringing this important issue to the Chamber. It is not only important for rural communities, although I understand what hon. Members have been saying.

In August, the shop in which the post office was operating in the community of Newbiggin-by-the-Sea in my constituency went into liquidation—in a flash, just like that, the post office was closed. Newbiggin is a lovely seaside village of about 6,000 people where lots of them depend on the post office services. There is no bank in the area—the village is at least three miles from a bank or any other post office—and the area is in the top 10% of deprived lower layer super output areas, so a lot of people depend on benefits and there are a lot of elderly people in the village. To have the post office taken away means, almost within minutes, a devastating impact on families, individuals and isolated people. As has been mentioned, those people might not be able to jump into a car or have great transport links to get to the next nearest post office and, to be honest, a lot of those elderly or vulnerable people might not have a clue where the next post office is. The issue is really important.

It is easy to criticise the Post Office and everyone else concerned, but we have to think about the communities, the people and the devastating impact on them, not just in Newbiggin in my constituency, but in villages and
towns throughout the country, as has been explained in the Chamber this afternoon. We have got to have some sort of reliable post office provision, and it cannot be that if the old lady or gentleman who runs the post office sadly passes away, that provision is basically withdrawn. People depend on these services and there has got to be some form of contract between the Government and the Post Office so that in the event of a liquidation, a death or something like that, people can still use post office services, the lifeblood of their community.

I urge the Government to think about how we can come together with a strategy—a community contract—between the Government, the Post Office and the community to ensure services whatever happens. Unfortunately, in life things do happen, and post offices have been closed not because of anything that the postmaster or postmistress has done, but because of circumstances outside their control. The Government should be ensuring that that provision cannot, even temporarily, be withdrawn.

5.8 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): I thank the hon. Member for Bexhill and Battle (Huw Merriman) for securing the debate and I am pleased to serve under your chairmanship today, Mrs Gillan.

We have heard a similar story in all parts of the House: how vital post offices are in their communities and the extent to which they are more than just a service—they are about the community hub and their impact on a whole range of different sectors of society. I find myself fully in agreement with the speech just made by the hon. Member for Wansbeck (Ian Lavery). He highlighted the impact on people in deprivation when a post office is closed. Those are often the people who have less access to public transport, the internet and other vital services, which shows how vital post offices are in the community.

My hon. Friend the Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) highlighted the Scottish situation, which I am a bit more familiar with, and the good work done by the Scottish Government through its post office diversification fund. That is an example of what can be done. That fund has been key in saving post offices on the cusp of viability, certainly for larger communities of more than 10,000 people, which is a beacon for the way forward, because it has allowed those post offices to continue and act as an anchor for other services, which gives great vitality.

The hon. Member for Bexhill and Battle (Huw Merriman) talked about the problem of delays in getting temporary offices up and running, while my hon. Friend the Member for Caithness, Sutherland and Easter Ross mentioned the impact of temporary closures that go on way beyond what anyone would think was in the realms of temporary. Upwards of five years is not temporary; that is semi-permanent. Perhaps the Minister might look for a way to address that blight. If we think a closure is temporary, we can accept a bit of grief for a few months, but we cannot accept that for years.

The hon. Member for Central Suffolk and North Ipswich (Dr Poulter) made many valid points, including on the impact of temporary closures. A strong message we can take from the debate is that we need something done about that. The hon. Member for Strangford (Jim Shannon) pointed out how vital post offices are as community hubs, which is a point everyone has made in the debate. They go beyond a service and while we might now live in a digital age, many elderly people who may not be as digitally competent are utterly dependent on those services, as are businesses who have poor broadband connections and need those services for general business and communication. That covers a huge range. I hope that I have not missed out any contributors to the debate, but I think we pretty much agree with everything said in all parts of the House. I look forward to the Minister’s response.

5.12 pm

Yvonne Fovargue (Makerfield) (Lab): It is a pleasure to serve under your chairmanship, Mrs Gillan. I congratulate the hon. Member for Bexhill and Battle (Huw Merriman) on securing this important debate. He is keen to ascertain what the Government will do to ensure that the Post Office has proper plans in place for provision and that, where there are problems, it acts quickly to ensure an available replacement, whether on a temporary or permanent basis.

The hon. Member for Strangford (Jim Shannon) hit the nail on the head and spoke for everyone when he said that the post office is the heart of the community. Post offices are indeed an essential part of British life, providing somewhere for people not only to buy their stamps and post letters and parcels but, as the hon. Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) said, to access many other vital services. As my hon. Friend the Member for Wansbeck (Ian Lavery) said, sometimes they are the only places where people can access such services—it might not be possible to go anywhere else.

Of course, things do change. Quite often that is as a result of technological change. The hon. Member for Central Suffolk and North Ipswich (Dr Poulter) summed that up by saying that we are in a digital age and, as a result, the number of post offices has fallen in recent years. Most post office branches are operated by franchise partners or sub-postmasters who are independent business people, so, in order for their post offices to remain open, they often rely on Government subsidy. Despite some reassurance, clearly there are still real pressures, which have not been helped by the controversy surrounding the Post Office’s Horizon accounting system.

Many hon. Members have raised cases in the House in which it appears that honest and hard-working sub-postmasters and sub-postmistresses have had their reputation tarnished and livelihood threatened—in some cases they have lost their liberty—having been accused of improper accounting. Whatever the truth, in those cases computer software was responsible for the loss of large sums of money. Unquestionably, that may have acted as an off-putting factor for those who might have considered running a post office as part of their business.

In addition, as has been pointed out, some post office proprietors have been resigning from the business because they are concerned that their post offices are not financially viable. Local papers throughout the country are full of stories—I see them in my constituency—of postmasters and postmistresses struggling to stay in business. Often, that occurs where Post Office Ltd has changed the status of a local post office as part of national changes to the service, which leaves them having to rely on commission to offer what services they can.
When that happens, the survival of the post office is dependent on the viability of the shop in which it is contained and some complain that they cannot afford to run the post office, in particular owing to the extended opening hours demanded by Post Office Ltd. Will the Minister tell us how many sub-postmasters have resigned in the past year as a result of being unable to run their business profitably with a post office in their premises? What procedures do the Government expect them to follow when it becomes clear that a post office is in danger of closing?

Without proactive policies, thousands of constituents can be left without a local post office because Post Office Ltd is unable to rely on the good will of an individual operator. Does the Minister believe that Post Office Ltd is taking adequate steps to be proactive in preventing closure and acting swiftly enough to ensure that a replacement is available locally when a post office has to close? Indeed, does he believe that conditions put on replacements, such as very long opening hours, are unreasonable?

Jim Shannon: One thing that has not been mentioned but the Minister could take on board for his response is the possibility of incentivising financially those who want to take over a post office. Perhaps the Government need to offer a small financial bonus or incentive to enable people at least to consider that, based on a contract and proper conditions. That has happened in Northern Ireland and perhaps it should happen here as well.

Yvonne Fovargue: That is certainly something to put to the Minister. The Government have committed £640 million from 2015 to 2018 to fund the network transformation programme and to protect branches where vital services are provided to communities but the post office is not commercially viable. Is the Minister content that sufficient funding is being provided to fulfil that task? What will happen when the subsidy runs out in 2018? Can he guarantee that after that point the transformation programme will have ensured that remaining post offices are commercially viable? I look forward to his response.

Stephen Barclay (North East Cambridgeshire) (Con): It is a pleasure to serve under your chairmanship, Mrs Gillan. I congratulate my hon. Friend the Member for Bexhill and Battle (Huw Merriman) on securing the debate and the way in which he has championed this issue most effectively since his election to Parliament. He raised a number of points that it may be helpful to consider that, based on a contract and proper conditions. That has happened in Northern Ireland and perhaps it should happen here as well.

Yvonne Fovargue: That is certainly something to put to the Minister. The Government have committed £640 million from 2015 to 2018 to fund the network transformation programme and to protect branches where vital services are provided to communities but the post office is not commercially viable. Is the Minister content that sufficient funding is being provided to fulfil that task? What will happen when the subsidy runs out in 2018? Can he guarantee that after that point the transformation programme will have ensured that remaining post offices are commercially viable? I look forward to his response.

5.17 pm

Stephen Barclay (North East Cambridgeshire) (Con): It is a pleasure to serve under your chairmanship, Mrs Gillan. I congratulate my hon. Friend the Member for Bexhill and Battle (Huw Merriman) on securing the debate and the way in which he has championed this issue most effectively since his election to Parliament. He raised a number of points that it may be helpful to consider that, based on a contract and proper conditions. That has happened in Northern Ireland and perhaps it should happen here as well.

Like my hon. Friend, I represent a rural constituency and I have a similar change programme in my area. I am also aware of the challenges in areas such as mine on public transport, to which he alluded. As for whether the franchise model is new, it is not; it has been around since the 1990s and it is long-held practice to collocate a post office and a shop. What is changing to a certain extent is the number and scale of post offices being collocated, and while in the past we had post offices with shops that sold sweets, birthday cards and various other things—many of us will remember that from our childhood—now we more often have shops with a post office attached to them.

On whether running a post office is commercially attractive, the footfall generated is very attractive to many shop owners. Indeed, having one counter as opposed to two can mean that customers do not have to queue twice and can make managing staff in the shop more efficient. There are therefore commercial attractions to collocating a post office in another business nearby, which is part of the appeal for many taking that approach forward.

The hon. Member for Strangford (Jim Shannon) rightly spoke of the social hub that the post office offers. That is why I hope he will support the Government’s manifesto commitment to secure 3,000 rural post offices and, as part of the arrangements with the Post Office, to maintain 11,500 branches as part of the network. The Government recognise, through the funding that has been allocated, the important social hub that post offices provide. Indeed, that is in stark contrast to the previous Labour Government, under which at least 5,000 branches closed as part of their closure programme. The Government have made a commitment to the Post Office in recognition of the exact point the hon. Gentleman raised—that post offices make an important social contribution to communities.

My hon. Friend the Member for Central Suffolk and North Ipswich (Dr Poulter) injected a welcome note of optimism to the debate, recognising that, in securing the network as the Government have done, we have increased significantly the hours that branches are open, often on Sundays, compared with the past.

Alongside the allocated funding, there is a specific £20 million community branch fund, which I urge Members to take advantage of. The fund encourages branches that may be the last shop in their community to bid for things they may need to make their businesses more viable, so measures are available within the funding mechanism to help preserve post offices where they are aligned with the last shop in a village or community. That is part of the wider £2 billion allocated since 2010 as part of this programme.

Before I come to the specific case in the constituency of my hon. Friend the Member for Bexhill and Battle and the chain of events behind the post office’s temporary closure there, I turn to my hon. Friend the Member for Brigg and Goole (Andrew Percy), who raised the issue of the hoops that have to be jumped through, causing frustration and adding to the time taken to open a new post office or appoint a new postmaster. I think we all share that frustration, but there are good reasons for it, given the significant position of trust that postmasters and postmistresses hold within their communities and the large sums of money they often handle. It is therefore right that a thorough consultation process is part of those appointments, but that can have an impact.

Andrew Percy: I think any reasonable person would accept that. We could perhaps do better by ensuring that interim measures are in place while something else is being worked on. That is the problem. Everyone understands the importance of a postmaster’s job and the compliance regime that must go behind it, but the
length of time between the closure of a post office and the opening of a new one is unacceptable, and we need to smarten up on that.

Stephen Barclay: My hon. Friend raises a valid point. These things are looked at on a case-by-case basis, and each case tends to be different. That is highlighted in the case of the post office in the constituency of my hon. Friend the Member for Bexhill and Battle, where a number of interim measures were tried. He alluded to a portakabin being used and the attempt made to look at whether that could be located close to the store or needed to be further away. The issue of temporary staff was considered. A mobile van was also considered, which is sometimes suitable, but the volume of customers at the Heathfield store was too high. There were specific issues with the portakabin, but that solution was tried.

Attempts are made to mitigate the time taken, but sometimes local factors work against that. Unfortunately, in my hon. Friend’s case, a chain of events has made it more difficult to put the interim solution in place. I hope that better news is imminent. I know he supports the proposal for a new permanent host for the post office in Heathfield: Unique Wine Ltd, which is on the high street. The consultation is ongoing, so I hope there is light at the end of the tunnel for him.

In terms of locating a post office in an existing business—in that case, an off-licence—there are plenty of examples around the country of such collocation working well, not least due to the longer hours in which it enables the public to access the post office. I take slight issue with the suggestion from the hon. Member for Makerfield (Yvonne Fovargue) that the Post Office is imposing unfair terms by asking for longer hours. She also suggested that the public are not getting access to post offices. I think most customers will welcome the fact that a post office, through collocation, is open for longer hours. That is part of the public benefit.

Yvonne Fovargue: I will simply give the Minister an example from my constituency, where a local shop has a post office in it but is finding it difficult to maintain a profit with that post office because of the hours for which it has to maintain that particular counter. It is thinking of closing the service, rather than keeping it open for shorter hours.

Stephen Barclay: Indeed, but the proposed new branch in the constituency of my hon. Friend the Member for Bexhill and Battle would be open for 21 hours longer a week than the previous store. Notwithstanding the time taken to put the new branch in place, once it is in place, subject to the consultation, the collocation means that the post office will be open for an additional 21 hours, which I think will be particularly welcome to his constituents.

The Post Office is tasked by Government to maintain a network of 11,500 branches and to meet specific access criteria—for example, that 90% of the UK population live within 1 mile of a post office. The Post Office is meeting those criteria, as set out in the annual report it publishes. That agreement does not specify that every community must have or retain a post office. That is because the business needs the flexibility to respond to local circumstances in each case. Were we to require the Post Office to maintain individual branches or reopen them within a set period—an issue that my hon. Friend the Member for Bexhill and Battle raised—it could lead, in extremis, to a new post office having to be built if a lease could not be secured on an old site. Such a restriction would be counterproductive to protecting the commercial viability of the network.

The economics of the Post Office is such that with the changes brought about by the internet and the digital world, small stand-alone post offices sometimes do not generate enough business to be sustainable on their own. The modernisation programme that the business has been following for the past few years has been about moving local post offices into a vibrant shop where the overheads of a business, such as property and staff costs, are shared with the host business, which is what we are seeing in my hon. Friend’s constituency.

The experience of the Post Office’s directly operated branches—the Crown branches—is illustrative. Collectively, those businesses have moved from making an annual £50 million loss to breaking even. That underlines the Government’s commitment to the Post Office network and a mix of modernisation, automation, labour reform and, in no small part, the franchising of weaker branches that are not delivering that performance. Were the Post Office to be forced to run more directly operated businesses with weaker turnover than in busy town centres, those branches would not be sustainable without greater public subsidy. Rather than force that on the business, we are allowing the estate to manage itself in a more value-for-money way, while protecting the 3,000 rural branches and the wider network.

It is regrettable that the Post Office has been unable to maintain service provision at Heathfield since April. However, that is not due to a lack of effort or expense by the Post Office. Unfortunately, local circumstances sometimes prevent the ideal outcome, as we saw with the portakabin example. In most cases, the business is able to find a way to maintain provision successfully. I am glad that a potential branch has now been found in my hon. Friend’s constituency, which I know he supports.

In seeking a solution at Heathfield, we should not lose sight of the fact that the Post Office is delivering a service that is open for more hours, with less public subsidy, and therefore offers a better, value-for-money service for the taxpayer. That reflects the Government’s commitment to maintaining the branch network and recognising the social hub that the hon. Member for Strangford described so well.

Question put and agreed to.
Resolved.
That this House has considered service provision in the event of post office closures.

5.30 pm
Sitting adjourned.
Barbara Keeley (Worsley and Eccles South) (Lab): I beg to move, That this House has considered the effect of state pension age equalisation on women born in the 1950s.

It is a pleasure to serve under your chairmanship, Mr Davies. I start by paying tribute to my hon. Friend the Member for Denton and Reddish (Andrew Gwynne), who was the first MP to raise this issue in Parliament in this Session. The debate is about the effect of the changes to the state pension age imposed on women born in the 1950s by the Pensions Act 1995 and the Pensions Act 2011, and I will focus on three areas: the acceleration of changes to the state pension age; the lack of appropriate notification from the Government; and the impact of the changes.

State pension age equalisation started with the 1995 Act. The then Conservative Government set out a timetable to equalise the pension ages for men and women at 65. From April 2020, women born in April 1955 or later would get their pension at 65. In May 2010, the coalition agreement stated: “We will phase out the default retirement age and hold a review to set the date at which the state pension age starts to rise to 66, although it will not be sooner than 2016 for men and 2020 for women.”

That pledge was broken when the coalition Government decided to accelerate the planned changes, a move that would particularly hit women born in the 1950s.

Dr Rupa Huq (Ealing Central and Acton) (Lab): My hon. Friend is making a powerful speech. Does she agree that the people who are treated most iniquitously are those born in 1954? My constituent Michele Carlile of Hanger Hill says that an extra six years were hiked on to her pension age with no warning. That generation of Hanger Hill says that an extra six years were hiked on to her pension age with no warning. That generation is not someone who is just a few months younger. She was born in 1954. She has been left in a very difficult position. She had been planning on retiring early. Her life has been turned upside down. She has recently got cancer and is not sure whether she will be able to work to be able to retire at all. That is an issue that we must not ignore.

Barbara Keeley: I agree, and I thank my hon. Friend for making those points so early in the debate.

The changes brought about by the 2011 Act affect the lives of millions of women born in 1954 and throughout the 1950s who are unfairly bearing the burden and the personal costs of increasing the state pension age. The changes were controversial at the time, and there was great debate about the need to address the unfair consequences of the Act. Speaking to Channel 4 News in May 2011, the director general of Saga said: “Men won’t have any increase before 2018 and no man will have his pension increased by more than one year. Half a million women will. We accept that the pension age will have to rise but it is the timing and the broken promise that we feel is unfair. No money will be saved during this Parliament, so it’s got not about cutting the deficit. We don’t need to hurry this through to have a sustainable pension system…Many women are furious and desperate about how they are going to manage, particularly the more vulnerable women who may already have retired, who may be ill or be caring for someone. They may have made careful plans for retirement, only to have the Government pull the rug from under their feet. They can’t just work for longer, because they may have retired already.”

Tim Loughton (East Worthing and Shoreham) (Con): I congratulate the hon. Lady on securing a debate on this important issue, which has crept up on many of us and affects many more women than many hon. Members will have appreciated. Does she agree that, whatever one thinks about raising the pension age, probably the most scandalous thing is the lack of notice given to women? The 650,000 women most affected by the speed-up were born between April 1953 and 1955, and they have effectively been told between the ages of 57 and 59, a matter of months ahead, that their pension age is now no longer 60. For them, planning is just not possible.

Barbara Keeley: Indeed. I was going to come on to that, but I hope the hon. Gentleman will think back to the Government of 1995, who started these changes.

Tim Loughton: I haven’t been here that long.

Barbara Keeley: The hon. Gentleman was here in 2011, when some of the affected women lobbied their MPs about the proposals in the then Pensions Bill. Saga commented: “Putting pensions on a sustainable long-term footing does not justify the sudden increase being imposed on one group of women at such short notice”—that is exactly the point he raises—“especially when the Government knows that these particular women are more vulnerable than men and have little or no private pension wealth. Also, many are already out of the labour market and have made careful plans for their future, which are now in disarray.”

Ironically, the then director general of Saga is now the Conservative Minister for Pensions in the other place. When I wrote to her on behalf of a constituent earlier this year she told me: “I tried hard in 2011 but there is nothing more I can do I’m afraid. It is not in my power.”

Nic Dakin (Scunthorpe) (Lab): I congratulate my hon. Friend on securing this important debate. At the time, many of us pointed out the iniquities of the proposals. I commend her on continuing to try hard and on not giving up as quickly as the noble Lady appears to have done.

Barbara Keeley: My hon. Friend spoke on Second Reading of the 2011 Pensions Bill, which I will address later.

Perhaps the Pensions Minister would benefit from understanding her powers. She was appointed after the general election, but her powers include the power to argue for changes needed to remedy injustice. I hope that Members on both sides of the House will focus on that injustice. The changes made in the 2011 Act were controversial, and hon. Members from all parties raised the particular impact that the changes would have on women born in the 1950s. As I have mentioned, the Secretary of State for Work and Pensions repeatedly referred to transitional arrangements on Second Reading, including, I think, in answer to a question asked by my hon. Friend the Member for Scunthorpe (Nic Dakin). The Secretary of State said: “I recognise the need to implement the change fairly and manage the transition smoothly…I say to my colleagues that I am willing to work to get the transition right”—[Official Report, 20 June 2011; Vol. 530, c. 50.]
The changes were not managed fairly, and the Secretary of State did not put transitional arrangements in place, which is why I applied for this debate to discuss the issues caused by the changes.

Ian Lavery (Wansbeck) (Lab): I congratulate my hon. Friend on securing this debate. This is an important issue, and every day now we are seeing issues that disproportionately affect women in this country. I spoke to two wonderful people from the Women Against State Pension Inequality campaign in my office on Friday, and they explained that they have not had any confirmation of any changes at any time. Surely that cannot be the case in this day and age. They should have received notification of the changes. This cannot be allowed to continue, and I am proud that my hon. Friend is continuing the fight on behalf of the Opposition to seek justice for these women.

Barbara Keeley: I thank my hon. Friend very much for saying that. He is right that campaigners for Women Against State Pension Inequality are doing a great job of informing MPs.

David Simpson (Upper Bann) (DUP): I agree that a great injustice is being done. The lack of notice has been mentioned, but there is also a lack of information for pensioners' groups. The pensioners' parliament of Northern Ireland has recently visited the House of Commons, and it has held joint meetings with its equivalent in Scotland. The information is very light, and more consultation is needed. We need to do something about this.

Barbara Keeley: The hon. Gentleman is right. One of the key points in the debate is that women born in the 1950s who are affected by the 1995 and 2011 Acts have had neither transitional protections nor appropriate notification of the changes that are now having such a significant impact on their lives.

Marie Rimmer (St Helens South and Whiston) (Lab): I congratulate my hon. Friend on securing the debate. In relation to people affected by the 1995 Act, Steve Webb said that

“I accept that some women did not know about it, and not everybody heard about it at the time. Although it was all over the papers at the time”.—[Official Report, 8 October 2013; Vol. 568, c. 54WH.]

Inadequate notice was given, which is totally unacceptable.

Barbara Keeley: I thank my hon. Friend for her intervention and for applying for this debate with me, so that we could get time allocated for it.

I turn to the conclusions of Paul Lewis, a financial journalist, on the notification of the changes undertaken by the Department for Work and Pensions, because notification is a key issue. He has investigated it thoroughly, alongside campaigners from Women Against State Pension Inequality. He has written:

“Millions of women had their state pension age delayed—in some cases twice and by up to six years in total—without proper notice. That is the only conclusion to be drawn from the details of how they were informed of the changes which have now been obtained from the Department for Work and Pensions.”

Paul Lewis reveals quite a detailed list of those changes, writing:

“The Government did not write to any woman affected by the rise in pension ages for nearly 14 years after the law was passed in 1995. More than one million women born between 6 April 1950 and 5 April 1953 were told at age 58 or 59 that their pension age was rising from 60, in some cases to 63. More than half a million women born 6 April 1953 to 5 April 1955 were told between the ages of 57 and nearly 59 that their state pension age would be rising to between 63 and 66. Some women were told at just 57½ that their pension age would rise from 60 to 66. Women were given five years less notice than men about the rise in pension age to 66.”

He goes on to say:

“The Government now says that in future anyone affected by a rise in state pension age must have ten years’ notice.”

Indeed, the Pensions Commission has said:

“We have suggested a principle that increases in SPA— that is, state pension age—should be announced at least 15 years in advance.”

However, Paul Lewis concludes that none of the 1950s-born women had even 10 years’ notice, “nor did the men affected by the change.”

Women who have planned for their retirement suddenly find that they have to wait up to another six years before they can retire. Many find themselves without a job, without a pension or pensioner benefits, and without money to live on. Many of the 1950s-born women affected by the changes are living in real financial hardship, and they feel betrayed by the Government.

Justin Madders (Ellesmere Port and Neston) (Lab): I congratulate my hon. Friend on securing the debate. I am staggered to hear of the abject failure in notification and even more staggered to hear that the Pensions Minister does not feel able to do anything about it. Surely at the very least the Government should be able to ensure that these kinds of mistakes are not repeated in the future?

Barbara Keeley: Indeed, but there is the very important question of the impact on women now—millions of women, many of them living in real financial hardship. We must learn lessons for the future, but we also have to think of the people who are affected now.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): I congratulate the hon. Lady on raising this incredibly important matter. Does she agree that actually a political choice has been made? That political choice is that it is the women who will have to carry the entire burden of arranging their own transitional arrangements. For example, she mentioned that a comparatively small number of these women might have small pension pots. I have already had a number of women say to me that what they will do is use their pension freedoms to wholly draw down their pension, compromising their long-term future so that they can put in place their own transitional arrangements. That cannot be right.

Barbara Keeley: The hon. Gentleman is quite right and I will come on to cases of how people are managing, citing my constituents and other people I have heard from.
Some of the women affected have been hit twice: by the original proposals in 1995 and by the acceleration of the changes through the Pensions Act 2011. Now they are angry and feel that they are bearing a disproportionate burden, as the hon. Gentleman has just said.

The acceleration of the changes to the state pension age can mean that women born just months apart, and who were possibly in the same class group at school, receive their state pension at very different ages. In some cases, a one-year difference in date of birth can mean a woman will receive her state pension three and a half years later than other women. The campaign group Women Against State Pension Inequality tells me that it is not campaigning against the equalisation of the pension age in itself; I think hon. Members will understand that that equalisation was going to happen. It is opposed to the way the changes have been enacted and to the lack of transitional protection for the women born in the 1950s who are hit hardest by the changes.

The women affected put their faith in a state pension system into which most of them had paid all their working lives. They expected that they would be treated fairly and that they would be told about major changes with sufficient notice. However, most of them were given short notice of these changes and some of them have received no information at all. The women affected believe that the Government have failed in their duty of care by not taking reasonable steps to ensure that they were notified individually and in a timely way. They have been left with inadequate time to plan for a major change to their financial circumstances, which has caused great uncertainty and worry for those who have been planning for retirement.

A number of constituents have given me examples that show the significant impact these changes are having on their lives. One of them has worked for more than 44 years and raised two children. She suffers with osteoarthritis. She tells me she that she suffered the indignity of having to attend the jobcentre, only to be told that she was entitled to just six months’ jobseeker’s allowance. Now she is unable to find work and has to use her hard-earned savings, which is a similar point to the one that the hon. Member for Kirkcaldy and Cowdenbeath (Roger Mullin) made earlier. My constituent told me:

“It must watch my savings dwindle on living costs rather than enjoyment, I wish I had not bothered being frugal all my life, as by the time I get my pension I will be broke or dead.”

Another constituent, Christine, is 61 and has worked since she was 15. She has osteoarthritis in both knees and has had a knee replacement. She cannot apply for her pension until 2019 and she told me:

“I am one of those women you would say is ‘old school’. Worked hard all my life, no maternity leave, no help with child care, just got on with it. Carrying on working thinking you will retire at 60, but since then my retirement age has changed 3 times. There is no guarantee it will not change again. I will probably be dead before I am able to retire.”

Another told me:

“At the age of 61, I find myself unemployed…If the Government had not moved the goalposts, I would have been able to retire last year. How are you supposed to live on £75 a week?”

She tells me that she has a mortgage and her outgoings are double the size of her income.

A constituent of a colleague told me that she was born in 1954, which is similar to the case already raised by my hon. Friend the Member for Ealing Central and Acton (Dr Huq), and that she was given only two years’ notice of the changes to state pension age. She is supported by her husband now, as she has no income of her own. She suffers mental ill health and has been unable to cope with the assessment process for employment and support allowance.

Case after case that I have been told about show how many women in their early 60s have health problems that stop them working, or that they need to give up work to care for someone else.

In an article on the gender gap in pensions, the Fawcett Society points out that the Chancellor appears to be delighted with the savings he made from his policy on state pension age equalisation, despite the really negative effects on women born in the 1950s, which I have been outlining. Speaking of the Government’s changes at the Global Investment Conference 2013, he said:

“These changes…the savings dwarf almost everything else you do, I mean they are absolutely enormous savings. You’re not necessarily reducing the entitlement of people who are retired, you’re just increasing the age at which that retirement entitlement kicks in”.

**Dr Huq:** Does my hon. Friend agree that this Government need to stop seeing people as just anomalies on a spreadsheet? The cases that she has highlighted are those of real-life individuals, and apparently there are 300,000 people born between 6 December 1953 and 5 October 1954 who have been hit twice by Tory pension changes, and these issues need addressing.

**Barbara Keeley:** Indeed, and as I was just saying, the Chancellor made the comment:

“You’re just increasing the age at which that retirement entitlement kicks in”.

He went on to say:

“It was actually one of the less controversial things we have done”—

amazingly—

“and yet it has probably saved more money than anything else we have done.”

That relates to the point that the hon. Member for Kirkcaldy and Cowdenbeath made about “choice”.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): In view of the fact that in the autumn statement we heard the Chancellor crowing about all the money he had found down the back of the sofa, should we not just learn lessons for the future but demand that something is done for these women, particularly those who have been hit multiple times and who have had their retirement extended by six years?

**Barbara Keeley:** I agree with the hon. Lady.

As with the tax credit cuts that the Chancellor has just been forced to abandon, it is clear from a comment such as the one I have just quoted that he does not understand the impact of his policies on those affected by them. He does not understand what it really means to “just increase the age at which that retirement entitlement kicks in”.

I have a constituent who is now forced to live off her savings after working and paying national insurance for 44 years, and another who is unemployed at the age of 61 and trying to live on £75 a week. Another constituent
Barbara Keeley: I urge the Minister to look again at the issue and to look at ways of providing adequate transitional protection—the transitional protection that his ministerial colleagues repeatedly mentioned in the debates on the Pensions Act 2011.

Geraint Davies (in the Chair): There are six speakers, and I will be calling the first of the Front Benchers at half-past 10. Each speaker has around five minutes if everyone is to get in. I call Richard Graham.

Richard Graham (Gloucester) (Con): Thank you, Mr Davies. I was not expecting to be called quite so early. It is a pleasure to join this debate, and I congratulate the hon. Member for Worsley and Eccles South (Barbara Keeley) on securing it. The key issue today is communication. I do not think anyone is arguing about the general move towards the equalisation of pension ages. Indeed, most of the decisions were made in 1995, as the hon. Lady pointed out. The issue is about how the women affected were communicated to and when.

Dr Philippa Whitford: I take issue with the idea that the problem is just communication. While a big part of it was that women were not given notice, in actual fact, the goalposts have moved on more than one occasion for certain women. That is a big issue, too.

Richard Graham: The hon. Lady is right to say that women born after April 1953 had their state pension age increase accelerated under the previous Government. Paul Lewis referred to the three waves of women affected by the changes. Nothing changed for the first wave—the 1950 to 1953 group—but things changed for women born after April 1953. It is correct to say that the state pension age was accelerated for them.

Coming back to the point on communication, it is interesting that in recent evidence to the Work and Pensions Committee, the previous Pensions Minister said that it was unclear to him at exactly what stage people affected because of their gender. Even now, women in their 60s earn 14% less than men. Many of the women do not have private pensions. Until 1995, women who worked part-time were not allowed to join company pension schemes, and others did not qualify because they took time away from work owing to ill health or a caring role. Very many have no other sources of income, and they now find that once again they are being treated unfairly because of the way changes to the state pension have been enacted and because they are women.

There are many such stories and examples. By not providing adequate notice of the change and by speeding up the process without putting in place any suitable transitional protection, the Government are failing to support the women born in the 1950s who are affected by their policies. Having promised much during debates, the only concession the Government made was to ensure that the additional increase in the state pension age could not be more than 18 months, but that small concession is of little comfort to those women who were not even informed of the change until very close to the age at which they expected to retire. They have worked hard and contributed to the system.

Throughout their lives, this generation of women has been disadvantaged in the workplace in terms of pay because of their gender. Even now, women in their 60s earn 14% less than men. Many of the women do not have private pensions. Until 1995, women who worked part-time were not allowed to join company pension schemes, and others did not qualify because they took time away from work owing to illness or a caring role. Very many have no other sources of income, and they now find that once again they are being treated unfairly because of the way changes to the state pension have been enacted and because they are women.

I urge the Minister to look again at the issue and to look at ways of providing adequate transitional protection—the transitional protection that his ministerial colleagues repeatedly mentioned in the debates on the Pensions Act 2011.

Mr Gregory Campbell (East Londonderry) (DUP): The hon. Lady is talking about demographics. Does she agree that females in this age group are increasingly having to look after aged parents in their 80s and 90s, which would not have been the case 30 or 40 years ago?

Barbara Keeley: Indeed. As we are living longer, so the number of carers is increasing. A Carers UK survey this year found that nearly a third of the female carers who responded and who were aged 60-plus said that they had had early to care. The problem for women who fall into that group is compounded because, as Carers UK knows, retiring early in itself has a long-term impact on family finances. Of female carers aged 60-plus who retired early to care, 36% said that they were struggling to make ends meet, and of those struggling 40% were using their own savings to get by. Marian, a campaigner from Women Against State Pension Inequality—or WASPI; it is remarkable how that is abbreviated—contacted me yesterday. She has given up work at the age of 62 to care for her mother and brother, both of whom have dementia. Her only source of income is a small private pension of £2,500. Her husband will have to support her until she is 65. Marian tells me she only found out about her state pension age when she looked it up online.

Nic Dakin: Is it not ironic that people like Marian are saving the state a lot of expense through the work they are doing as carers, yet the state is not keeping to its deal with them, which it made a long while ago?

Richard Graham: There is 65. Marian tells me she only found out about her state pension age when she looked it up online. The hon. Lady has given us an example of the tragic consequences of the Government’s failure to provide adequate notice and transitional protection for those women who were affected by the state pension age increase.

Nic Dakin: The two years’ notice is clearly an issue when someone is deciding to retire to care for two people with dementia, particularly when looking after two people with dementia saves the state a great deal of money.
referred at DWP questions to a letter writing campaign from 2009 to 2010. Can he say more about that? For example, does his Department believe that was the first stage at which women affected were written to, or was there an earlier campaign before 2009? That would be interesting to know. To some extent, the decision in December 2013 to give people affected by future pension changes,

"at least 10 years’ notice", shows that the DWP has taken on board the point the hon. Member for Worsley and Eccles South made on lessons learned.

Tim Loughton: I agree with my hon. Friend that the principle of equalising the pension age is not what is at stake in this debate. Given the clear confusion on who was told what and when, and the fact that such changes could not be made in such an accelerated fashion now for the very reason that he just mentioned, does he not agree that some form of transitional relief should be looked upon favourably? As the hon. Member for Worsley and Eccles South (Barbara Keeley) said, it is not just the amount of pension, but the delay in other benefits, such as bus passes and free prescriptions, that negatively impacts on those women who happen to have fallen foul of the changes, simply because of when they were born.

Richard Graham: That is a perfectly valid point that is clearly part of the WASPI campaign, and the Minister will want to comment on it. “Transitional arrangements” is both a comfortable phrase and something with significant financial implications, and he will want to discuss that.

Barbara Keeley: If the hon. Gentleman looks back at Second Reading of the Pensions Act 2011, he will see that the Secretary of State promised transitional protection again and again. It was not just mentioned in passing: it was how he dealt with a lot of the interventions about the issues.

Richard Graham: The hon. Lady’s memory of that particular occasion is probably better than mine. Some transitional arrangements were agreed and introduced, but certainly not to the degree that I am sure the WASPI campaign would like.

Mims Davies (Eastleigh) (Con): I want to reiterate the communication issue, which is exactly what people were annoyed and fed up with on the doorsteps and when I spoke to women in my constituency in Eastleigh. They had worried and planned and made provision for their future, but the change to their future had not been communicated to them. They had not expected to face hardship because they were women and had been subjected to poor communication. I hope the Minister will tell us what we can do for this group of women who are very much affected by the multiple hit.

Richard Graham: My hon. Friend makes a good point. Communication is at the heart of the matter. Part of the issue is about this almost impossible question: who really did receive what? I know that part of the WASPI campaign is about the many people who have said they never received the letter at all, and that will be a hard thing for the Minister or the Department to quantify. Paul Lewis, whom we saw at the Select Committee recently, said of the letters in his paper:

"Even those which did reach the correct destination may not have been read - 'more Humph from the government' is a common reaction to such things."

If a communication arrives at the destination but is not read or is swiftly recycled, that is a hard thing for the Government to deal with. Whether there are more effective electronic ways of communicating now that can be recorded, I do not know, but the Minister may wish to comment on that.

I hope that the Minister will respond to the point about the situation that women born in the 1950s find themselves in. There are some really difficult situations. There is no doubt about that. I can see that there is quite a good team here today in the Public Gallery to testify to that. Indeed, a lot of my own family are directly affected. None the less, because pensions are fiendishly complicated, it would be useful if the Minister could share with us some aspects of the current pensions situation, which might in a curious way help women born in the 1950s.

For example, there is a very generous rate of deferral under the old state pension system that would be applicable to women born in the 1950s. This advantageous rate means that someone can increase their pension by more than 10% a year if they defer taking the state pension. A woman born on 6 April 1951 could defer taking her state pension until the same date as her male twin by deferring for four years and thereby add more than 40% to her state pension for the rest of her life. Given the subsided nature of the deferral scheme, many women who defer would end up with a better state pension than their male twin for the same national insurance record. That is quite a complicated thing to explain, but perhaps the Minister will confirm whether that is correct and how it might benefit some of those affected.

Mr Gregory Campbell: Does the hon. Gentleman agree that that presumes that the female in question is physically able to put off taking the pension and continue working? Although females on above average incomes would find it impossible to make the adjustment, do the actuaries agree that that presumes that the female in question is able to work? Although females on above average incomes would find it impossible to make the adjustment, does the Minister agree that some form of transitional relief should be agreed as quickly as possible? I have seven other people wanting to speak.

Richard Graham: I will, Mr Davies. I was just taking as many interventions as possible.

Geraint Davies (in the Chair): Order. Mr Graham, could you bring your comments to a conclusion quite quickly? I have seven other people wanting to speak.

Richard Graham: Absolutely right.
communicate, but that communication is not read or is recycled. How can Government respond to that position of professed ignorance? Clearly, it would be fantastic if transitional arrangements could be delivered, but the financial cost may be considerable.

Geraint Davies (in the Chair): I am afraid that I am imposing a time limit of four minutes because of the number of people who have indicated they wish to speak.

10.5 am

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure, as always, to serve under your chairmanship, Mr Davies.

I do not want to repeat everything that has been said. I am grateful to my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) for securing this really important debate. I know that my constituents would want me to pass on their thanks to her for ensuring that their problems are discussed here. I also pay tribute to my hon. Friend. Friend the Member for Denton and Reddish (Andrew Gwynne), who cannot be with us today, but whose contribution on this issue has been valuable. He was the first to raise the issue in Parliament—he has done so persistently—and he is doing a great job of representing his constituents.

I want to tell the story of one of my constituents. She is one of the many women born in the 1950s who have contacted me to ask for help with the financial dilemma they face with regard to state pension provision. My constituent’s story is typical of many women, and I want to tell Members how she has suffered because of the 1995 and 2011 Acts. She was never informed in 1995 that her state pension age was changing from 60 to 65. From her own reading and from information picked up from various sources, she was led to believe that she would receive her state pension at 62. She was not happy with the two-year deferment of her state pension, but, as she said to me, she was fit and healthy at the time and did not understand the magnitude of the changes. Her view is that we lived in a different world at that time. She says that the welfare state had not been mauled, and the safety nets that were there to assist the poor and the sick have now been removed.

Like a lot of working-class, low-waged people at that time, my constituent was dependent upon her state pension as her main source of income at retirement, although she hoped to be able to save a little bit of money to supplement that. Unfortunately, as time progressed, she began to suffer serious health issues and was forced to give up work. She was born in 1957 and is doubly unhappy that she will now have to wait until she is 66 before she receives her state pension. She has very little in the way of private pension provision. She is forced to live on a minimal income, suffering from ill health, with the prospect of having to wait until 2023—eight more years—before she qualifies for her state pension.

My constituent is just one of many women who have contacted me about women’s pension inequality. It affects so many women born in the 1950s. It has been a common issue raised with me on the doorstep, in my postbag and by email, and no answers seem to be forthcoming. The Government justify the increase in pension age by saying that life expectancy is increasing, yet there is a real north-south divide in life expectancy. It is predicted that by 2030, women living in Kensington and Chelsea will have a life expectancy of 91.2 years, but for women in Manchester, in the north-west, it will be 84.7. Yet no consideration is given to those inequalities in the national imposition of increases in the state pension age.

The women affected deserve to be treated fairly. I call on the Government to consider the unequal treatment of women born in the 1950s and the inadequate notice they were given of the increase in the state pension age, and to revisit the transitional arrangements for those women.

10.9 am

Neil Gray (Airdrie and Shotts) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies. Indeed, it is a pleasure to follow the excellent contribution of the hon. Member for Heywood and Middleton (Liz McInnes), in which she cited examples of her own constituents who are affected.

I am grateful for being able to take part in this debate, and I congratulate the hon. Member for Worsley and Eccles South (Barbara Keeley), whose contribution touched on much of what she rightly said in a previous Westminster Hall debate on women and low pay, in which I had the privilege of summing up for the Scottish National Party. She also touched on some of the points made by my hon. Friend the Member for Kirkcaldy and Cowdenbeath (Roger Mullin) in a debate on guaranteed income for retirees led by my hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford). She made a great speech and set out the issues well. My right hon. and hon. Friends in the SNP agree with equalisation, but we do not support the unfair manner in which the changes have been made, and we want to see action on that. A transitional period is required to protect retirement plans for women. I thank the WASPI campaign and constituents in Airdrie and Shotts who have contacted me about this issue by email and on social media.

There are now three categories of people who are affected by the two legislative changes: women born between 6 April 1950 and 5 April 1953 will, under the 1995 Act, have a pension age of between 60 and 63 by March next year; women born between 6 April 1953 and 5 December 1953 will, under the 2011 Act, have a pension age of between 63 and 65 by November 2018; and men and women born between 6 December 1953 and 5 April 1960 will have a pension age set by the 2011 Act of between 65 and 66 by October 2020. What a gudgeon.

The 2011 Act has affected around 5 million people in total—approximately 2.6 million women and 2.3 million men, who now have to wait longer to reach pension age. It is clear that women did not get a fair notice period and were not allowed enough time to prepare. Most of those affected by the 2011 Act have had only about five years to prepare. Pension planning should be lifelong and should not be made on the hoof as people approach retirement.

Dr Philippa Whitford: Will my hon. Friend give way?

Neil Gray: I am afraid I do not have time.

The lack of time to prepare is simply unfair. Age UK has said that the revised timetable for retirement allows “insufficient time to prepare for retirement”,

[Richard Graham]
as my hon. Friend the Member for Banff and Buchan (Dr Whiteford) also said during the passage of the 2011 Act. With all due respect, it is for that reason that I have to disagree with the hon. Member for Gloucester (Richard Graham). These women are being financially penalised and let down on what they were promised for retirement.

Another issue is that women will be worse off than men, yet again. According to the Pensions Policy Institute, only 65% of women in the 55 to 59-year-old range and only 34% of women in the 60 to 64-year-old range are currently economically active. That means that women are in a poorer position to compensate for the changes through work, and it will be more difficult for them to save and plan for their retirement. More women are excluded from the scope of auto-enrolment, as well, so women will lose out further. Based on Department for Work and Pensions analysis published in 2013 and 2014, we can estimate that setting the threshold at £10,000, rather than the 2014-15 earnings limit of £5,772, excludes about 1.6 million people from the scope of auto-enrolment.

I sincerely hope that the Government will revisit the inequalities currently experienced by women born in the 1950s. The Minister can take steps today by agreeing to the terms of the WASPI petition and bringing forward the review from 2017 as a matter of urgency.

10.14 am

Marie Rimmer (St Helens South and Whiston) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) on securing the debate.

All the facts are in the briefing note from the House of Commons Library, “State Pension age increases for women born in the 1950s”, so I need only repeat them. The Government said that the acceleration in state pension age equalisation would “reduce the advantage currently enjoyed by women over men as a result of a lower pension age and higher life expectancy”, but, because of their higher average earnings, men may be in a better position than women to offset any loss by paying higher additional contributions. The people whose lifetime pensions will be most affected are men and women born in 1954 who are on low incomes and would have been entitled to pension credit, for which the qualifying age has also risen.

When the 2011 Act was before Parliament, Age UK expressed concern that the revised timetable could leave many with “insufficient time to prepare for retirement” and would cause particular hardship for certain groups. We have heard about many individual cases today. In general, 10 years’ notice of a state pension age increase is considered appropriate. The Pensions Commission suggested that 15 years’ notice should be given, and that was the amount given in the 1995 Act. In contrast, some of the people whose state pension age was increased in the 2011 Act received only five years’ notice.

What was done to notify people? In a House of Commons debate in October 2013, then Pensions Minister Steve Webb said that he recognised that not everyone affected by the 1995 Act had been aware of it. Information about the increase in the state pension age did not reach the group of individuals who arguably had the greatest need to be informed. Levels of awareness were even lower among women who were economically inactive or in routine and manual occupations—that fact comes from a 2004 Department for Work and Pensions research report. WASPI said:

“Significant changes to the age we receive our state pension have been imposed upon us with a lack of appropriate notification, with little or no notice and much faster than we were promised—some of us have been hit by more than one increase.”

What should happen now? WASPI says that the Government should make fair transitional state pension arrangements for women born in the 1950s. The Government do not agree. They believe that it was enough to revisit the state pension age arrangements for women affected by the 1995 or 2011 Acts and amend the original timetable to cap the maximum increase at 18 months rather than two years. WASPI does not accept that, those affected do not accept that, and I do not accept that. I urge the Minister to use whatever powers he has to review the matter urgently, in order to ease the hardship and desperate negative impact on those affected.

10.17 am

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Worsley and Eccles South (Barbara Keeley) on securing this important debate. She and other Members have been comprehensive in their critiques and made many of the important points already, so I can be helpfully brief.

I, too, have been approached by a surprising number of constituents who were born in the 1950s and are affected by the changes to the state pension age for women. They make a number of complaints that have already been raised in the debate. First, they complain about the information that has been made available to them. A number have told me that they have never received any notification from the Government about certain changes to their state pension age, or, at best, very little by way of comprehensible information.

Secondly, they complain of unfairness in treatment because of the very sharp method of phasing in the changes. Their sisters, colleagues, or, as the hon. Member for Worsley and Eccles South said, even classmates who are not much older or younger end up with significantly different pension ages. Thirdly, some feel that they have received a double blow. Their pension age was changed back in 1993 and, having made adjustments, they have been stung again. They ask how that can be fair.

Finally, and most fundamentally, the speed of the changes is a serious issue. Having worked their entire lives under the impression that they would be able to retire on a certain date, instead many of my constituents are seeing that date getting further and further away. These women have not had a chance to plan for that change.

The Government reckon they will save some £30 billion between 2016 and 2026 thanks to the changes made in 2011. I urge them to use some of that money and to think creatively about how to resolve some of the complaints, smooth the transition, and tackle the injustice felt by many of my constituents and women across the country. It is important to state that my constituents are not asking the earth. They are quite realistic about what can and cannot be done and understand that there will
always be winners and losers and that lines have to be
drawn somewhere. Nevertheless, the reforms can be
made fairer, and the Government should be doing
much, much more to make them so.

10.19 am

Derek Twigg (Halton) (Lab): I congratulate my hon.
Friend the Member for Worsley and Eccles South (Barbara
Keeley) on securing this debate and on her excellent
speech. There is not a great deal more that I can say, but
I will try to add something. I also thank my hon. Friend
the Member for Denton and Reddish (Andrew Gwynne),
who has campaigned assiduously on this issue and
would have added greatly to the debate if he were here
today.

There is no doubt in my mind that great hardship is
being caused here. The unfairness and inequality stand
out a mile. People have been hit twice—in 1995 and by
the changes in 2011. One of the things that strikes me
most clearly is that just because a person is born a few
months either side of a particular date, they can lose
out considerably. That patent unfairness is one of the
key issues that my constituents have raised.

I have had numerous letters over the past few years
about this issue. In October, a group of my constituents
who support the WASPI campaign came to my advice
surgery and set out starkly how the issue has affected
their lives. That struck home to me how difficult and how
much of a burden it is for women—particularly those in
the 53 to 55 age group. They stressed that the main
issue—some did not oppose the rise—is the way in which
the change was implemented and the lack of personal
notification in 1995 and 2011. Those aged 53 to 55 have
been hit hardest.

My constituents also spoke about the financial
hardship—we have heard examples of that today. Women
in that period who became pregnant left work and,
in many cases, never went back. That generation's
circumstances were different, in terms of the help and
support they got and their ability to work. One of the
key points that my constituents made to me is that they
had no time to re-plan their lives; they reiterated that
time and again.

The only available information was in the media, and
that is not good enough. That seems to be part of the
defence: the issue was discussed in the media and a few
papers ran with it, so that is okay, but that is not good
enough. The key issue for my constituents is not just
that they are not able to plan, but that they have not
been given enough time to add to their pension pots.

The hon. Member for Central Ayrshire (Dr Whitford)
talked about the £27 billion leeway that the Chancellor
found. This is a great example of how some of that
money can be used, and if the money were used in that
way, it would be reinvested back into the economy. The
Government should look at that option and consider
how they can recompense those women and make the
change in a better way to ensure that they do not
undergo financial hardship. I hope the Minister will
revisit this issue.

Geraint Davies (in the Chair): Thank you for your
brevity.

10.22 am

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a
pleasure to serve under your chairmanship, Mr Davies.
Like others, I thank the hon. Member for Worsley and
Eccles South (Barbara Keeley) for raising this important
matter. The turnout in the Chamber reflects its importance.

This issue was first highlighted to me in my first
surgery by a constituent who is very active with the
campaign group WASPI. I pay tribute to WASPI for
highlighting these concerns. Since then, I have been
contacted by many other constituents. It is abundantly
clear that many women were not properly informed
about the Pensions Act 1995. This injustice was not
caused just by the Pensions Act 2011; it was compounded
by the Department for Work and Pensions’ earlier
mistakes. Like others, I have constituents who face a
delay in reaching the state pension age not of two years,
but of what they feel is a six-year whammy, which
clearly causes a lot of emotional distress.

I talk about the 1995 Act because it illustrates the
seriousness of the predicament that many women face.
They plan to retire at a certain age and work all their
lives with that goal in mind, but at the last minute that is
taken away from them and they are left with hard
choices. Do they work longer, do they use their savings
do they use the pensions flexibilities to retire when
they originally planned?

It is clear that this is another tax credit-type issue for
the Government. The figures and numbers look good
on paper, but behind the statistics are the personal
stories of the people—in particular, women—who are
affected by the legislation. Like tax credits, it is clear
even in this Chamber that this is becoming a cross-party
issue. The Government should take heed of it, and not
continue to put their head in the sand.

The 2011 Act breached the Department’s guidelines,
which state that increases should have a 10-year lead-in
or warning. That lead-in period was halved in the 2011
Act for most of the people it affected. People of both
sexes, but perhaps more women, were affected by the
economic crisis and the 2008-09 recession. For many
people at that time, early retirement seemed like the
right thing to do, but they now have to wait longer to
reach to state pension age. They thought they were
doing the right thing. They planned and felt comfortable,
but they face potential financial hardship and emotional
distress. A crumb of comfort for those who live in
Scotland is that the Scottish Government’s policy on
bus passes and free prescriptions means that our
constituents are slightly insulated. They are not affected by the state
pension increase.

I am sure that the Minister will tell us that the
Government are looking after pensioners with the triple-lock
system and the new single-tier pensions. But believe me,
that is of no comfort to the 5 million people affected by
the 2011 Act, and in particular to women born in the
critical period in the early 1950s.

The last-minute changes to the 2011 Act cost an
estimated £1 billion. Considering the surplus that we
hear the Chancellor has got, I suggest that another few
billion pounds would not go amiss in rectifying this
wrong. I strongly urge the Minister to look at concessional
arrangements for the future.
Dr Whitford: We have talked about communication and the women who have had multiple hits, but this issue is also about the fact that, during their working lives, those women had such difficulty in accruing a strong pension pot in the first place. Women who worked part time, as my mother did—my father died when I was quite young—were not able to contribute to a significant pension at all. My mother worked for the government part time, as my mother did. Women who got divorced, like my mother, who got divorced and remarried, did not get a decent share of a pension pot at all. Those women have faced prejudice throughout their whole lives, and now we want to solve the problem of equalisation on one tiny cohort of women. That is an unfair burden.

Ian Blackford: I absolutely agree. We are talking about the state pension, but my hon. Friend is right. That is why I referred to the gender issues in pensions. We must address not just this issue, but some of the other challenges that we face, such as the fact that women who work part time do not participate in auto-enrolment. There are many things we have to look at to ensure that women have dignity in retirement. Much has to be done.

The SNP warned about state pension age equalisation in the last Parliament, and it is disappointing that our concerns were not taken on board. I should state that we agree with equalisation, but we do not support the unfair manner in which the changes were made. A shifting of the entitlement by six months was insufficient time to prepare for retirement.

Ian Blackford: I absolutely agree. We are talking about the state pension, but my hon. Friend is right. That is why I referred to the gender issues in pensions. We must address not just this issue, but some of the other challenges that we face, such as the fact that women who work part time do not participate in auto-enrolment. There are many things we have to look at to ensure that women have dignity in retirement. Much has to be done.

The SNP warned about state pension age equalisation in the last Parliament, and it is disappointing that our concerns were not taken on board. I should state that we agree with equalisation, but we do not support the unfair manner in which the changes were made. A shifting of the entitlement by six months was insufficient time to prepare for retirement.
The previous Pensions Minister, Steve Webb, said that he accepted that the period of notice being given to some women was “the key issue”. He also said in a debate in October 2013 that he recognised that not everyone affected by the 1995 Act had been aware of it:

“I accept that some women did not know about it, and not everybody heard about it at the time.”—[Official Report, 8 October 2013; Vol. 568, c. 54WH.]

Is it not an obligation of Government to ensure that people are aware and can take action? Will the Government accept responsibility for that?

In a submission to the Work and Pensions Committee on the impact of the Government’s pensions reforms on men, the Pensions Policy Institute said:

“The previous changes legislated in the Pensions Act 2007 gave men an effective 17 years notice from the year in which the changes were legislated to the year in which the SPA increase started (2024). The current proposals are giving men just over 7 years of notice (2018).”

What a muddle. What a way to treat people who need to plan ahead for their old age. Within five years of the current state pension age of 65, only 54% of the male workforce is still economically active. It would be desirable to give 10 years’ notice because around 76% of men are still economically active within 10 years of the current state pension age of 65 and could therefore respond to the policy change by delaying their retirement if they need to.

The Pensions Act 1995 gave women an effective 15 years’ notice of the year in which the state pension age increase started, but the current proposals have limited that to five. Only 65% of women aged 55 to 59 are economically active, compared with around 76% of men, and only 34% of women aged 60 to 64 are currently economically active, compared with 54% of men. Quite frankly, those women do not have the time to put in adequate provision to compensate for the changes. The evidence suggests that policy makers should ideally give women more than 10 years’ notice of any future state pension age changes to allow them sufficient time to adjust their retirement plans or to save more while still working. The National Centre for Social Research stated in 2011:

“In 2008, fewer than half (43%) of the women who, at that point, would not be eligible for their state pension until they were 65 were aware of the planned change.”

Women cannot simply have their retirement age increased by four or six years without even knowing about it. Ultimately, it will lead to hardship, shattering retirement plans with devastating consequences, including poverty and ill health.

The change throws up the question of the position of women with multiple low-paid jobs in relation to automatic enrolment. Women will disproportionately suffer further under new changes to the state pension under the single tier when they have multiple jobs. More women are excluded from the scope of auto-enrolment and will lose out further. Employers are required to auto-enrol workers who are not already in a workplace pension scheme, are aged between 22 and state pension age and earn more than a minimum threshold. The earnings trigger for auto-enrolment was initially set at £5,035, with contributions paid from the same level. However, it has since increased on a number of occasions and is now £10,000, with contributions paid from a lower level—the national insurance lower earnings limit, which was £5,824 in 2015-16. Based on Department for Work and Pensions analysis, we can estimate that the threshold of £10,000, rather than the 2014-15 lower earnings limit of £5,772, excludes some 1.67 million people from auto-enrolment, 77% of whom are women. The Government must revisit the inequalities felt by women born in the 1950s and they must do so immediately.

10.38 am

Nick Thomas-Symonds (Torfaen) (Lab): It is a pleasure to serve under your chairmanship for the first time, Mr Davies. I congratulate my hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) on securing the debate. The degree of interest in it and the number of contributions are testament to its importance.

My hon. Friend spoke well both about the transitional arrangements and the importance of notice, highlighting the fact that some people had to wait 14 years for notice under the Pensions Act 1995. The human stories that she put forward are extremely important. She also pointed out one of the supreme ironies that we face in this debate: the Pensions Minister in the other place, Baroness Altmann, campaigned on this issue in 2011 and showed some ability to bring about concessions. Now she is actually in a position of power, however, she claims that she does not have the power to do anything about it. I will return to her in due course.

There were a number of other contributions to the debate. The hon. Member for Gloucester (Richard Graham) spoke about the issue of communication, and I hope that the Department and the Minister will be able to answer in detail about what steps have been taken in that regard.

My hon. Friend the Member for Heywood and Middleton (Liz McInnes) spoke passionately about her constituent and highlighted what I am afraid is the growing problem of the gap in life expectancy between the wealthiest areas of our country and the less wealthy areas. She pointed, too, to the issue of those born in the 1950s, the very generation that should have been able to benefit from the cradle-to-grave welfare state introduced by Clement Attlee’s Labour Government of 1945 to 1951.

The hon. Member for Airdrie and Shotts (Neil Gray) set out precisely the categories of people who are affected by the changes. He spoke well about the unfair manner of the notice that was given and about the issue of transitional provisions. The hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) also spoke well about notification and fairness.

My hon. Friend the Member for Halton (Derek Twigg) highlighted well the issue of the generation born in the 1950s and the importance—which I will come back to—of people being given the time to plan their lives when changes in provision are made.

The hon. Member for Kilmarnock and Loudoun (Alan Brown) brought out the point about emotional distress extremely well. I echo his compliments to WASPI and other campaign groups that are trying to do so much for women born in the 1950s and about the unfairnesses that they face.

My hon. Friend the Member for St Helens South and Whiston (Marie Rimmer) highlighted well the hardship for certain groups. She also made an important point about levels of awareness, which vary up and down the income scale.
We need look at the central issues of this debate: first, transitional provisions, and secondly, notice. The hon. Member for Ross, Skye and Lochaber (Ian Blackford) made the point about transitional provisions, but let us be absolutely precise about what the Secretary of State for Work and Pensions said on Second Reading of the Pensions Bill on 20 June 2011:

“Let me simply repeat what I said earlier—it is a bit like a recording, but I shall do it none the less: we have no plans to change equalisation in 2018, or the age of 66 for both men and women in 2020, but we will consider transitional arrangements.”—[Official Report, 20 June 2011; Vol. 530, c. 52.]

I repeated that direct quotation to the Economic Secretary to the Treasury in a debate here in Westminster Hall on 17 November 2015. She promised that the noble Lady Baroness Altmann would write to me about it. The next day I tabled a written parliamentary question, and I received an answer from an Under-Secretary of State in the Department for Work and Pensions, the hon. Member for North Swindon (Justin Tomlinson). He said:

“Ministers discussed and considered transitional arrangements during the passage of the Pensions Bill 2011.”

Sadly, at the end of his reply he added:

“The Government will not be revisiting the State Pension age arrangements for women affected by the 2011 Act.”

I had that answer on 23 November.

In a letter dated 25 November, I received my answer from the Pensions Minister:

“To clarify, the Secretary of State made this comment when Parliament was considering the Pensions Act 2011. You will wish to note that, later on in that process, the Government made a concession to reduce the delay that anyone would experience in claiming their State Pension as a result of state pension age changes to 18 months.”

Sadly, she also added:

“The policy was debated and passed into law, and there are no new arguments to consider.”

Can the Minister understand the intense disappointment that there will be about that response? The concession mentioned will come as little comfort to those affected by the changes. I urge the Minister not to give up, but to look at what can be done on transitional provisions. The hon. Member for East Worthing and Shoreham (Tim Loughton) made the point well in his intervention—do not slam the door shut on the women affected, who were born in the 1950s, as the Pensions Minister appears to have been doing in her letter.

Deeper matters are at stake in this debate. The hon. Member for Central Ayrshire (Dr Whitford) said that there is an issue about the ability of the affected generation of women to contribute to pension pots throughout their lives. Women born between 6 April 1951 and 5 April 1953 are not eligible for a single-tier state pension; a man born on exactly the same day will be.

My hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) has spent £8.45 million on a multi-coloured teddy bear called Workie, which will apparently deal with the auto-enrolment awareness problem. It must be one of the most expensive teddy bears in British history.

The spending on the teddy bear is an indication of something deeper—the choices that the Government face. They can still make a choice to consider transitional provisions for those affected by the changes. I urge the Government to look again at transitional provisions, and not to slam the door on the 1950s women.

Geraint Davies (in the Chair): If you wish, Minister, you may allow Barbara Keeley a minute at the end to respond, as a courtesy. It is your choice.

10.47 am

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): I congratulate the hon. Member for Worsley and Eccles South (Barbara Keeley) on securing the debate. I recognise that the subject is hugely important and I commend all the contributors, who have spoken eloquently and passionately. It has caused a huge amount of correspondence for all of us as Members of Parliament. In the course of my comments over the next 10 or so minutes, I shall address as many of the points made by colleagues as possible.

The debate provides me with an opportunity to set out the Government’s position on state pension age equalisation, in particular regarding women born in the 1950s. The acceleration of state pension age equalisation and the increase to the age of 66 under the Pensions Act 2011 achieved gender equality in state pension provision, while also saving more than £30 billion for the state, thereby ensuring the affordability and sustainability of our reformed pensions system. It is important to recognise that we must have a pensions system that is affordable and sustainable.

It is also important to remember that gender equality was one of the main purposes of the state pension age changes.

Barbara Keeley: We have heard equality mentioned many times. The generation of 1950s-born women have not known equality in their lives, in pay or in pensions. Why should they carry the weight of the savings that the Minister has just lauded? Why should that group of women who have suffered so much inequality in their lives carry the weight?

Mr Vara: I hear what the hon. Lady says, but I think even she would agree that in the 21st century it is right that there should be equality for all people, particularly in Britain.

Barbara Keeley: Not at that cost.
Mr Vara: In terms of the cost, it is an issue of sustainability, and I hope she will recognise that £30 billion is a significant sum of money. I will come later to concessions that were made, the transitional arrangements referred to and so on.

Several hon. Members rose—

Mr Vara: I see that two or three Members are rising to their feet. I shall give way to the hon. Member for Ross, Skye and Lochaber (Ian Blackford), but I have only seven or so minutes and I seek to address a number of points already raised. I therefore ask Members to be mindful of the fact that the more questions I take, the less I get to put on the record.

Ian Blackford: I will be brief. I am grateful to the Minister for giving way, but this is about fairness. It is about women having the time to make adjustments and the fact that the period for transitional arrangements is too short. Such changes have never taken place in such a short period in the past. That must be addressed and there must be fairness for women. That can only be done by lengthening the transition period.

Mr Vara: The hon. Gentleman speaks about fairness and transition arrangements, and I will come to that, but I repeat the point that there is a cost to all of this. I am trying to make this apolitical, but given that so much political comment has been made against the Government and the previous coalition Government that my party, the Conservative party, led, I gently remind all colleagues not to forget that between the Pensions Act 1995 and the Pensions Act 2011 there was the small matter of a 13-year Labour Government, which seems to have been conveniently forgotten in everything said about communication, concessions and so on.

Barbara Keeley: Will the Minister give way?

Mr Vara: I will also say that while this is an important subject, it is not something—[Interruption.]

Geraint Davies (in the Chair): Order. Carry on, Minister.

Mr Vara: This was not mentioned in terms of redress in the Labour manifesto, either.

Nick Thomas-Symonds: I do not know how the 1997 to 2010 Labour Government can be responsible for the 2011 Act, or indeed the 1995 Act. First, the Minister talks about equality in the present, but we are talking about inequality that has taken place in the past and been suffered by this generation of women. Secondly, transitional arrangements are transitional by definition, so they do not necessarily affect long-term sustainability.

Mr Vara: The hon. Gentleman has said nothing that had not already been said, and I will refer to issues as I progress.

Equalisation was necessary to meet the UK’s obligations under EU law to eliminate gender inequalities in social security provision. The five-year gap in men’s and women’s state pension age dated back to the 1940s and is not fair in a world where women’s employment opportunities have opened up and provisions are made for carers. I hope that all colleagues on both sides of the House agree with that.

The resources made available allowed the new state pension reforms to take place in the form that we have introduced, benefiting those women who would have had poor outcomes under the current system largely as a result of lower average earnings and part-time working. About 650,000 women reaching state pension age in the first 10 years will receive an average of £8 a week more in 2014-15 earnings terms owing to the new state pension valuation of their national insurance record.

To encourage and enable those who want to work longer is a priority for the Government. That is the real solution to ensuring a comfortable and fulfilling later life. People having fuller working lives would not only help our pensions system to remain sustainable but could greatly benefit the economy. Research by the National Institute of Economic and Social Research has shown that adding just one year to people’s working lives would add 1% to GDP a year.

Recent polling indicates that many people want to work longer. A YouGov survey has shown that 74% of people in their 50s who have not retired would like to be in work between the ages of 60 and 65. To help older workers in the labour market, the Government have extended the right of flexible working to all employees. In the same YouGov poll, more women than men said that they would prefer to work flexibly or part-time before retiring. Of course, working longer also provides the opportunity to build up a bigger retirement income.

We know that some people cannot work. For some, that is because they have caring responsibilities; others will suffer from disability, making the continuation of work difficult. We must remember that women affected will be eligible for the same in-work, out-of-work or disability benefits as men of the same age.

For those who cannot work because they have caring responsibilities, carer’s allowance will be available. Those who get carer’s allowance are also awarded national insurance credits automatically.

Barbara Keeley: The Minister needs to understand that the question is not whether women born in the 1950s need more national insurance credits. Almost every WASPI campaigner I have met has 40 to 44 years of credits already. There is no question of their needing to pay any more national insurance.

Mr Vara: I do not think that the hon. Lady speaks for everyone. I am sorry that she derides the additional benefits that the Government have sought to introduce; I am sure that some women out there will appreciate the fact that, in 2011, credits were introduced to help grandparents and other adult family members who look after a child under 12 to help working parents. It is noteworthy that independent analysis by the Institute for Fiscal Studies has shown that the rise in women’s state pension age since 2010 has been accompanied by increases in employment rates for the women affected.

The reforms would leave more of those women, and their male counterparts, who really need the state pension better off than if we had retained the current arrangements. That is a better use of taxpayers’ money than spending on transitional arrangements, which will inevitably prolong gender inequality. I am minded to say that removing state pension age gender inequality is right.
When the first contributory state pension was established in 1926, men who reached 65 could expect to live for another 11.3 years. In 2014, however, a man who reached 65 could expect to live for another 21.5 years. Importantly, the Government listened to concerns expressed at the time of the 2011 Act and shortened the delay that anyone would experience in claiming their state pension, relative to the 1995 timetable, to 18 months. That concession, which came after the speech by the Secretary of State on Second Reading that has been referred to, benefited almost a quarter of a million women who would otherwise have experienced delays of up to two years. A similar number of men also benefited from a reduced increase. The concession was worth some £1.1 billion in total, and, as a result, 81% of women affected will experience a delay of 12 months or less.

It is argued by some that these women were not given adequate notice of state pension age equalisation. I do not accept that. Following the 2011 Act, the Department for Work and Pensions wrote to all those directly affected to inform them of the change to their state pension age, using the address details recorded by Her Majesty’s Revenue and Customs at the time.

I am conscious of time, I so will conclude. The decision to increase women’s state pension age is designed to remove the inequality between men and women. The cost of prolonging this inequality would be several billions of pounds. Parliament extensively debated the issue and listened to all arguments both for and against the acceleration of the timetable to remove the inequality. The achievement of this by 2018 was considered and approved by Parliament and there are no plans to make any policy changes.

10.59 am

Barbara Keeley: I have only a minute to say what I want to say. A concession that affects only 250,000 women and saves £1 billion is nothing when there are £30 billion of savings and millions of women affected. A concession for 250,000 is not enough.

We have talked about the millions of women born throughout the 1950s living without pensioner benefits and often without income, so they are often working through their savings. Carers are hit very badly. Does the Minister think that he could live on carer’s allowance? I am sure he could not. There is opposition from all parties on the Opposition side, who will continue to fight this campaign. The Government must not close the door on 1950s-born women in the way they are seeking to do.

Motion lapsed (Standing Order No. 10(6)).

Boulby Potash and Teesside Unemployment

11 am

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): I beg to move, that this House has considered Boulby Potash job losses and wider Teesside unemployment.

I am grateful for the opportunity to have this important debate on the recent announcement by ICL Cleveland Potash to cut 700 jobs at Boulby in my constituency, and to have a wider discussion of unemployment in Teesside and east Cleveland. The job cuts announced at Boulby Potash have hit the community of east Cleveland very differently from the closure, following liquidation, of Sahaviriya Steel Industries UK; there are a number of reasons for that.

Geraint Davies (in the Chair): Order. Will those leaving the Chamber do so quietly, so that we can hear Mr Blenkinsop?

Tom Blenkinsop: Thank you, Mr Davies.

The first reason for the different effect is that my constituency, in the borough of Redcar and Cleveland, has the largest population of miners in the UK. It is more than fair to say that the announcement came as a complete surprise to almost everyone—except some members of the management, perhaps. Only two years ago ICL repeated announcements that the mine had 40 years of potash that could be accessed. That has suddenly fallen to two years’ supply. There had been no sign that the business was struggling, whereas, by comparison, debt and coal shortages were routinely reported for SSI. It was undoubtedly weathering the storm that commodity prices have suffered since the beginning of this year. However, there were none of the early indications that one might have expected, given that the potential job losses run to three quarters of current employee levels. The proposals set out that 700 jobs of a workforce just shy of 1,000 are to go by 2018, with half of that happening by the end of this financial year. If anything, the mining industry in my constituency and neighbouring constituencies appeared to be on the rise, with the proposed York potash project.

I cannot proclaim strongly enough how much of a staple Boulby Potash is in the east Cleveland community. Generations of families have forged livelihoods on the back of the mine since the early '70s, and now for hundreds of them there is the potential for that livelihood to be stolen away from them. In the early days of the mine, relatives of such people lost their lives to create a working mine and provide good, well-paid jobs for the community. The workers have been given this news in the run-up to one of the most stressful periods of the year. Despite what former Ministers may say, there is never a good time for someone to lose their job, but there is something particularly cold about losing it—or at least being informed about losing it—at this point, in the run-up to Christmas.

The latest job figures that I have do not even cover the impact of the collapse of SSI. However, for the record, the sad fact is that in the two boroughs that my constituency covers, Middlesbrough and Redcar and Cleveland, there are now 6,887 jobless adults and 1,610 young people
signing on. There is also an impact in County Durham, where Thrallton quarry in Ferryhill is now under threat because of the effect on the requirement for limestone, which is a prerequisite for the production of iron in a blast furnace. The Government decided to announce, on the very same day as the Boulby job losses, that three local tax offices that provide employment for hundreds of people will be relocated to a centralised hub, which is at best an hour’s commute away if traffic is good.

Alex Cunningham (Stockton North) (Lab): It is sad that the Government are contributing to the loss of jobs in our area. In my constituency hundreds of people—probably well over 1,000, and up to 2,000—have lost their contracting jobs related to all the industries that my hon. Friend has been speaking about. I know that it is not in the power of the Minister as an individual, but we need a whole-Government approach and an extension of the help package for the Teesside area, where unemployment is going up in contrast to what is happening in the rest of the country.

Tom Blenkinsop: My hon. Friend must have read my speech earlier, because that is one of the things I shall be asking for. The sheer volume of unemployment at private industrial sites in the past two or three months is such that a profound response at Government level is required. I suspect that many people in my constituency do not know whether to laugh or cry at how far removed the Government seem to be, given the position they have taken about the plights of an area that could actually be a part of the northern powerhouse agenda.

To return to the specific matter of Boulby, I seldom sign early-day motions and propose them even more rarely, but in 2010 I proposed early-day motion 1179:

“That this House believes that it makes economic and environmental sense to purchase salt, grit and potash from domestic sources, particularly during periods of increased demand; supports local suppliers such as Boulby Potash mine in Middlesbrough South and East Cleveland constituency; notes the boost the this would give to these suppliers; further notes that this would avoid the unnecessary environmental cost of transporting goods from overseas; and therefore calls on the Highways Agency and the Department for Transport to wherever possible purchase from British suppliers.”

I still believe that it would not be unreasonable for any Government to take such action.

I care passionately about the issue, as I do about the steelworks and the UK steel industry, and I have raised it in a range of forums during my time in Parliament. I will give two examples. In June I asked the Secretary of State for Environment, Food and Rural Affairs “what assessment she has made of the need for security of supply of potash minerals”. and I received the following response:

“Defra has not made an assessment of the security of supply of potash minerals. The UK currently has one domestic mine for supply and therefore depends on some imports. Import statistics provided to Defra by the Agriculture Industries Confederation show that 135,000 tonnes of straight potash fertilisers and 389,000 tonnes of potash-containing compound fertilisers were imported into the UK from a wide range of EU and non-EU countries in the 12 months to March 2015 making up approximately 40% of UK consumption.”

Well, that domestic mine has indicated that it will no longer produce potash by 2018, and I cannot comprehend why the Government had not made that assessment previously. I asked the same question a few days after the announcement by Cleveland Potash, and I was referred to the Government’s previous response. To me, that sends the signal that the Government are happy to live off imports from foreign companies while our own industry collapses. I appreciate that the response did not come from the Department of the Minister who is present for the debate, but perhaps she will enlighten me and fellow Members as to why there has been no such assessment.

I called for this debate not only to address the devastating news at Boulby Potash but to set out the scale of the unemployment that has befallen Teesside in the past two to three months.

Alex Cunningham: Of course, a chance to develop opportunities for people in Teesside has been lost in the past few days with the Government’s ditching of £1 billion of support for carbon capture and storage. A major industry could be developed from that, with major benefits for Teesside. The first industrial CCS project was on the stocks, but now we find out that the Government have withdrawn all funding from it. I hope the Minister will address what the Government’s hopes are for that industry, although that may not be her particular responsibility.

Tom Blenkinsop: I thank my hon. Friend for going into that point—I was not going to raise it. Stan Higgins, who works for the North East of England Process Industry Cluster, has said that that project is still on track and private investors are still interested, but when the number of programmes was cut from four to one the Chancellor never gave any budget detail about the capital requirement. There was always £100 million floating around, rather than the £1 billion that was promised. Now we know, because of a statement given to the stock exchange at 3 o’clock during the comprehensive spending review speech last week, that all public funding for CCS has been withdrawn.

I think we are missing a huge opportunity. I do not think that Teesside should have the project—I think we should have more than one. CCS is a clear solution for fossil fuel-intensive energy production, and it is acutely needed for manufacturing. If we are going to compete with our European competitors, as well as at least trying to make a fist of it against Chinese imports in any processing industry, we need to be able to provide cheap energy and remove the problems that green taxes and green costs are applying. Ultimately, the biggest point is that CCS provides the manufacturing industry with a solution to carbon dioxide emissions. The UK as a whole—never mind Teesside—is missing a huge opportunity to take hold of that technology and become a world leader in it.

Alex Cunningham: We have the Minister with responsibility for coal here today. There was a meeting on Friday in my constituency about offshore underground coal gasification. I wonder if that could also create high-powered, high-value jobs in our constituencies on Teesside. I would be obliged if the Minister could tell us what her Department’s attitude would be to that sort of project coming forward.

Tom Blenkinsop: My hon. Friend must have the password to my laptop, because he is quoting my speech verbatim.
To go back to the issue of unemployment, Teesside has endured a tsunami of job losses recently—I genuinely feel that that statement is proportionate. I mentioned the closure of SSI, which has had an impact on its supply chain and on other related businesses with a link to the steel industry. That does not include the contractors affected, nor the loss of the Caparo steel site in Hartlepool. In Stockton, 700 contractors were left shatterered at Air Products as it halted the construction of a second gasification plant. Admittedly that is because of technical issues, not economic ones, but no timeline has been given for when construction will be brought back, so those men and women will have to find alternative employment. Jobs will also inevitably go following the relocation of offices by HMRC, as my hon. Friend highlighted. On top of that, local councils and public services continue to feel an unprecedented squeeze on finances due to reductions in central Government funding, and job losses will inevitably follow.

I have spoken at length about the 700 job losses at Boulby. Hopefully I have made it clear that the labour market across Teesside and east Cleveland is beyond crisis point. Governments are meant to make the lives of their citizens easier and provide support in tough times. I cannot call what the Government are doing inaction, because they made the HMRC decision, but they have somehow made—or endeavoured to make—the situation worse in a difficult period.

Andy McDonald (Middlesbrough) (Lab): My hon. Friend makes the excellent point about the HMRC job losses. As far as his own constituency is concerned, if those jobs now have to be consolidated, people will have to travel to Waterview Park or Longbenton. The journey for those people, especially from places such as Guisborough in his constituency, will be some five hours, and that simply is not sustainable. Those jobs, as he and I have experienced in the past, will simply wither on the vine. Is that not an accurate statement of what will happen on Teesside?

Tom Blenkinsop: My hon. Friend accurately portrays the difficulty of not only the lack of jobs but the geography of the area.

I have mentioned the high number of private sector industrial jobs being lost, but we cannot forget the impact on well-paid, stable, sustainable public sector jobs, or the follow-on impact on small businesses. People are used to walking into their local tax office or simply picking up the phone to talk to someone there. Admittedly the Government have a reasonable agenda in trying to move towards an online system, but small businesses, in some cases, do not have the know-how, the capital or the time to do such a system. They need to pick up the phone and get help immediately. I will go into that later.

The fact that we have just under 8,500 people officially registered as unemployed—I hasten to add that that figure is from before the job losses I am talking about today were recorded—shows the sheer degree of human waste and squandering of talent that this Government are presiding over. If those people were in productive work, they could be helping to build a better future and a better economy for Teesside. It is a waste of talent and a waste of human potential, and that is what makes the job losses even more devastating.

As a lot of the industries affected are specialised, finding suitable alternative employment is not straightforward, and the level of pay certainly cannot be matched by other local employers. It would mean the loss of face workers in Boulby, although their core pay is £28,000 to £29,000 a year, after bonuses they are probably getting somewhere in the region of £40,000 a year. The average income in the Tees valley is more around the £20,000 to £21,000 mark, so we are talking about 700 workers who are on double the area’s average wage. That will have a huge economic impact downstream. We do not have any more of the large-scale heavy industry employers to which there would be a good chance of skills being transferred.

Although welcome, the projects in the pipeline, such as the MGT Power plant, are some time away. If the Government are serious about the northern powerhouse, they must act in the meantime. The future of Skinningrove’s special profiles and the Teesside beam mill near Redcar is still uncertain. Leading figures from across Teesside have argued for a number of years for the need to diversify the economy away from large employers that are highly susceptible to the economic market, while keeping them in place. That continues to be the case, and sadly the fears have become a reality.

We must intervene, knowing that the market fluctuates, and help with the diversification. We cannot simply sit here and say, “This is the market,” again, allowing thousands of people to be shed, because I fear that the skills those people carry will inevitably go to other areas. That will have fiscal implications for our local area and its ability to pay for local services, especially in a political culture where our Government are devolving more and more to our local areas, while the ability of areas to retain their own wealth is being eroded and depleted.

This coming Saturday, I suspect we will all be supporting the Small Business Saturday initiative. It is more vital than ever that small businesses in my constituency are supported, because they need to grow and provide more employment opportunities for my constituents. Creating a mixed economy will require risks to be taken. However, to support and develop our existing process industries on Teesside, we need Government commitment to supporting developing projects such as the Teesside Collective so that it becomes the go-to location for future clean industrial development and Europe’s first CCS-equipped industrial zone. We need our area to be seen and developed as a prime location for the use of Durham coalfield gas—a non-conventional gas that is 50% cheaper than conventional gas—via gasification, so that we can address green costs and taxes for industry and ensure a cheap, indigenous energy supply.

Alex Cunningham: Syngas from coal gasification is a high-quality gas with many components, and it is feedstock for some of the industries on Teesside. It could attract other companies to that part of the world, if we were able to provide it.

Tom Blenkinsop: My hon. Friend makes the case perfectly, as ever. Furthermore, if we had a CCS plant alongside our own supply of cheaper, higher quality gas, that would be an industrial strategy in and of itself, and private investment would flock there. I hope Lord Heseltine will report that back to higher levels of Government.
The two large-scale measures I have just described would be the basis of reigniting a new emphasis on industry upon the Tees, and I dearly hope that Lord Heseltine will seriously consider pushing and developing them under the Government’s inward investment fund for the Tees industrial conurbation.

In the interim, however, what my area needs is far more profound. We await a proper response to the five industrial asks for the steel industry. The SSI steel taskforce that I sit on with my hon. Friend the Member for Redcar (Anna Turley) needs to be immediately extended to cover the entire Tees Valley Unlimited local enterprise partnership area and to involve other MPs in the area. It is hopelessly unacceptable for the Government to leave that taskforce, with much less financial than promised, to deal with the unemployment circumstances of one industrial site and to wholly ignore the plight of workers at Air Products, Caparo, Boulby and their downstream contractor workforces. That has left me and my hon. Friends from the Teeside conurbation in the invidious position of being able to feed back help to ex-SSI workers, but absolutely nothing to others affected by job losses. Our job is to ser vice all our constituents, and having a two-tier system with preferential treatment for some steelworkers and nothing for potash face miners completely undermines our position as democratically elected representatives to this place.

There is another issue for the Government. Apart from Boulby Potash being the UK’s only domestic potash mine, supplying 60% of the British market’s potash, it is also of strategic importance as the UK’s largest domestic supplier of rock salt. A reduction in manpower will severely undermine the mine’s ability to produce, or indeed ramp up, production at critical strategic points in time for required increases of rock salt during heavy winters that the UK may suffer. Will the Minister tell me what assessment the Government have made of rock salt production and what contingency they have in place? Is she willing to meet with me about that strategic civil matter as a matter of urgency, given that the 45-day consultation at the mine began some time ago? The necessity of keeping any skills potentially required for a sudden increase in rock salt production at the mine during a cold winter in the coming months will undoubtedly have an impact on production levels.

Finally, my No. 1 ask, even if there is only one thing we can deliver today, is for those affected by redundancies at Boulby Potash to be included in the support package being provided to those at SSI, with the additional funding required to do so, so that all taxpaying workers in my area get the Government support they deserve.

11.20 am

The Minister for Small Business, Industry and Enterprise (Anna Soubry): I do not know whether the hon. Member for Redcar (Anna Turley) wants to speak too, Mr Davies, but if she does, I will take as many interventions as she would like to make. That is never a problem.

Geraint Davies (in the Chair): In the 10 minutes available.

Anna Soubry: I know— I only have 10 minutes.

I congratulate the hon. Member for Middlesbrough South and East Cleveland (Tom Blenkinsop) on securing the debate. Obviously, we do not agree politically, but I would be the first to pay tribute to the continuing work that he does on behalf of his constituents. He has come here with a list of demands, and quite properly so — there is nothing wrong with that. As far as I am concerned, the usual rules will apply: if I do not answer any of the questions that he has asked, my officials will of course answer them later, and the same goes for interventions that other hon. Members have made.

The announcement that Cleveland Potash plans to shed 220 direct jobs along with another 140 contractor jobs is extremely bad news. I would be the first to concede that, and as the hon. Gentleman said, it comes at a particularly difficult time for this part of our country in the wake of the closure of the SSI plant at Redcar. The impact is not lost on this Minister, nor on the Government: it is bad news for those workers and their families. The hon. Gentleman is right that there is something about the run-up to Christmas that makes these things all the worse.

Andy McDonald: Will the Minister give way?

Anna Soubry: As an act of extreme generosity to the hon. Gentleman, I shall give way.

Andy McDonald: I am very grateful to the Minister; she is extremely kind. Will she apply her mind to the plight of those workers who were employed through agencies in respect of the SSI crash, and who are now having to go to the redundancy payments service and are not getting a return, notwithstanding the fact that they are producing P45s to show that they were employees? They are being told that they were self-employed and that there is nothing down for them. Will she please use her good offices to extend the rescue package to include those people?

Anna Soubry: I will certainly look at that, and I am more than happy to discuss it with the hon. Gentleman afterwards. However, if I may, I will talk about the situation at Boulby, which is, of course, the subject of the debate.

The Government, unfortunately, cannot alter the level of potash reserves. We stand ready to provide support to the Cleveland Potash workers through the Jobcentre Plus rapid response service. Let me say to the hon. Member for Middlesbrough South and East Cleveland that, as the hon. Member for Redcar knows, when it comes to some of the rather peculiar decisions that are often made by jobcentres, saying, “You can’t have funding for this,” or, “You can’t do that,” I urge him to give me the examples — my door is always open to him and to other hon. Members — and I promise I will always do whatever I can to unglue some of the ridiculous rules that seem to exist. We cannot mess about. People are in danger of losing their jobs and we need to make sure that the support available for them is real support that delivers.

Our aim is to help all the workers who are affected, even though a final decision has not been made. However, I think we all know and understand where we are going in this unfortunate situation. I am told that the Department for Work and Pensions has already made contact with Cleveland Potash to see what can be done to limit
the impact on staff, and officials in my Department are discussing how the company can provide the most effective support to the workers who will be affected.

I am pleased that the owners of Cleveland Potash have committed to the long-term future of the mine, particularly in developing their polysulphate product line. The commercial exploitation of that product is supported by the Government. In due course, as the product becomes more acceptable in worldwide agriculture, I hope that more jobs will come back to the mine.

This loss comes after significant job losses in the Tees valley, particularly with the liquidation of SSI, but also given what has happened with Caparo's operation in Hartlepool and the pause—and it is a pause, we are told—in construction announced by Air Products in Cleveland. Let us hope it is just that—a pause—and that all then goes well. I know from my meetings with those directly impacted by the SSI closure how difficult a time it has been for everybody. That is not lost on me.

Anna Soubry (Redcar) (Lab/Co-op): I thank the Minister for her generous offer to me. I will not take up too much time, because I am conscious that there is not a lot left.

I want to echo the point that my hon. Friend the Member for Middlesbrough (Andy McDonald) made. A number of people have come to me who are still experiencing ongoing issues, including unpaid overtime. People who are unsecured creditors have been told that they will not be allowed any of the money that was owing to them from the official receiver. There are also agency workers—particularly those working for Jo Hand, which is a company that went into liquidation a few days before, then set up under another name—who have not been entitled to a penny, so we have a number of outstanding issues. If it is okay, I will take the Minister up on her kind offer and get in contact with her directly about those issues. I would appreciate her support in taking them forward.

Anna Soubry: Yes, I urge the hon. Lady to write or email me and I will make sure all those concerns are directly acted upon. If we can help and make a difference, we absolutely will.

I am conscious of the time, so for the record I want to make a few points quickly about Her Majesty's Revenue and Customs, which a number of hon. Members have mentioned. In terms of that decision, 2018-19 is the time when the changes will be made. It is important to note that they are not happening overnight; there is a period of time.

On the comments by the Secretary of State for Department for Environment, Food and Rural Affairs, I will take that up—I cannot comment now because I genuinely do not know anything about that. I hear what the hon. Member for Middlesbrough South and East Cleveland said about CCS. May I also say that we have changed the procurement rules? This is really important. Our new directive—our new rules on procurement—basically say that there are now no excuses for not buying British. It really is a big shift, not in Government policy but in the whole attitude and approach. We are making sure that people really do not have any excuses when it comes to procurement—they should buy British.

I also mention the appointment of Lord Heseltine of Thenford, which I know was controversial. It was my idea—I put that absolutely clearly on the record—to bring him in, because he is somebody who gets stuff done, who can bring folk together and who can connect various bits of Government to make sure that Tees valley now gets the inward investment, for example through working with Lord Maude, who sits in my Department and is responsible for trade and all that UK Trade & Investment does. I thought, and continue to believe, that it was a very good idea to bring somebody in with the experience and clout, if I can put it that way, to lead in the Tees valley and bring all these different people, ideas and resources together, so that we get exactly the sort of way forward and future for this part of the country that it absolutely needs and deserves.

Let me also put it on record that I am really proud of the huge amount of work that the Government have done, because it is not all bad news for the Tees valley, even though it has been a really bad few months. There is no debate about that—it has been dreadful. I do not disagree about the job losses and the numbers—they speak volumes, of course. However, we must not forget the huge amount of investment in the Tees valley, with the devolution deal and all that that will bring to the area. The area has huge resources in its people, its skills and its colleges. Notwithstanding this unfortunate time, it still has a great story and a huge future.

Alex Cunningham: I remain to be convinced about the value of the devolution deal, but I welcome Lord Heseltine's involvement in the project. I hope that the Minister might arrange for him to have “CCS” and “coal gasification” on his pad when he starts to decide what he can do and uses the clout that she is talking about.

Anna Soubry: I absolutely undertake to write to Lord Heseltine specifically on that point. For the record, the hon. Member for Middlesbrough South and East Cleveland does not only make speeches; he comes to me and makes his case to my face. I make no complaint about that, because he is doing his job. It would be great if more MPs took up such issues in the way that he does—apart from when we fall out, of course.

In all seriousness, however, I undertake to ensure that Lord Heseltine gets a copy of the debate. If the hon. Member for Stockton North (Alex Cunningham) or anyone attending or listening to the debate wishes to write something to me for forwarding, I will ensure that Lord Heseltine knows about people's desires and dreams—what the hon. Gentleman would describe as things that can be realised as a reality and as a way forward, and that is important.

Anna Turley: Will the Minister give way?

Anna Soubry: I will give way—I have given up on the rest of my speech, so interventions are not a problem.

Anna Turley: As the Minister is aware, the SSI site is a crucial piece in the jigsaw of the future of Teesside. A number of people have contacted us locally with plans for and ideas about what to do with the site, but they have struggled to get any response from the official receiver—things have been very quiet on that front for the past couple of weeks. Will the Minister be able to give a poke to encourage a response?
Anna Soubry: I absolutely undertake to do that. The big ask from the hon. Member for Middlesbrough South and East Cleveland was for the support package. The package is very good and I am proud of the work that it is already doing. I will always remember the securing of those 50 apprenticeships as something we achieved—ensuring that those 50 young people continued their apprenticeships. I pay tribute to everyone who took them on. I am always willing to listen, but at the moment there are no plans to extend the support package. 

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.
spring 2015. Given what my constituents have had to put up with over the past two months or so, I suspect that the current figure is even lower. Similarly, the levels of satisfaction with punctuality are poor. On the main line, the satisfaction rate is about 73%, and the overall figure for how delays are dealt with is a mere 33%. That is not acceptable in this day and age.

Too often, particularly on a Monday morning, there is utter chaos on the line. One of the main causes is the overrunning of weekend engineering works, which are the responsibility of Network Rail. Given the problems at London Bridge and Ipswich, one would have thought that Network Rail would have finally got its act together to ensure that overrunning work was not a regular problem, but unfortunately it is. For example, a week ago last Monday the whole line came to a grinding halt because of overrunning engineering works, which were compounded by the track repair machine having broken down on the line. My constituents were unable to travel on the line until around 11 o’clock in the morning, which is unacceptable.

Since then there has been another problem that was the responsibility of Network Rail. It put a late-running freight train—I believe it was coming from Felixstowe—on the line at the beginning of the morning rush hour, bringing absolute havoc to the trains. Given that a freight train does not have the same timetable requirements and needs as a commuter passenger train, what possessed Network Rail to run that late-running freight train during the morning rush hour? It was inevitable that that would have a significant impact on the efficiency of the commuter trains to Chelmsford or Liverpool Street, depending on where people work. That is very poor and seems to indicate a lack of planning and, quite frankly, of common sense.

We also have regular problems with signal failures, and sometimes electrification problems. There is sadly an issue with suicides, although they are obviously not the fault of Network Rail or the people who run the rail services. The line in question and the east of England do not have a good record on that. The British Transport police, local authorities and Greater Anglia, which runs the service, are doing a tremendous amount of work to reduce the problem, but sadly it happens too often. One hopes that the measures they are taking to minimise it will be successful.

We also have problems with the service itself, because trains break down, or doors jam mid-journey and will not shut, which of course causes delays. Those are historical problems owing to the fact that the rolling stock operating on the line is in excess of 30 years old. In this day and age, with so many people relying on an efficient, effective and punctual rail service, we should not be putting up with such antiquated rolling stock. That has to be dealt with.

On top of all that, my constituents are paying considerable amounts of money to use the service. If a zone 1 tube fare is not included in the ticket, a standard-class season ticket currently costs £3,728. Thanks to the actions of my right hon. Friend the Chancellor, who has stopped RPI-plus rail price increases, it will be rising in January by just £36 per annum, to £3,764. That is a relief compared with some of the previous increases, but my constituents say, quite reasonably, that if they are paying that sort of money they want a reliable service. If we break down the total on the assumption that people travel for 48 weeks of the year, over five years we come out with a current price of £15.53 per journey, rising to £15.68 from January. For that price, people not unreasonably demand a reliable service.

The question is, what can we do to improve the situation? My first plea to the Minister is that Network Rail should be gripped and have the facts of life explained to it. It should have better planning for its engineering works to ensure that they actually finish when they are meant to. I warn the Minister that Network Rail is closing the network late on Christmas eve for a number of days to do major repair works. I think that is acceptable, because far fewer people use the railways during that period and that work needs to be done to ensure that the infrastructure is up to scratch. We must also ensure that there are no muck-ups by Network Rail and that the work finishes when it is meant to, so that engineering overruns do not cause utter chaos for our constituents trying to get to work on the first day of the running service.

The franchise is critical to the future of the line. With the new franchise, we want a commitment to provide new rolling stock—no ifs, no buts; we do not want sloppiness. We need rolling stock that is reliable, faster and can brake quicker so that we get the speeds up, have a more efficient and effective service and build on the infrastructure investment. We have to meet the “Norwich in 90” commitment. If we do that and adhere to the recommendations in the taskforce report, which my right hon. Friend the Chancellor enthusiastically endorsed and accepted, journey times in Chelmsford will improve. With new rolling stock, the new station that will be built at Beaulieu Park in the north-eastern part of Chelmsford, and the loop just north of Witham, which will allow faster trains to overtake slower trains, we can ensure that that happens.

I accept that our railways are like a supertanker: we cannot change everything overnight, particularly given the historical basis, but we can introduce short-term measures to ensure the service is regular, punctual and does not cause grief to my constituents. We can certainly take a grip of Network Rail. I suggest that we introduce a few more incentives to ensure that if it fails it gets punished with fines, as it was after the London Bridge disruption. We need fines that actually have an impact to concentrate the minds of those who are planning. My constituents deserve a better service for the season ticket price that they pay for their travel to and from work.

4.13 pm

Sir Alan Haselhurst (Saffron Walden) (Con): I wish to add a footnote to the speech of my right hon. Friend the Member for Chelmsford (Sir Simon Burns). I entirely endorse what he said; he hit on all the important matters that are of joint concern to my constituents and his. I stress the point that he made about the rolling stock. If Network Rail can find its way to making one or two track improvements in the short term, perhaps by eliminating crossings, the next most critical thing is the new rolling stock. I endorse what he said about the importance of Network Rail taking advantage of the taskforce report, which my right hon. Friend the Chancellor enthusiastically endorsed and accepted, journey times in Chelmsford will improve. With new rolling stock, the new station that will be built at Beaulieu Park in the north-eastern part of Chelmsford, and the loop just north of Witham, which will allow faster trains to overtake slower trains, we can ensure that that happens.
The class 321 stock, which provides most of the services to Chelmsford and beyond to Colchester, is old, unreliable and does not have the necessary acceleration characteristics. I am delighted that some emphasis has been put on that in the invitation to tender for the new franchise. I hope that the Minister, when choosing the franchisee for the next period, will ensure that rolling stock is given its proper due.

Ultimately, we need extra track capacity on the line if all the different ambitions of commuters, travellers and the Members of Parliament who represent them, right along the length of the line, are to be satisfied. They cannot all be satisfied within the present track configuration. We also need to hold out hope that Network Rail will realise the capacity limitations.

4.14 pm

The Parliamentary Under-Secretary of State for Transport (Claire Perry): It is a pleasure to serve under your chairmanship, Ms Dorries. May I say for the record that, like my right hon. Friend the Member for Chelmsford (Sir Simon Burns) and for Saffron Walden (Sir Alan Haselhurst), you assiduously campaign on the railway service for your constituents?

It is incredibly important that we continue to talk about the issues on the line, as my right hon. Friend the Member for Chelmsford does. We discussed the challenges on the line on 28 January, and my right hon. Friend the Member for Saffron Walden also attended that debate. Since then, there has been a series of steps forward to improve services for the 8,000 commuting constituents of my right hon. Friend. Friend the Member for Chelmsford and for others from further afield. However, there have also been some real challenges. I will set out some of the things that are happening and offer some words of reassurance about what we will be looking for in the new franchise, which will start in October next year.

A series of performance improvement plans have been put forward by Abellio Greater Anglia in conjunction with its work with Network Rail, which have been approved by my Department. They were first given one in April 2014, to which it responded. Indeed, the performance, measured by the public performance measures, started to improve. However, it then dipped because, as my right hon. Friend pointed out, there were ongoing issues relating to signalling on the lines, and there was unfortunately a series of fatalities on the line.

Some services on those lines, such as those running into Enfield, were then devolved to Transport for London. In fact, those were the higher performing services, in terms of punctuality, so a new baseline had to be set for what good looks like for the remaining services. The Department is still having that conversation, so at the moment there is no firmly agreed baseline for the PPMs, although it is worth noting that the numbers on punctuality started to tick up in the summer before taking an unacceptable dive in the past couple of months. The reasons for that are severalfold, but they fall into two main groups. First, there was a series of fleet issues, partly relating to the old rolling stock. Secondly, there was a series of infrastructure problems, particularly relating to the classic adhesion problem of leaves on the line. Research I have seen shows that the preparation of the lines and the scraping-off of the leaves is not what it could be and is not done as assiduously by Network Rail as it is in other parts of the country. That is definitely something to work on.

As my right hon. Friend the Member for Saffron Walden said, capacity on the line is so stretched that a minute of delay exacerbates a series of problems for many commuters. Sadly, the ongoing station improvements at Chelmsford, which we all welcome, are a long way behind schedule as a result of a contractual dispute between the original contractor and the train operating company that has to retender. The train operating company is working hard to fix that problem. My right hon. Friend the Member for Chelmsford said that there were some serious engineering overruns. Although there have been only four main ones over the past 12 months, their impact has been substantial. As he rightly pointed out, the most recent caused a shut-down of services at 11 am.

There has been a root-and-branch transformation of Network Rail’s approach to engineering works, particularly after the problems we saw last Christmas. Whether the works are major or minor, there is now a zero-tolerance approach to overrunning. The route operating directors are far more involved in decision making. I am disappointed that that is not coming through in these cases. I am particularly disappointed to hear about the late-running freight train, because it is policy that freight is always sequenced behind passenger trains, particularly during commuting hours, so I am disappointed to hear that that has not happened.

There are infrastructure problems on the line, but my right hon. Friend and other colleagues will welcome the fact that, since we last spoke in January, £170 million has been invested in railway lines from London to Norwich on a series of upgrades, and there has been a £20 million investment at the start of this short direct-award franchise, which includes the refresh of the existing rolling stock and some improvements on the class 317s and 321s.

I want to say a couple of words about disruption before I turn to the challenge of rolling stock and what is specified in the franchise. We are at a critical point for the railways. We are investing an unprecedented amount in railway and, indeed, road infrastructure over the next five years and that investment has to deliver on the ground. It is no good saying, “We have 2,000 engineering projects and, oops, three of them went bad.” That is unacceptable when thousands of people face disruption. I am pleased to tell my right hon. Friend here today that there has been an enormous review of engineering plans, a lot of contingency planning, and an evaluation of what happens in stations. I personally met the gold commanders at the various stations to assure myself of the best of my ability that the works will happen. The train operating companies have been present in all those review meetings.

It is fair to say that we are waiting for the new franchise to unlock the journey time improvements that we know are so crucial to the “Norwich in 90” campaign. I congratulate my right hon. Friend present, including my right hon. Friend the Member for Witham (Priti Patel), who has just joined us, because the aspiration would not be so advanced without Members’ assiduous campaigning. I hold it up as the poster child for what people need to do if they are trying to make improvements through rail spending in a region. However, until the franchise is in place and we get firm performance
Claire Perry: Does the Minister agree that the rail service operator tends to get the blame for problems such as overrunning engineering work, faulty track or signal failure because it is at the sharp end, although it is in fact not responsible? Network Rail and its maintenance department are responsible. We do not want both organisations at each other’s throats, but it seems a little rotten for the rail operators to get the blame every time.

Sir Simon Burns: Does the Minister agree that the rail service operator tends to get the blame for problems such as overrunning engineering work, faulty track or signal failure because it is at the sharp end, although it is in fact not responsible? Network Rail and its maintenance department are responsible. We do not want both organisations at each other’s throats, but it seems a little rotten for the rail operators to get the blame every time.

Claire Perry: As a former Rail Minister, my right hon. Friend understands this better than almost anyone. He is absolutely right to say that various players are involved in problems that occur, but our constituents do care. They just want to pay their fare, feel that they are getting a reasonable quality journey and get to work and then home to their families on time. One-off disruptions are clearly a problem, but the really insidious problem is the daily disruption on the parts of the network where we are undertaking massive improvement plans which leads to people being unable to say when they are going to pick up the kids from day care or when they will be in for a meeting in the morning. We are focused on such issues and we are addressing them. Most fundamentally, whether it is Network Rail or the operator or my Department, it is about putting the customer front and centre of railway decisions.

I will share briefly my theory of railway management. The railways have historically been run by gentlemen—only 17% of the workforce across the whole network is female—who probably had trainsets on their bedroom floors as little boys, but the problems with trainsets are twofold. First, all the trees are evergreen—bits of broccoli will do—and do not shed their leaves, so leaf adhesion is never a problem. Secondly, there are no teeny-tiny passengers to stuff into the train as it whizzes around the floor. I have been told by a departed senior person in the railway industry that were it not for passengers, the timetabling would be perfect. I assure all Members here that that my Department and I utterly reject that view. We will do all that we can, working with Network Rail and the operators, including Abellio Greater Anglia, to ensure that passenger interests are put front and centre of this unprecedented investment in railways.

Question put and agreed to.
Benefit Sanctions

4.29 pm

Neil Gray (Airdrie and Shotts) (SNP): I beg to move, That this House has considered benefit sanctions.

I thank you for taking the time to chair the debate, Ms Dorries; it is a pleasure to serve with you in the Chair. I also appreciate the time that right hon. and hon. Members from across the House have taken to be present in Westminster Hall, especially given our sombre and difficult discussions in the main Chamber.

It is important to state that the Scottish National party accepts the need for some level of conditionality in the social security system and that sanctioning has been part of the system for many years. However, of great concern to us is the evidence that points to claimants being sanctioned in a hasty manner and at an increased rate, and the evidence that social security sanctions link directly to the exponential rise in the use of emergency food aid, or food banks.

We cannot allow conditionality and sanctioning to be a fig leaf for social security cuts. There is strong evidence that sanctions are being applied too quickly, with half of them being overturned on appeal. People cannot live off fresh air, so it is understandable that the Trussell Trust, the Poverty Alliance, Oxfam and others have directly linked increased food bank dependency to social security sanctions, delays in welfare payments and low incomes.

I will focus my contribution this afternoon on the report of the Select Committee on Work and Pensions entitled “Benefit sanctions policy beyond the Oakley Review”, which was published on 18 March this year, and on the written statement from the Secretary of State in response, dated 22 October. The report stated that “expert and academic witnesses reported that the international evidence on the specific part played by the application, or deterrent threat, of financial sanctions in successful active regimes was more nuanced and far from clear-cut.”

Evidence from the University of Oxford and the London School of Hygiene and Tropical Medicine highlighted their comparative analysis of the social security sanctions systems applied in the European Union and in the USA, which indicated variable effectiveness in getting claimants back into work and that the UK’s system was one of the most punitive.

What was of great concern to me was the Committee’s view that it was “concerned that support for claimants was likely to reduce or stop during a sanction period, as the claimant might stop engaging with JCP or the contracted provider.”

That correlates with the anecdotal evidence that I have from constituents, family members and friends who have decided against claiming the social security support to which they should be entitled because of the undue stress and aggravation that the system places on them, including sanctions, work capability assessments and threatening letters—often wrong—about alleged overpayments. We should not be getting ourselves into a place where people are becoming so exasperated by the system that they are self-denying the support available to them, whatever the consequences.

The Oxford and LSHTM research examined official data on sanctioning rates, employment rates and benefit off-flow from 2005 to 2014 in 375 local authority areas in the UK. The study found no relationship between local sanctioning rates and employment rates, but it found a strong relationship between sanctioning rates and off-flow, and that that relationship had become stronger since 2011, when there was an escalation in conditionality brought about by the introduction of the mandatory back to work schemes, followed by the changes in the Welfare Reform Act 2012.

For 2011 to 2014 the study estimated that for every 100 jobseeker’s allowance sanctions applied there was an associated off-flow from JSA of 42.4 persons. The study claims that only about 20% of those leaving benefit following a sanction reported having found employment, so what about the rest? Part of my primary concern is that the sanctions regime is being used as a fig leaf for social security cuts, whether direct or indirect, and that there is little evidence that the stated aim of Government regarding sanctions—that they push people into work—is playing out in reality.

That view is supported by Crisis in its March 2015 publication, “Benefit sanctions and homelessness: a scoping report”. The report highlights the fact that the number of JSA sanctions per 100 claimants has almost tripled between 2001 and 2014; that the average monthly number of JSA sanctions has rocketed from 35,000 up to October 2012 to nearly 85,000 thereafter; and that there has been a threefold increase in employment and support allowance sanctions between March 2013 and March 2014. I do not believe that all of a sudden, upon the election of the coalition Government and beyond, jobseekers and social security claimants became less compliant. Something else appears to be in play.

The Committee report was damning about the sanctions regime as it stands. The Secretary of State’s response was published in the House on 22 October. It focused on three main areas: the so-called yellow card sanctioning system; automated sanctions letters; and the at-risk or vulnerable groups. I will address each in turn.

The statement was a step in the right direction—we acknowledge that—but my colleagues and I none the less have significant concerns about the direction of travel. The Work and Pensions Committee called for a full and independent review of the sanctions regime, which we in the SNP have long called for, but the Secretary of State announced a trial yellow card system. A 14-day warning is welcome and a step in the right direction, but the introduction of the trial yellow card system shows that the existing regime is failing. Perhaps the Government will consider a real yellow card system, which would have not only a 14-day timescale for appeal, but a “first offence” warning without sanction. Perhaps the Minister will consider that.

I am also concerned that the Department will be reintroducing the automated system for sanctions letters, which will open the regime up to more mistakes being made than is already the case. I hope that the Minister will advise what support will be made to claimants to allow them to appeal quickly and at no cost to them. I would also appreciate the Minister’s guidance on how incorrect sanctions will be avoided under the automated system. At present, according to the Government’s March figures, 50% of the sanctions dished out are overturned on appeal. The Secretary of State said in his statement that the yellow card system would be trialled “early next
year”, but no further detail has been forthcoming. Perhaps the Minister present will give this debate an exclusive and explain where, when and how the trial will work.

A commitment was also made to consider extending the at-risk group to include homeless claimants and those with mental health conditions, which would be important—that is important to all Members. I hope that the Minister will consider the issue carefully. My pitch today is for the Minister’s consideration to end in confirmation that people with mental health conditions and the homeless will be included in the at-risk groups and therefore be exempt from the most excessive sanctioning levels. We want a root-and-branch review, but the immediate introduction of protections for those with mental health conditions and for those who are homeless will provide protection in the interim.

The Crisis report that I quoted earlier suggests that not only are homeless people disproportionately at risk of being sanctioned, but that sanctions in themselves increase the risk of homelessness as claimants are forced to cut back on housing costs. Clearly, homelessness only pushes people to the margins of society and further from the labour market, so we have strong evidence that sanctions force people into temporary and long-term destitution.

Where is the evidence to suggest that the stick is forcing people into work, which is what the Government claim as they apply the sanctions? How does removing people’s ability to pay their bus fare to a job interview, to buy an appropriate interview outfit, or to buy the food that they need to think clearly help a jobseeker into work? My argument is that it does not. Sanctioning simply pushes people further from the labour market and into destitution. Indeed, it would appear that the Government are struggling to justify sanctioning as well. In August this year it was discovered that in order to convince the public of sanctions’ worth, the Government had used fabricated quotations from fictitious people talking about their positive experiences of the welfare and sanctions system.

We cannot ignore the clear and absolute need for a full and independent review of the sanctions regime. There is little or no empirical evidence to suggest that sanctioning aids people into work that is relevant to their abilities and desires—never mind well paid or secure work—while there is a plethora of evidence that the existing set-up is driving people towards food banks and poverty. The Government cannot stick their head in the sand about the consequences of austerity at all costs and the impact of sanctioning social security claimants.

In conclusion, I appeal directly to the Minister: if she cannot listen to me or the SNP, will she please listen to the cross-party Select Committee, or to the likes of Oxfam, the Poverty Alliance, the Trussell Trust, Crisis and a swathe of other third sector organisations about their concerns about sanctioning, and will she instruct an independent review of the system? While such a review is carried out all sanctions should be halted as a new system is agreed.

I thank you, Ms Dorries, for your time this afternoon and I thank right hon. and hon. Members for their consideration.

Corri Wilson (Ayr, Carrick and Cumnock) (SNP): It is a pleasure to serve under your chairmanship, Ms Dorries.

The UK Government brought in the sanctions regime to tackle the perceived culture of worklessness, which they used to justify the introduction of sanctions and conditionality as measures to change people’s behaviour and to incentivise people to find work. However, as I have recently been involved in the Welfare Reform and Work Bill Committee and listened to many hours of evidence from stakeholders, I know it is widely accepted, except perhaps by this Tory Government, that sanctions have a negative impact on people and our society. They are linked to poverty, homelessness, debt, stress, anxiety and mental health deterioration.

Recent studies suggest that the Government’s introduction of sanctions on JSA claimants has led to a significant rise in the number of people leaving unemployment benefits, but, as has already been mentioned, they are not returning to work. After June 2011 an estimated 43% of people who received sanctions went on to leave JSA altogether. As my hon. Friend the Member for Airdrie and Shotts (Neil Gray) mentioned, less than 20% of that group are recorded as having found employment.

Sanctions do not appear to help people return to work; they appear to help people slide out of view, and that in itself has huge implications for the welfare system. Despite a number of groups highlighting that, there has still been no comprehensive cost-benefit analysis of sanctioning, looking not just in narrow terms of unemployment benefits but at the bigger picture of health, homelessness and other social costs.

Sanctions come from a black and white place where people need to be punished for not doing as they are told. However, as we all know, life is not that straightforward. How can someone battling mental health or addiction who, owing to their chaotic lifestyle, misses an appointment be expected to respond to sanctions that ultimately plunge them into greater chaos?

The welfare system was designed to be a safeguard to help and support people in a time of need, yet that safety net has been ripped from under many people’s feet, leaving them vulnerable, in extreme hardship and in some cases at very real risk. Both Crisis and the Joseph Rowntree Foundation have said that sanctions are responsible for a significant increase in homelessness and rough sleeping. According to Quarriers, one in three homeless young people has been sanctioned.

Having worked in the Department for Work and Pensions for 20 years, I know that staff are in an impossible position when implementing these regimes. They often take the brunt of the claimants’ frustration and anger at the system. When I worked there, sanctions were used in extreme cases. They have their place, but a decision to impose them was not taken lightly. However, it seems that they are now the norm, leaving people destitute.

According to the Money Advice Service, a fifth of adults in the UK are over-indebted. In my constituency, 22% of people have reported being behind with their bills. Almost a third of them have a household income below £15,000 and rely on state benefits. Imposing sanctions, even for a short time, can throw hard-up families into arrears on rent and household
People on universal credit have to pay back their hardship payments at a rate of 40% of benefits: the same amount by which hardship payments are less than benefits. In essence, universal credit sanctions last 3.5 times longer than their nominal length. These people do not need a brutal sanctions regime; they need a fairer day’s work for a fair day’s pay. People do not want to be on benefits. They want to be safe, have a roof over their head and food in their belly and to have some money in their pocket to spend. Austerity measures mean cuts, cuts and more cuts, with less spending resulting in fewer jobs.

The answer is to take measures to increase employment and grow the economy and then allow the DWP to revert to supporting people into employment, addressing the barriers to that and allowing staff to do their jobs. The key to doing that successfully is a positive relationship between the DWP adviser and the claimant, with the adviser having the autonomy and resources to address barriers to work.

According to the Trussell Trust, since the new regime was introduced in 2012, 83% of food banks have seen an increase in the number of people urgently needing their help. We all acknowledge the extraordinarily valuable service that food banks provide in our local communities, especially to the most vulnerable, but that is not the only reason we have to be grateful for the Trussell Trust’s work: in recent years, it has scrupulously documented the nastiness and ineffectiveness of the Government’s approach to sanctions, which needs a comprehensive mauling. I do not have time to do a lot, but I will give it a try.

Before we can decide whether a system is fit for purpose —this applies to any policy—we first need to establish what it intends to achieve. The official Department for Work and Pensions line is that the system will help “motivate” people to look for work. Though Ministers insist that their approach to sanctions is backed up by evidence, it has never been quite clear where their supposed evidence is. It certainly does not come from the Department itself.

Recently, when I asked Ministers for statistics on the number of people who have moved into work after being sanctioned, they admitted that they had no idea. I refer the officials to question 11860, which I asked on 14 October and was answered on 21 October. Presumably there are therefore other reasons for their apparent obsession with the conspicuously “tough” approach brought in with the new rules, which are like sanctions on steroids. They were introduced in 2012 and our suspicions should have been raised when the DWP sent out press releases boasting of the record numbers of people being sanctioned.

In a typical release last year, the then Employment Minister, now unemployed—many in Wirral West would say deservedly—Esther McVey presented those figures as evidence that the Government were “ending the something for nothing culture.” If this system is about anything more than political posturing, the Government are doing an awfully good job of ignoring it. After all, their own impact assessment for the 2012 changes acknowledged that there simply was not evidence to show that harsher sanctions would actually lead to more people moving into work. What we now know, thanks to a study published not by the Department but by academics from the Universities of Oxford and London in January, is that many of those who were sanctioned between 2011 and 2014 stopped claiming benefits altogether, but just 20% did that because they had found work.

Sanctions not only do not help people get into work, but make that much more difficult. That is especially true for those most in need of help with the transition from unemployment into work. People with mental health problems, for example, now make up a majority of people in the work-related activity group within ESA. In a survey conducted by Mind last year, 83% of people in that group said that the so-called help they had received, either from jobcentres or Work programme providers, had actually made their mental health worse, and 76% said that their experiences caused them to feel even less able to work than before. We have those findings from the one hand and on the other we have a sixfold increase in the number of sanctions for people on ESA.

The Government should go beyond their rhetoric and take a good hard look at the impact that these sanctions are having in the real world. Of course, most of us are already painfully aware of the reality behind that rhetoric. We have seen the evidence not just in our constituency surgeries, but in the ever-growing lines of people queuing outside our local food banks.

According to the Trussell Trust, since the new regime was introduced in 2012, 83% of food banks have seen an increase in the number of people urgently needing their help. We all acknowledge the extraordinarily valuable service that food banks provide in our local communities, especially to the most vulnerable, but that is not the only reason we have to be grateful for the Trussell Trust’s work: in recent years, it has scrupulously documented the stories people tell when they go to food banks, explaining why they need help. That has made an extremely important contribution to the wider sanctions policy debate.

The record compiled by the Trussell Trust provides the most comprehensive document we have had to date of the nastiness and ineffectiveness of the Government’s approach. Examples from food banks across the country include: sanctions in Richmond for missing appointments, despite not having enough money for the bus fare; sanctions in Birmingham for not providing enough evidence of applying for jobs online, even when the person involved told them they could not use a computer; sanctions in Nottingham for missing appointments to attend funerals and for visiting a loved one in hospital; and sanctions in Crosby for missing an appointment because the claimant was going to a job interview—an irony that seems to be lost on Ministers. If there is any logic or reason behind any of that, I simply cannot see it.

The Labour party agrees with the Scottish nationalists on this issue. It is not that we do not believe that there should be some form of conditionality behind jobseekers obtaining benefits, but frankly, the sanctions regime has gone far too far. Such stories—there are plenty of them,
and plenty more where they came from—make a mockery of the Government’s claim that sanctions apply only to those who fail to “play by the rules” or who are “wilfully rejecting support for no good reason” as the former Employment Minister used to say.

It should now be clear to anyone capable of thinking straight on sanctions that the entire system is so fundamentally broken that it is almost beyond repair. We urgently need a root-and-branch reform, and we can do that only on the basis of evidence. We therefore ask yet again, as does the Work and Pensions Committee, for a full and independent review to consider the fundamental questions of what these sanctions are supposed to achieve, whether they are working and, even if they are, how much they are costing.

That is what my colleagues and I have pushed for repeatedly during recent debates on the Welfare Reform and Work Bill. As the Bill moved through the Commons, we tabled an amendment to it in Committee and on the Floor of the House that would have forced the Government to set up a comprehensive independent review to address those issues. Every single Member on the Government Benches voted against establishing such a review. I asked the Minister this question at the time, and I will ask her again today: if the Government are so sure of those issues, why are they so frightened of an independent review? Exactly what are they afraid of? I am still waiting for an answer to that question, but I am not holding my breath.

Several hon. Members rose—

Nadine Dorries (in the Chair): Order. There has been some confusion, which I will put down to the fact that SNP Members are new and may not yet be fully au fait with how Westminster Hall and Parliament work. It is normal practice, when a Member wants to speak, to catch the eye of the Chair and to rise. I left time, following the speech by Mr Gray, for other Members to rise, and nobody gave any indication that they wanted to. This is unusual, because the Opposition Front-Bench spokesperson has already spoken, but given that we are okay for time, you may make some brief points, Mr Boswell. Although my daughters frequently accuse me of having eyes in the back of my head, I cannot read your minds and do not know that you want to speak.

4.53 pm

Philip Boswell (Coatbridge, Chryston and Bellshill) (SNP): It is a pleasure to serve under your chairmanship, Ms Dorries. I thank my hon. Friend the Member for Airdrie and Shotts (Neil Gray) for securing the debate and for his insightful and informed speech on the subject. We represent neighbouring constituencies, and I see he has become as aware of and concerned as I have about the extent of benefit sanctions in the North Lanarkshire area and their far-reaching impact on not only the individual being sanctioned but their family, who are also affected.

I welcome the contributions made by all who have participated in the debate. I think I can safely say that every Member in this Chamber will have met constituents who have faced unfair benefit sanctions. The other week, I heard from a constituent who was faced with a four-week sanction after failing to attend a jobcentre meeting. The reason he missed the meeting was because he had a job interview—ridiculous! He is currently in the process of appealing the DWP’s decision, but in the meantime, he is faced with the prospect of trying to get by in the run-up to Christmas without any income whatever.

As has rightly been stated by many hon. Members, benefit sanctions have made a direct, substantial contribution to the increased use of food banks. From October 2014 to October 2015, the Coatbridge food bank has seen a 35% increase in referrals. According to Chris Baxter, the food bank’s manager, a substantial contributing factor to that increased use is benefit sanctions. I thank Chris and his staff for their efforts.

Nadine Dorries (in the Chair): Order. Please make your key points. You have a few minutes each. You cannot deliver your speech, I am afraid, because the Opposition Front-Bench spokesperson cannot respond to your points.

Philip Boswell: Sorry; I was cutting out large sections of my speech, but I will be more ardent in my efforts.

Emily Thornberry: On a point of order, Ms Dorries. I do not know if this will help with your chairing, but may I make it clear that the Labour party sees entirely eye to eye with the Scottish nationalists on this issue? There is unlikely to be anything they raise that I would want to argue with them about.

Nadine Dorries (in the Chair): Thank you very much for that.

Philip Boswell: In addition to causing a rise in food bank use, benefit sanctions contribute to the rising fuel poverty seen throughout these isles. According to Citizens Advice Scotland, benefit sanctions have directly contributed to the 130% rise in fuel poverty in Scotland, with 40% of Scots now living in fuel poverty—a statistic I find completely unacceptable.

Ultimately, benefit sanctions condemn the individuals faced with them to a cycle of poverty, given the impact on food poverty and high-interest debt, as many individuals take out long-term loans with high interest rates. Benefit sanctions also condemn the children of the people faced with them. We now live in a country where a growing number of people are punished for being poor—poor and paying for it—from the day they are born, and are provided with little means by which to escape poverty, so that they will always be poor. That needs to change, and ending the system of inhumane benefit sanctions is a first step in that direction.

4.56 pm

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): It is an honour to serve under your chairmanship, Mr Boswell. I thank my hon. Friend the Member for Airdrie and Shotts (Neil Gray) for securing this important debate.

The Government continue to claim that the claimant commitment ensures that requirements for claimants are reasonable, but their own research shows that around half of claimants say that the commitment contains actions that do not take account or consideration of their personal circumstances, are unrealistic or simply...
do not increase their chances of finding work. The Government are ignoring Work and Pensions Committee recommendations, and I hope the Minister will be more receptive today and note my concern that those recommendations do not appear to have been adequately considered.

Sanctions remove all of a claimant’s jobseeker’s allowance and all of the personal allowance component of ESA, leaving people in a position of utter destitution. Hardship payments are supposed to be available to people who have been sanctioned. However, unless they are deemed vulnerable—a very tight definition that does not even consider homelessness as a sign of vulnerability—they cannot apply for two weeks.

I can put myself in the shoes of those who fall foul of the sanctions regime. If I were reliant on benefits to survive, I would probably have little or no savings. I honestly do not know how I would survive for two weeks with no income. Even if I were successful in my hardship application, I would receive only 60% of my sanctioned benefit. I have concerns that the current system has the potential to push otherwise law-abiding people to criminality in order to survive. It is abhorrent for people to face destitution, and it is thoroughly heartless of the Government to continue with such a ruthless system. I welcome the private Member’s Bill promoted by my hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), which seeks to introduce automatic hardship payments for sanctioned claimants and to remedy some of the problems in the current system.

The sanctions regime is also incredibly unfair on front-line staff in jobcentres. I am aware of a recent incident at a jobcentre in my constituency that resulted in staff having to phone the police. The reason for the incident was that a person who had been sanctioned and, as I understand it, not adequately notified of the sanction, visited the jobcentre to protest, and the situation escalated. That does not seem to be an isolated incident. From what I can tell, there is a broken process in place.

In summary, I would like responses from the Minister to the following questions. Can figures for the number of people arrested during their sanction period for shoplifting offences be provided? What is the reasoning behind the two-week hardship rule, and has it been recently reassessed? What consideration has been given to the private Member’s Bill on automatic hardship funding and to the practices of notification of sanctions for all those affected?

4.59 pm

The Minister for Employment (Priti Patel): It is a pleasure to serve under your chairmanship, Ms Dorries. I congratulate the hon. Member for Airdrie and Shotts (Neil Gray) on securing the debate, because it not only allows all Members to reflect their reviews on this important issue, but gives us a chance to discuss conditionality alongside full employment and how we can encourage and support people back into work. The hon. Gentleman raised points that we have discussed previously. As he is a new spokesman for his party, I congratulate him on that and I look forward to working with him.

The debate has been wide-ranging, but I would like to start by restating the importance of conditionality and the role that it plays in our welfare system, and I will outline the principles behind the use of sanctions as part of the approach to help move people into employment. The hon. Gentleman and all hon. Members have made important points about the system, and I will outline some of the recent developments and the improvements that we are making following the recent report on sanctions by the Select Committee on Work and Pensions as well as the independent Oakley review.

The role of conditionality is best highlighted by the independent Oakley review, which said that sanctions are “a key element of the mutual obligation that underpins both the effectiveness and fairness of the social security system.” The words “effectiveness” and “fairness” are particularly relevant, because we know from claimants that there is a positive impact on behaviour. Nearly three quarters of people on jobseeker’s allowance and more than 60% of those on employment and support allowance say that sanctions play a role in helping them to understand the system. They have the claimant commitment in particular, but it helps when it comes to seeking employment and it provides a framework for them. The number of sanctions has fallen by around 40% in the last year, and ESA sanctions have stabilised as well. We should recognise the point about mutual obligation that the Oakley review describes and that sanctions can provide the right support for people to move into employment.

Emily Thornberry: I do not really understand what the Minister is saying. Perhaps she can help me by explaining it a little more. Is she saying that claimants say that it is helpful for them to have sanctions and that without sanctions, they would not understand what the system was?

Priti Patel: We know from claimants that the principle of conditionality and the claimant commitment have a positive impact on behaviour. Nearly three quarters of people on JSA and over 60% of those on ESA say that sanctions make it very clear to them that they will follow the rules, in terms of the claimant commitment and their discussions with work coaches. Those rules will also help them to gain employment, so they understand the discussions and dialogue that take place with them with regard to conditionality.

Neil Gray: Further to that point and the helpful intervention from the Labour shadow Minister, does the Minister not accept that, when a claimant has been sanctioned, that removes their ability—for a long time, because these are often cases involving people who have very little means—to access the services and job interviews and all the other issues associated with getting back into work? Does she not accept that and see, in a number of cases, that it is clear that the sanction has damaged the claimant’s ability to get back into work?

Priti Patel: Specific to individuals who have been sanctioned, first, there is a proper process on sanctioning, so we must not lose sight of that. That process includes a tailored claimant commitment and an action plan, so that individuals know what is expected from them, and importantly, the support that they will access and get from jobcentres and work coaches. The hon. Gentleman also mentioned mental health, which I will come on to.
With regards to the proper process on sanctions, we have safeguarding and hardship payments, and those provide the support arrangements for people who are subject to a benefit sanction.

**Philip Boswell:** If the proper process is indeed in place, why are 50% of appeals successful?

**Priti Patel:** As I said, a sanctions process is in place. It is a proper process that includes the claimant from the start, so the claimant is fully engaged in the process, the discussions and the claimant commitment or the action plan, which clearly states what is expected of them.

On the overturning of sanctions and appeals, I cannot comment on individual cases, but I emphasise that the claimant commitment and the action plan are undertaken with the claimant from the start. The parameters are there. The individual knows exactly what is required of them. Importantly, it is a two-way process, with work coaches and the jobcentre. They set out not only what the claimant commitment is and what is expected from the individual, but importantly, the support that they will provide to that individual.

I know that a few cases were highlighted. The hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) mentioned a couple of cases. I am very happy to look into those, if she would like to share them with me after the debate, and to work through those individual cases with her. I will come on to the point made by the hon. Member for Airdrie and Shotts about individuals with particular conditions, such as mental health conditions, or with caring responsibilities or disabilities. Individuals have different circumstances, as we all recognise. It is absolutely right that individual circumstances, conditions and responsibilities are taken into consideration and that claimants are given a full opportunity to provide the good reason for not complying when a decision is made by the decision maker.

Coming back to the point about process, there is, of course, the opportunity to have a mandatory reconsideration, whereby there is a further opportunity, on an individual basis, to provide information and for more facts to be considered.

**Emily Thornberry:** The Minister is being very generous in taking as many interventions as she has. She has moved back to process, on which I wanted to ask her a question. She said that the number of sanctions is going down, but a large number of people are moving on to universal credit, and the Department for Work and Pensions does not publish statistics for those who have been sanctioned on universal credit, as I understand it. Will the DWP undertake to start publishing statistics on people who have been sanctioned who are getting universal credit?

**Priti Patel:** If I may, I will come back to the hon. Lady on that point. She will be fully aware that universal credit is being rolled out and will be rolled out fully by April next year. However, I will come back to her on the point about UC and sanctions.

I was making the point about the process and support for claimants with health conditions. In addition to looking at any other cases that Members would like to raise with me, I make the point that jobcentre staff are trained to support claimants with health conditions, and mental health conditions in particular, during their job search and have access to more expert advice if that is needed. With that, we are ensuring that safeguarding measures are put in place to protect vulnerable claimants, particularly ESA claimants, with mental health conditions. We have a process and a system whereby ESA claimants, when engaged with the jobcentre, can receive a home visit from a visiting officer, should that be required. It is also fair to make the point that, with the Work programme, providers must make every attempt to engage on a face-to-face level if they identify a claimant as vulnerable.

The debate gives me the opportunity to raise with the House the fact that for mental health claimants in particular, the Government have outlined a new joint unit, very much focused on the Department of Health working with the DWP, looking at individuals with health conditions and health barriers—mental health being one of them—and at how we can provide more tailored and integrated support to help those claimants, many of whom, it is fair to say, are on employment and support allowance and are furthest away from the labour market.

More than 60% of ESA claimants say publicly and frequently that they want to work, but we need to find the right journey and support for them to get back into work. This Government have just started that important work through the new joint health and work unit of the two Departments. That is a positive step forward, and I look forward to working with all right hon. and hon. Members to see how we can advance.

The hon. Member for Airdrie and Shotts mentioned the yellow card early warning system, which was announced in response to a recommendation by the Work and Pensions Committee in its recent report on sanctions. Its Chair, the right hon. Member for Birkenhead (Frank Field), welcomed our response and, importantly, our willingness to engage with the Committee to ensure that the conditionality system works as it should. In our response to the Committee, we announced that we would trial a sanctions warning system giving claimants a further two weeks to provide evidence of good reason before a decision is made. It is important that that will strike the right balance between fairness and conditionality.

We intend the trial to operate in Scotland from March 2016 and to run for approximately five months. A full evaluation of the trial will be undertaken, and the findings will be available from autumn 2016. As I said, I am happy to discuss the findings and the roll-out as it continues.

We have responded positively to the independent Oakley review. As a result, we have worked with behavioural insight experts to enhance our engagement, our approach and the way in which we communicate sanctions. We have published a JSA sanctions fact sheet through Government channels; we are improving the clarity of the JSA and ESA hardship application process; and we are making improvements to the payment process to ensure that payments are made within three days. We are very clear about that, as we stated in our response to the Work and Pensions Committee. We have accepted all 17 of the Oakley recommendations to improve the process, and we will undertake a number of improvements to JSA and ESA sanctions. The Chair of the Select Committee made it clear that he is pleased that the Government accepted its approach and many of its comments on sanctions, and particularly our willingness to change.
Food banks have been mentioned. We are trialling the DWP working with food banks in Manchester, and we will report back on the observations from that.

In conclusion, the employment support offered by jobcentres has been based on conditionality, but it has also been personalised to help people into employment with wide-ranging provision of skills and employability support. There are clear expectations on people under the conditionality system, such as work search expectations, which we have touched on in the debate. A key part of our employment and support programme is the principle of conditionality, and we will keep our sanctions process under constant review to ensure that it continues to function effectively and fairly. We will also work with the Work and Pensions Committee, and we will take on board the views and comments that have been aired this afternoon.

5.14 pm

Neil Gray: I thank all Members for their contributions. They have all been fair, but also have shone a light on what is going on for many hon. Members locally. My hon. Friend the Member for Ayr, Carrick and Cumnock (Corri Wilson) made an impassioned speech based on her knowledge of the system from her working life. That brought great scope to the debate.

My hon. Friend the Member for Coatbridge, Chryston and Bellshill (Philip Boswell) made another fantastic speech, elaborating on local issues that we share, as we represent neighbouring constituencies. I am sorry that given the circumstances, which are understandable, he could not elaborate further, particularly on issues such as fuel poverty. I know he was very keen to get across points about that.

My hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) made good points about how any one of us who might find ourselves relying on social security support at any point in our lives would respond to being sanctioned. She also mentioned the Bill being promoted by our hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), which I fully support.

I greatly appreciate the comments of the Labour shadow Minister, the hon. Member for Islington South and Finsbury (Emily Thornberry). I thought that her position was rightly very close to that held by the SNP. She reiterated that the research showed that just 20% of the 42% of people who had left JSA after being sanctioned had reported finding work. I thank her for her supportive comments and for her flexibility over how the debate happened this afternoon.

I also thank the Minister. I appreciate her personal comments to me, but also the way she made her contribution. She acknowledged that the points that Opposition Members have been raising are important, and I welcome that. She mentioned hardship payments. We have to realise that they are at a level far less than the normal income that people are used to. Even though people are receiving those payments, we have to consider the impact on their lives in the short, medium and long term.

The Minister said that circumstances had to be taken into consideration, but she stopped short of saying that the at-risk groups would be expanded to include people with mental health conditions and the homeless. I hope that we can work on that over time. She said that 60% of ESA claimants say that they wish to get back into work. My experience is that far more would work if they could, but they feel that they have been unfairly assessed. The cuts to ESA that are to come will hinder people who need that extra support to get back into work, particularly those with mental health conditions. I hope that the Minister will take that issue away and consider it with colleagues.

I thank the Minister, my colleagues, the Labour shadow Minister and you, Ms Dorries. I look forward to making further progress on these matters in the coming weeks and months.

Question put and agreed to.

Resolved,

That this House has considered benefit sanctions.

5.17 pm

Sitting adjourned.
Mr David Nuttall (in the Chair): Before I call Mrs Sheryll Murray to move the motion, one or two Members have said that it is a little warm in Westminster Hall this afternoon. If any gentleman Members wish to remove their jackets, they may do so.

Mrs Sheryll Murray (South East Cornwall) (Con): I beg to move,
on the measures taken in 2015 to halt the dramatic decline in this important stock. Today’s proposal includes a complete fishing ban for commercial vessels and recreational anglers in the first half of 2016. For the second half of 2016, the Commission is proposing a monthly one tonne catch limit”—that almost halves the quota for my Looe fishermen—“and a one fish bag limit for recreational anglers.”

The Minister confirmed in a recent answer to my written parliamentary question that the UK response to those proposals is being considered in advance of negotiations at the December Fisheries Council meeting. Can he share with the House today what that response will be?

Finally, I wish the Minister well in his negotiations. I know he will do his best for Cornish and UK fishermen. However, having seen the industry suffer under the common fisheries policy, first as someone connected with the industry and, from 2010, as a Member of Parliament, I have to say that enough is enough. On the 12-mile limit, there is a case for ending access rights. We see from the regulations that France has access to 15 areas in UK territorial waters. Ireland has access to two areas, Germany to six, the Netherlands to three and Belgium to five for a variety of species. The UK gains access to two areas in German waters and one area in French waters. This is not fair.

Mr Christopher Chope (Christchurch) (Con): My hon. Friend is making a brilliant speech. Is the natural conclusion of her analysis that unless or until we leave the European Union, things will go from bad to worse?

Mrs Sheryll Murray: My hon. Friend has anticipated the point that I will end with.

My hon. Friend the Minister was the Conservative party’s head of press when Michael Howard said: “That which no one owns, no one will care for. The first step to regenerating fisheries as a renewable resource is to establish the concept of ownership. That is why an incoming Conservative government will immediately negotiate to restore national control over British fishing grounds, out to 200 miles or the median line of the British fishing industry.”

He went on to say: “That which no one owns, no one will care for. The first step towards regenerating fisheries as a renewable resource is to establish the concept of ownership. That is why an incoming Conservative government will immediately negotiate to restore national control over British fishing grounds, out to 200 miles or the median line as allowed under maritime law, with sensible bilateral deals and recognition of the historic rights of other nations.”

The shadow Minister at the time, my right hon. Friend the Member for North Shropshire (Mr Paterson), drew up a Conservative party Green Paper of more than 30 pages, entitled “Consultation on a National Policy on Fisheries Management in UK Waters”, dated January 2005.

A recent debate in Westminster Hall demonstrated cross-party support for fisheries to be included in the EU renegotiations being carried out by my right hon. Friend the Member for Stockton North (Alex Cunningham) to his new role. I thank the Backbench Business Committee for granting time for the debate, not for granting this venue. In my view, debates of such importance should be on the Floor of the House. In my constituency, indeed, in the north-east as a whole—the fishing industry is still a significant employer. It also remains the most dangerous peacetime occupation, an unfortunate fact that we reflect upon each year in our annual service for lost fishermen and seafarers. I hope that in future years the venue will reflect the industry’s importance, even if it means having a debate in Government time.

I wish to raise three points: I make no apology for their being local to my constituency. The first concerns the difficulties that fishermen are currently having where they depend upon the nephrops fishery—prawns to the rest of us—particularly in the Farne Deeps, which is a critical fishing ground for local fishermen, particularly for the under-10 metre boats. I understand that stocks in the Farne Deeps are under a great deal of pressure. Local fishermen talk about boats coming from other parts of the United Kingdom, including from Northern Ireland and Scotland. Before I cause a stir, this is not a geographical or even a national point, it is about the size of the boats that are coming and the amount of stock that they are able to take. My guess is that they have been displaced from their traditional fishing grounds, or that they have diversified into prawn fishery.

The danger level for the Farne Deeps is being reached. ICES would say that the stocks are at least heading towards being unsustainable, even if they are appropriate at present. If the answer is a reduction in catch, which some are talking about, then unless the issue of access is dealt with, that will not support the local fishermen I am here to speak on behalf of. The options that the Minister has suggested to me that his officials are looking at have been met with scepticism by local fishermen. Why does he appear to have rejected measures that would limit access to the Farne Deeps?

The prawn fishery is key for North Shields fishermen, and those fishermen and the fleet are key to the success of the port. The port is key to the successful regeneration of the coast, and regeneration of the coast is key to the local economy. So this is of the utmost importance to my constituency and the fishermen in it. What can the Minister say to reassure them? What does he believe will come out of the Fisheries Council that might reduce pressure on areas such as the Farne Deeps and at the same time support the livelihoods of local fishermen? Will he, for example press for low-impact boats to have priority access to coastal waters under article 17? That is my first set of questions.

My second set of questions is about the salmon fishery and the future of the relatively few driftnet licences that remain. There are at present only 11 licences left. They are few in number, but very important to the local families who still hold them. The fishermen who have licences not only take salmon but play a part in renewing the salmon stock. It is a sustainable fishery. The salmon summit met on 19 November, and I look...
forward to the outcome, but why did pressure from me and others have to be applied before fishermen themselves were invited? The list of invitees that I saw was so weighted in favour of groups that want to get rid of those licences that it looks like the end of the fishery is in sight. Does the Minister at least accept that it looks like vested interests are playing a part in driving policy towards the end of the licences as soon as possible? Why is this sustainable heritage fishery being kept in Ministers’ sights when it is exactly the sort of sustainable local fishery we should be looking to support?

I have raised my third point in a slightly different form in previous debates. It concerns the regeneration of North Shields port and the much-needed urgent quay renewal project. I understand that the European fisheries fund is being replaced with the European maritime and fisheries fund, but that grants from the new fund might be capped. The new arrangements might work against investing in port infrastructure, particularly in small ports such as North Shields, which might prove to be the big losers, yet those are precisely the ports that are struggling with the implementation of the discard ban. Can the Minister clarify whether the EMFF is on track to replace the EFF? If it is, can we reassure me and my local fishermen that it will not work to the detriment of North Shields, where regeneration is vital if we are to safeguard the future of the fishing industry?

1.49 pm

Dr Sarah Wollaston (Totnes) (Con): It is a pleasure to serve under your expert chairmanship, Mr Nuttall. I thank and pay tribute to my hon. Friend the Member for South East Cornwall (Mrs Murray), who spoke on a complex subject with her customary expertise and set out the difficulties faced by the fisheries industry. I join her in paying tribute to our fishermen, who put their lives on the line by taking to sea to put food on our plates. Likewise, I pay tribute to all those in the rescue services and those who raise money for charitable causes throughout our fishing industry and beyond.

I have the great honour of representing Brixham, Dartmouth and Salcombe. The fishing industry’s contribution to our local economy cannot be overstated. Brixham lands the highest-value catch in England, and has added an extraordinary amount to our economy. Although the catch has increased by 5% since last year—largely because this year we have not had the appalling winter storms that we suffered in 2014—we still have not recovered to the level we were at five years ago, and much of the uplift in fishermen’s income has come because of factors such as falling oil prices, rather than because the challenges they face at sea are being addressed.

It is not just the fishermen themselves who contribute to our local economy; the wider industry on land does too. There is not only the processing sector but the engineers, electricians, painters, riggers and marine scientists, so the impact on our wider economy cannot be overestimated. It is not just about the value of the catch, which this year alone was £21.441 million; we need to bear in mind the effect across the wider economy rather than focus only on the fishing industry.

I do not want to repeat the points about the quotas that my hon. Friend the Member for South East Cornwall made so eloquently, but will the Minister bear in mind the fact that in a mixed fishery the implementation of the discard ban has unintended consequences? Everyone recognises that there can be no morality in discarding perfectly good dead fish at sea. We have to be careful that implementing the policy does not just equate to discarding on land, and that discarding does not continue in the run-up to the introduction of the total ban.

In our mixed fisheries, particularly where species are recovering, if changes along the lines of those that my hon. Friend suggested are not made, we will see considerable, completely wasteful discarding this year. Will the Minister look into that? I hope that he will make the point very strongly that if we expect our fishermen to support changes that sometimes demand reductions in catches, we expect the same rigour to be applied when there is a clear increase in biomass and a compelling case to send things in the other direction. My hon. Friend’s point about the arbitrary 15% limit on the maximum uplift is right—surely that is wholly unacceptable. Will the Minister set out the points he will make at the Fisheries Council to try to get things to work in the other direction?

We should be going further on the issue of bass. No one in this Chamber is unconcerned about bass stocks. Although it was difficult for some sectors, the important change that was made to bring to an end pair trawling and increase the minimum landing size has received widespread support. Nevertheless, closing the fishery entirely for six months appears draconian, and it will have huge unintended consequences for other species. Fishermen will be forced to switch their effort to other species, and we are likely to see an increase in wreck netting, for example. There are also implications for the spawning stock of fish such as pollack.

We need to look at the bigger picture. Fishermen make a strong case that we risk seeing the destruction of our sustainable under-10 metre fleet, which includes many rod-and-line fishermen who face becoming entirely unsustainable. That case has been put forcibly by a number of fishermen from the under-10 metre fleet. Rather than agreeing to conditions that will effectively put them out of business forever, will the Minister consider asking whether we can have a little more time to see the impact of important measures that have not yet been given a chance to take effect? Might there be a compromise that addresses the fact that such fishermen will be changing their effort?

We must also consider the fact that some fishermen in small vessels will be put at personal risk if they are driven further out to sea in dangerous conditions in order to sustain a livelihood. Will the Minister give us more detail about the measures he is going to put in place? The difficulty in trying to impose a one fish per angler bag limit on recreational anglers is that it is likely to be ignored. We want to carry recreational anglers with us. We must at least ask how the limit is going to be policed, because it is not clear at the moment.

On the science of our seas, we all know that we are in challenging times financially, but the importance of good science to guide the decisions made in Europe cannot be overstated. Will the Minister set out what he is doing to support the science behind our fisheries to ensure that future decisions are based on the best possible science?

Peter Aldous (Waveney) (Con): My hon. Friend is spot on about the importance of science. Hidden away in last week’s autumn statement was the announcement of a significant £5 million investment in the Centre for Environment, Fisheries and Aquaculture Science, which is
the marine science arm of the Department for Environment, Food and Rural Affairs, to be spent on refurbishing its premises in Lowestoft. That will give it the opportunity to work up exciting plans to carry forward its great work.

Dr Wollaston: I am delighted to hear that that is happening in my hon. Friend’s area. We would like to see that kind of investment around the UK, and we would like more scientists out on boats with our fishermen to collect the evidence that they need in real time. We should focus on basic marine science as well. My hon. Friend will know, for example, that the AstraZeneca premises in my constituency were taken over by Plymouth University. I hope that there will be a strong focus on everything we can do to improve our knowledge of marine science.

I know that many Members wish to speak, so I will bring my remarks to a close. I say again that I hope my hon. Friend the Minister will stress as firmly as he can that in a mixed fishery, particularly as biomass is increasing, the proposed quotas will not save a single fish unless we see the right level of uplift for some species. The fish will still be discarded at sea, perfectly healthy to eat, but dead. No one in this Chamber or beyond would support that.

1.58 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate the hon. Member for South East Cornwall (Mrs Murray) and for South Down (Ms Ritchie) on securing this debate, and I endorse the view expressed by the right hon. Member for Tynemouth (Mr Campbell) that this subject really belongs in the main Chamber. The fishing industry matters for all our coastal and island communities and deserves that degree of respect. I hope it will receive it in years to come.

I echo the comments made by the hon. Member for South East Cornwall when she spoke of the current EU renegotiations as a missed opportunity to reopen discussions on the common fisheries policy. There was an opportunity for the Prime Minister to atone for the sins of his political ancestors, if I may put it that way, and it would be an eminently achievable objective, because I do not think the common fisheries policy, as it stands, has many friends, even in Brussels. We can all see the damage that has done to our respective countries and industries. We have the opportunity to reboot it.

Mrs Murray: I praise the right hon. Gentleman for securing the earlier Westminster Hall debate on the common fisheries policy. Does he agree that it would send a message to the fishing industry that the Government care about fishermen and women?

Mr Carmichael: Indeed it would. For that reason, I intend to keep making the case, and I do not doubt that the hon. Lady will, too. This case is best made in this House, as is generally the case—I speak as a Member who represents a fishing community—to ensure it is made in the broadest possible way. By and large, there is not a great deal of difference between the parties on fisheries policy. We all face the same challenges in our communities. For that reason, it will be easy to build a cross-party consensus.

I want to dwell on two areas today. I understand—perhaps the Minister will deal with this in his remarks—that the EU-Norway negotiations are proceeding fairly well. It looks as though they will produce quota uplifts for most species, with a significant—and worrying for my constituency—exception for mackerel and blue whiting. That exception will be even more significant in the discussions that are about to start in Copenhagen between the European Union and the Faroe Islands. I hope the Minister will take that point away and pursue it vigorously with the EU negotiators in those discussions. There is grave concern in the pelagic industry about the way in which the 2014 deal between the EU and the Faroe Islands is being allowed to operate.

As hon. Members are doubtless aware, the deal was designed to allow EU vessels some access to Faroese waters. In return, Faroese vessels can catch a proportion of their mackerel and blue whiting in EU waters. The deal was met with substantial scepticism in my constituency and by the pelagic fleet in Shetland, in particular. They have gone along with it and have done their best to make it work, but with every week and month that passes it becomes more apparent that the deal requires urgent review.

The recent Seafish study shows that this year the Faroese have overcaught their entitlement of mackerel by 1,400 tonnes, but there have been no boats catching mackerel or blue whiting in the Faroese waters. Surely, it is possible to do this without threatening the access of EU vessels to Faroese waters. Essentially, the Faroese were given an inch in 2014, since which time they have taken a mile. The deal looks more and more unbalanced with every day that passes. It requires urgent attention from Britain and the EU.

The other matter that I wish to bring to the attention of the Minister and of those in the devolved Administrations, because it is of significance to them, is the implementation of the demersal discard ban, which is due to come into force at the beginning of the year. We always knew that the demersal ban would be tricky.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The right hon. Gentleman probably has the same concerns as I do about the lack of port infrastructure for the discard ban, which will affect some boats. Has he encountered that issue in Orkney and Shetland?

Mr Carmichael: It is very much an issue that we have encountered, especially in Shetland. The real difficulty is that until we have the discard ban, we will not know exactly what we are dealing with, in terms of stocks and the infrastructure that will be needed. However, all the indications are that it will be substantial. The Government have a role, because the way in which the discard ban is implemented is down to the Scottish Government, the UK Government and the other devolved Administrations. I say to the Minister, as I say to others, that there is a real need for much greater flexibility, especially in the early years, until we see exactly what we are dealing with and how it will work.

Mr MacNeil: I have two boats—the Aquarius and the Cheerfull—in Barra. They are not very cheerful at the moment, because the discard ban is coming into force on 1 January—in four weeks’ time—and the main port they are landing in does not have the infrastructure.
Mr Carmichael: I would be astonished if they are landing on 1 January.

Mr MacNeil: So would they.

Mr Carmichael: But no doubt issues will come down the track shortly thereafter. Flexibility in the implementation is needed. The indication is that the approach of the fisheries departments in Edinburgh and elsewhere is too prescriptive and does not allow the flexibility that is needed.

I bring to the House’s attention the recent report from Seafish entitled “Landing Obligation Economic Impact Assessment, Interim Report Two”—a snappy title—from August. I will read it into the record, because it should concern every representative of a fishing community. It states:

“Even considering the benefit of the most generously defined policy levers”—

that is, flexibilities and exemptions—

“the analysis shows that a significant volume and value of quota could remain uncaught as a result of the landing obligation.”

The worst-case scenario is that,

“In 2019...the fleet segments in Scotland would catch and land 51% (£99.9 million) of the value”

of the total allowable catch. Essentially, that would leave 49% of the catch unaccounted for, uncaught and unlanded. No fishing fleet can cope with a cut of that significance. That is the worst-case scenario and worst-case scenarios need not happen, but it is a warning. That is what the Scottish fishing fleets face at the moment. Unless we have the necessary flexibility, something that was brought in with good intentions could have serious and profound unintended consequences.

I hope that Ministers here and elsewhere will heed these warnings and act on them. It comes down to a basic principle that we have spoken about over the years: when it comes to fisheries management, the people who need to be listened to first are the fishermen. We will be watching to see whether the Minister and his counterpart in Edinburgh, Richard Lochhead, are prepared to do that. It will be obvious to all if they are not.

2.8 pm

Craig Mackinlay (South Thanet) (Con): I thank the right hon. Member for Orkney and Shetland (Mr Carmichael) for securing this debate.

Mr Carmichael: I didn’t.

Craig Mackinlay: I apologise. I thank the hon. Member for South East Cornwall (Mrs Murray) for opening the debate. Once again, all Members will congratulate the House of Commons Library on its excellent publication.

The Prime Minister recently wrote a letter setting out the areas in which he is seeking to reform our membership of the European Union. The second of the four areas in what everyone is now calling the Tusk letter is competitiveness. In that section, he called for a target to cut the total burden on business and he sought to boost the competitiveness and productivity of the European Union and drive growth and jobs for all—all very good, laudable aims. However, he missed the opportunity to raise the question of the damaging common fisheries policy and, for that matter, the common agricultural policy.

Later in that letter, the Prime Minister highlighted the fact that the United Kingdom is the European Union’s second-largest economy and the fifth biggest in the world. He could also have noted that, until relatively recently, Britain had claims to 80% of Europe’s fishing waters and that, in some estimates, British waters enclose up to 80% of western Europe’s fish.

It cannot be underestimated how wrong it is that, despite all the reforms of the CFP—every 10 years we have a new cycle of reforms—43% of the UK’s quota is bought by foreign-owned vessels. The UK was allocated just 30% of the EU quota for fishing ground stocks that occur in UK waters. The United Nations convention mentioned by my hon. Friend the Member for South East Cornwall states that the usual limit is 200 miles or the median line, but our membership of the EU has reduced those rights to just 12 miles.

I am here to discuss the problems in my constituency, where Ramsgate is the focus for local fishermen. In 2013, those fishermen implemented a pilot community quota group that provided 26% more quota to small boat—under 10 metres—fishermen and helped to reduce discards. It was deemed a great success by DEFRA at the time, but it has not been taken any further. Failing the extension of such local measures, which are in the Minister’s sphere of influence, local fishermen with whom I have spoken feel that we sincerely need to re-establish the principle of British fishermen in British waters.

Reports suggest that two thirds of the seafood consumed in Britain is now imported. Although that partly represents our evolving tastes and demand, it is also about supply. Last year, imports of fish and fish preparations fell by 3% to 721,000 tonnes, while exports increased by 10% to 499,000 tonnes. The main imports were cod, tuna, shrimp and prawns, and the main exports were salmon, mackerel and herring. By and large, we export what we catch and import what we eat. If we had a fairer share of the fish in the seas around this island nation, once described as an island of coal surrounded by a sea of fish, we would surely be a net exporter, not a net importer.

Over 78% of vessels in the UK fishing fleet are under 10 metres, such as those that operate out of Ramsgate and other ports in the constituencies of Members around the room. Shellfish is increasing in importance in the catch of those vessels, now representing 80%. The increase in relatively high-value shellfish catches has arisen because there is little else for boats to do, Ramsgate has seen a particular increase in whelks. The more than fivefold growth in shellfish landings since 1960 is explained by much, if not all, shellfish being outside of quota stocks.

The fish in our own seas are no more of a common resource to which all members of the EU should have equal and free access than the sunshine enjoyed by member states in the Mediterranean. If we really want to boost competitiveness, as so well described in the Tusk letter, and to drive our need for growth and jobs for all, we need to take back responsibility for managing our own fishing fleets and conserving our own fish stocks, but that is perhaps wishful thinking. Let’s get back down to brass tacks: we are where we currently are.

The brass tacks in Ramsgate are that we now have just 25 under-10 metre vessels, representing just 20 full-time employees and a landed value of just £1.5 million. With the value added in other local jobs, we can perhaps
My fishing community faces problems on four fronts. First, members will be aware of the massive expansion in offshore wind in that part of Kent and the substantial dredging for operations in London. It would be fair to say that fishermen in Ramsgate are operating in a new building site, which causes them particular problems.

Secondly, the six-month precautionary ban on bass that is proposed by the European Commission for January to June next year will be simply devastating.

My hon. Friend the Member for Totnes (Dr Wollaston) made a good point that the discarding of good fish in a hungry world is frankly unacceptable. The ban on pelagic discards, which is not particularly relevant to my fishermen, is already in place, but the demersal discard ban coming in from next year will cause particular difficulties. Like much of the CFP, the ban is ill thought out, particularly for smaller ports and the under-10 metre fleet. There is no capability in Ramsgate for the sale, distribution or disposal of potential discards. We do not have agricultural product or food producers on hand ready to take away discards for other use. The ban will simply lead to an additional cost in an already struggling fishing community. I am, however, aware of the de minimis and survivability exemptions.

The reality of life for Ramsgate fishermen is truly dire. A living is impossible. Too many fishermen are now lone working, with the dangers that that brings. Low fuel prices are perhaps one of the few saving graces in the industry at the moment. Most fishermen have to supplement their income with part-time work, and there are no new entrants into the industry locally. I therefore want to appeal to the Minister as he goes off to the meeting on 15 December. I want him to utilise his powers of flexibility for quota allocation, so that the under-10 fleet gets its fair share. I want him to push for a special category for thornback rays that is outside of the quotas, because the facts differ from the science. The category of skates and rays is too broad, covering more than 40 species. I would like to see a ban on the truly appalling pulse beaming, which has become factory fishing of the wrong type. I will certainly ask the Prime Minister to secure the return of fisheries policy to the UK as part of the EU renegotiation.

I wish the Minister well on 15 December and I look forward to his answers this afternoon.

Craig Mackinlay: Does my hon. Friend agree that our fishermen would want the Minister to go over and ask the Commission to keep the restrictions that were introduced last year, so that we can see their effects before the bass quota is reduced even further?

Mrs Sheryll Murray: Does my hon. Friend agree that our fishermen would want the Minister to go over and ask the Commission to keep the restrictions that were introduced last year, so that we can see their effects before the bass quota is reduced even further?

Craig Mackinlay: My hon. Friend raises a wider point about the validity of the current scientific data, which often falls far behind the reality on the ground. To get back to bass, it is a key catch during a tough period for the industry. My fishermen need 300 kg a month simply to survive, but that will be taken away from them.

The third problem, which I have spent much time discussing with the Minister when we meet in corridors, is the nonsensical situation of the quotas for skates and rays. The classification used under the CFP is far too broad. The precautionary quota reduction of recent years now means that my boats are allowed only 275 kg a month on average, which is barely enough to pay for fuel. However, local fishermen are reporting an abundance of thornback ray. They are almost like paving slabs on the bottom of the sea, but the fishermen are unable to catch this valuable and well-loved fish. The science is once more well out of step with reality. With the extra £5 million that is available, I ask the Minister for an urgent review by CEFAS, so that we can see what the reality is, particularly for thornbacks, which should fall outside of quotas under any reasonable expectation.

Another issue that I have never managed to get to the bottom of is the apparent lack of mackerel allocation in the southern North sea or zone IVc. I hope the Minister will be able to explain that this afternoon.

My hon. Friend the Member for Totnes (Dr Wollaston) made a good point that the discarding of good fish in a hungry world is frankly unacceptable. The ban on pelagic discards, which is not particularly relevant to my fishermen, is already in place, but the demersal discard ban coming in from next year will cause particular difficulties. Like much of the CFP, the ban is ill thought out, particularly for smaller ports and the under-10 metre fleet. There is no capability in Ramsgate for the sale, distribution or
total UK catch at our ports. The Scottish fishing zone accounts by weight for 80% of landings of key stocks. The fishing industry is an important contributor to the economy of my constituency, so it is very much an activity taking place on my doorstep.

At this time of year, our attention turns to the annual fisheries round in Brussels, which always acts to concentrate minds. There is some good news to report. Scientific advice from ICES for 2016 has now been released, and it incorporates joint science and industry data on many of Scotland’s key fish stocks. For white fish in particular, it paints a promising picture. North sea cod appears to have turned a corner, and there was a recommended increase in quota of 15%. Other rises to be recommended include one of 56% for haddock, 20% for monkfish, 26% for megrim, 20% for Rockall haddock and 6% for northern hake. On the west coast there is a recommended rise of 15% for nephrops, although disappointing recommendations include an advised reduction of 26% for North sea nephrops and 10% for North sea whiting. The Scottish Government in particular are fully aware of the challenges to do with such stocks and will be seeking to mitigate them in future negotiations.

The launch of the ban on discards for white fish and prawn stocks next year will prove to be nothing less than a milestone for the fishing industry in Scotland. As we have heard, there is widespread concern about the practical implementation of the discard ban in our mixed fisheries; that poses real challenges, so I am pleased about the agreement on phasing in the landing obligation from the start of next year. On discards in general, I am pleased that in Scotland we are already making sound progress, with combined discards of North sea cod, haddock and whiting falling from 40% of the catch to only 18% in the six years to 2014. There is more to do, but we should be pleased with the results so far. They are the outcome of pioneering conservation measures devised with the fishing industry.

Mrs Murray: It is good to hear the hon. Gentleman send a message to the Minister that Scottish white fish vessels that target cod and haddock are doing well. Has the hon. Gentleman had the same message from those vessels that at times come down as far as area VII? There we see a proposed cut in the TAC of 27.1% for haddock, for which we already have a minuscule quota, at only 8% of the European TAC or thereabouts, and a 29.6% cut for which we already have a minuscule quota, at only 8% of the European TAC or thereabouts, and a 29.6% cut for megrim, 20% for Rockall haddock and 6% for northern hake. On the west coast there is a recommended rise of 15% for nephrops, although disappointing recommendations include an advised reduction of 26% for North sea nephrops and 10% for North sea whiting. The Scottish Government in particular are fully aware of the challenges to do with such stocks and will be seeking to mitigate them in future negotiations.

Calum Kerr: The hon. Lady has a level of knowledge to which I aspire. There are some definite challenges in different areas, but the danger is that we always see the negative side. We should also look at the positive impact. Fish stocks are recovering in certain areas, but we should never be complacent about the challenges that she expresses so well.

It is encouraging to see more young skippers being attracted to fishing, because they represent the future of the sector. We have to recognise in some areas the economy is struggling to get involved. We now have the European Commission’s initial draft of its proposals for fishing opportunities during 2016, which includes quotas for stocks exclusively managed by the EU. At this stage, the proposals largely follow scientific advice and reflect the Commission’s drive towards achieving MSY by 2020 at the latest. There are still gaps relating to stocks for which the quota depends on negotiations with third countries such as Norway, the Faroe Islands and other coastal states. Talks between the EU and Norway should conclude tomorrow. There are other gaps, too, but talks, as is usual at this point in the cycle, are under way and progressing.

The final package of quota will be agreed at the December Fisheries Council, at which key goals for Scotland will include continuing the effort freeze in all sea areas and working to dismantle the discredited cod recovery plan. We will also seek to conclude discussions establishing a new flexibility provision for haddock and securing increased flexibility for monkfish. In addition, we shall seek a more proportionate response to the challenging advice on herring in the west of Scotland fishery, and to overturn the zero-catch recommendation. We want recognition that that fishery is sustainable, and to secure a TAC that allows fishing to take place while supporting the Pelagic Advisory Council’s rebuilding plan. We hope that the Minister will be supportive of that.

Some of the issues that I am raising are not exclusively Scottish. There are challenges, in particular with western herring, for Northern Ireland’s fishermen, as well as for England’s. That leads me on to the wider pelagic issues. The discard ban that came into force at the beginning of the year does not seem to have caused any significant problems in the sector, which is encouraging. Economically, the mackerel catch is the most important pelagic catch, and the Scottish Pelagic Fishermen’s Association reports that the stock is in good health. It is disappointing, though, that Norway will have access to the benefit of reduced-tariff mackerel exports to the EU and an increase in the herring tonnage, which will make worse an already difficult marketing environment. Furthermore, the fact that this week’s mackerel talks in London closed without agreement, leaving Iceland and Russia out with the arrangement, is clearly a source of disappointment. It is likely to lead to overfishing, and that will impact on all of us.

We must remember that the onshore part of the fishing sector is important as well, in particular in Scotland, where processing plays an extremely important role in places such as Peterhead, Fraserburgh and Shetland. Disappointingly, we have seen some job losses in the processing sector, but north-east Scotland is now the most important seafood processing centre in the UK. More than 70 companies employ nearly 4,000 people and deal with not only cod and haddock, but pelagic fish, shellfish and, of course, farmed salmon. We must not lose sight of that important part of the industry, and its value both economically and to the consumer in the wider food chain.

We also need to continue our strong focus on sustainability. Of Scotland’s 12 key commercial stocks, eight have already met the maximum sustainable yield target. That is commendable. Scotland has led the way in developing innovative conservation measures, and it is vital that we continue to develop approaches to fisheries management that incentivise behaviour that brings social, economic and environmental benefits.

As far as the CFP is concerned, the Scottish National party has been sceptical about its effectiveness over the past 40 years, though we are not alone in that. However, even the policy’s fiercest critics should acknowledge...
[Calum Kerr]

that the last round of reforms represent a substantial step forward in terms of regionalising the CFP and bringing key stakeholders to the table.

Mrs Sheryll Murray: Is the hon. Gentleman saying that the SNP’s policy of withdrawing from the CFP and taking back national control over the 200-mile limit has changed?

Calum Kerr: I may be a new boy, but the hon. Lady cannot trip me up so easily. No, it has not changed. I am sure that, over the coming months, we will have considerable debate on this. In fact, I see fellow members of the European Scrutiny Committee here who do not share all of my views. The EU’s role in fishing will be a key part of that debate. In this debate, it is important to focus on our own interests and regional interests, because a wider discussion will follow.

Kelvin Hopkins (Luton North) (Lab): The reality is, if we gave notice that we as a nation wanted to withdraw from the common fisheries policy, we might be thrown out of the EU. I tested that with a member of UKRep, the UK Permanent Representation to the European Union. It is a bit of a contradiction to be in favour of the EU but want to get out of the CFP.

Calum Kerr: I thank the hon. Gentleman for his contribution; I always enjoy them. [Interruption.] I am still to develop that skill. We are at a point where the issue is not whether we should be in or out of the CFP, but how we can make it better, more effective and work for all our communities. I look forward to sparring with him when we come to the EU debate.

Ms Margaret Ritchie (South Down) (SDLP): The hon. Gentleman is making compelling points. Does he not agree that if we are to have areas of compromise, it would be best to ensure greater devolution under the CFP, so that we had continued membership of the European Union while enjoying the benefits of greater decision making in relation to quotas?

Calum Kerr: What the hon. Lady said is what I should have said. I thank her for that most excellent intervention—I shall endeavour to visit Hansard and memorise it for next time. I am surprised we got this far without that coming up, but I notice one or two Eurosceptics in the Chamber. The important point to make is that, all along, the SNP has championed the regional approach to fisheries, and we will continue to do so. The system is not perfect, but we shall work hard to make it better.

There is another important point, which my hon. Friend the Member for Argyll and Bute (Brendan O’Hara) was going to raise, but unfortunately he cannot be here today. There are real problems recruiting local crews to work on boats, on the west coast in particular. For some time that has been addressed by employing staff, notably from the Philippines, who have a specific employment classification. Without them, some boats simply would not be able to put to sea. We already see the impact of that.

Ian Blackford (Ross, Skye and Lochaber) (SNP): Is my hon. Friend aware that the Scottish Parliament as a matter of urgency. There has been some discussion, but I would welcome his input and support for that. That would address the bewildering and anomalous situation whereby Scottish levy money is used to promote Norwegian fish in the UK market.

Mrs Sheryll Murray: Will the hon. Gentleman give way?

Calum Kerr: I will not, if the hon. Lady does not mind. I would like to finish, because I am conscious of time. Our approach to this year’s talks will be dictated by numerous fundamental principles, which include respecting science, stock sustainability, and protecting the socioeconomic wellbeing of the industry and the communities that depend on it.

We also aim to continue pursuing our commitment to achieving discard-free fisheries, and opposing the “use it or lose it” strategy of automatic cuts for data-limited stocks. There is a lot to do, but I am confident that we are on the right path. Credible, sensible and practical monitoring, along with a robust defence of our fishing and processing industries, is the best way to effect positive change and achieve the long-term sustainability of the catch. If we do that, we will ensure that our fishing communities in Scotland and throughout the UK not only survive, but prosper.

2.37 pm

Peter Aldous (Waveney) (Con): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate the hon. Member for South Down (Ms Ritchie) and my hon. Friend the Member for South East Cornwall (Mrs Murray) on securing the debate.

Last month, I attended the annual festival of the sea service at Christ church in Lowestoft, which is the most easterly church in the UK. That was an opportunity to acknowledge and thank fishermen and their families. When we eat our meals, we should not forget the risks that they take to put fish on our plates. We should also acknowledge, as many Members have, the work that the RNLI, the Fishermen’s Mission and other support groups do around the coast of these islands. Our coast is one of the British Isles’ main assets, but at times it can be unforgiving.
Our current fisheries policy is set out in the CFP, which was reformed in 2014. The reforms consisted of three parts: first, a legally binding commitment to fish at sustainable levels; secondly, more local decision making; and thirdly, the phased ban of discards. If those policies are implemented, they can bring significant benefits to the coastal communities we represent. I represent the port of Lowestoft, which was once the fishing capital of the southern North sea.

Kelvin Hopkins: I used to know Lowestoft well in my youth—[Interruption.] It was a long time ago. When I was a youth we used to go to Lowestoft, where there were many fishing boats. Would the hon. Gentleman like to contrast the number of fishing boats in Lowestoft now with 50 years ago?

Peter Aldous: Indeed I would. Although the hon. Gentleman casts his mind back to his youth as being a long time ago, he must have extremely good eyesight, because he has read what I was coming on to.

In days gone by—I will not say anything about the hon. Gentleman’s youth—it was possible to cross from one side of Hamilton dock in Lowestoft to the other by walking from boat to boat. Today, that same dock is virtually empty of fishing boats. The trawlers that underpinned the industry have gone. The vessels in the Lowestoft Fish Producers’ Organisation are now largely based in the Netherlands. Their fixed quota allocation of 79,000 units is landed elsewhere, not in Lowestoft. The industry that remains in Lowestoft is an under-10 metre inshore fleet of 10 to 12 vessels.

When we have debated this subject previously, I have been pretty pessimistic and said, “Time is of the essence. We’re at one minute to midnight. We have very limited time to save the industry in Lowestoft.” Today, I am more optimistic. I can see a light at the end of the tunnel, although I am conscious that it might be an oncoming train. I believe there is a real future for the industry in Lowestoft, and not only because of the announcement about CEFAS that I mentioned.

We can build a new, 21st-century fishing industry in Lowestoft. The future of the port is beginning to become clear: it is a sustainable and exciting future, involving offshore wind and fishing working together. Two weeks ago, it was announced that the construction base and the operations and maintenance base for the East Anglia One offshore wind farm would be in the port of Lowestoft. It has also been announced that the construction base for the Galloper offshore wind farm will be in Lowestoft.

The fishing industry, through Associated British Ports and other interested parties, is now providing us with the opportunity to work together to invest in the fish market and to secure a long-term future for fishing in the port. My vision is of an inshore fleet of approximately 25 boats that can help to underpin the processing businesses and smokehouses that remain in the town to this day. It will not be easy to achieve that vision, and I will outline the five challenges we need to address in order to deliver that goal.

First, the Government need to honour the legally binding commitment in article 17 of the reformed CFP to encourage sustainable fishing that has the least possible impact on the marine environment and that maximises economic and social returns to coastal communities such as Lowestoft.

Mrs Sheryll Murray: Does my hon. Friend agree that to have a productive and healthy fish market, we need not only the quality of supply from the inshore fleet but also the quantity of supply from the larger offshore vessels? We must never forget that one complements the other.

Peter Aldous: That is a point well made. The nature of the fish market has probably changed over the years, in that it is no longer only about the merchants in it; we must bring the public into the fish market as well.

There are opportunities to address the article 17 commitment on sustainable fishing. Research carried out by the New Economics Foundation shows that coastal communities can derive significant social benefits from having an active port with fishing vessels. That, in turn, can play a significant role in revitalising and regenerating the towns and villages all around the British coast that we represent, therefore achieving the goal we so often talk about of rebalancing the economy.

The second challenge is the elephant in the room: quotas. We need to ensure that the inshore fleet has a realistic quota available to it. I covered that issue in quite a lot of detail in the debate we had in this Chamber in September, so I will not go into the same detail again, other than to repeat that the under-10s have been treated poorly in the past. I compare them to Oliver Twist in the workhouse, holding out their bowl for more fish, only to be denied it by an overbearing Mr Bumble. That still applies.

I acknowledge the work that the Minister is doing in top-slicing 25% of the quota uplift in England and allocating it to the under-10s, but much more is needed. The industry also needs to play its role in keeping accurate records, so that we avoid the problem the under-10s had in the 1990s when they were not keeping those records. That is one reason why they have had such a poor result in the past.

Mrs Sheryll Murray: I do not know whether my hon. Friend was around the fleet at the time, but it was not a question of the fishermen not keeping those records; they were not required to keep the records according to EU legislation. The Ministry of Agriculture, Fisheries and Food—the equivalent of DEFRA at the time—estimated their catches.

Peter Aldous: I thank my hon. Friend for correcting me; she has far more historical knowledge than I do. That tells us that fishermen must not rely on others to do the hard work and the recording, they must do it themselves. The Marine Management Organisation is doing a sampling project at the moment, carried out by CEFAS, to address that particular problem.

The third challenge is the discards ban. It is right that we eliminate discards, but for the inshore fleet the road to doing so will not be an easy one along which to travel. We have heard from around the coast that port infrastructure needs to be significantly upgraded so that we can address that problem. There is real concern that the discard ban could yet bankrupt many inshore interests if not carried out properly.

To be fair to the Minister and his officials, I know that they have been working with the sector, through Jerry Percy of the New Under Ten Fishermen’s Association, to develop a workable approach to implementing the
new rules. That approach must meet the spirit and requirements of the new legislation, but we must ensure that it does not have grave unintended consequences. The MMO needs to take a pragmatic and sensible approach to implementing the legislation and must not be over-zealous.

A similarly pragmatic approach is required for the management of sea bass stocks, which are particularly important for smaller coastal fleets. As we have heard, the current proposals present real challenges. I direct the Minister to the detailed proposals from the Low Impact Fishers of Europe organisation—LIFE—which I believe would safeguard the interests of both bass as a stock and fishermen. I urge the Minister and his European colleagues to look at those proposals closely.

My final point, which has been touched upon, is the massive increase we have seen in electric pulse fishing, particularly by Dutch vessels. There are major concerns about the impact that that is having. It is estimated that 105 such vessels are currently charging around the North sea, using a system that is causing significant damage to fish stocks and leaving fish to die on the seabed. We are transferring discarding from taking place on land to taking place at the bottom of the sea, which flies in the face of everything the Government and responsible British fishermen seek to achieve. I urge the Minister to halt that practice, at least until full scientific research has been carried out, hopefully by CEFAS.

Significant challenges remain, but my tone has changed from being pessimistic about the future of the Lowestoft industry to being more optimistic. I acknowledge that significant hurdles remain along the way. There will be plenty of shouting and plenty of banging of tables, as there always is in fishing, but I believe that together, fishermen, their representatives, scientists, the Government, the managing organisations, the European Union, MPs and MEPs can deliver an exciting future. It will be very different from what took place in the past, and we must do our best to ensure that it is sustainable, that we do not just move from boom to bust, and that it provides those working in the industry with an opportunity to earn a wage that reflects the risks that they take—both the risks in investing in their businesses, and the risks to their very lives by going to sea.

2.50 pm

Jim Shannon (Strangford) (DUP): It is always a pleasure to speak on anything to do with fishing, Mr. Nuttall. I congratulate the hon. Member for South Down (Ms Ritchie) on securing the debate—or as we call her, the Member for down south, for her politics. We were pleased to go along with the hon. Lady and Members of the Scottish National party to present our case for this debate at the Backbench Business Committee. Of course, my opinion on Europe and the EU is very different from that of my other three colleagues who were there, but I would like to ask some questions along those lines, as it is important to do so.

First, I want to thank some people who have given us background information. In particular, I mention Alan McCulla from the Anglo-North Irish Fish Producers’ Organisation, who is here in the Gallery today. I also mention Dick James from the Northern Ireland Fish Producers’ Organisation from the Northern Ireland Trawlers’ Trading Company. Those are three people and three organisations that have given me some information on this matter.

Once again, loathed diktats from Brussels are making our fishermen’s lives much harder than they should be. First, there were the illogical quotas, on which we have all commented. Then there were the Spanish fishing fleets—the modern-day armada—robbing fish from our seas, and now we have a new threat in the form of the EU landing obligation. Although the delegation who went to the Backbench Business Committee have different opinions on Europe, we are united on how we can help our fishing industry across all the regions of the United Kingdom. Perhaps some of those hon. Members will swallow their anti-Europe rhetoric and accept that we need to work together on addressing these issues.

Fisheries up and down our United Kingdom need to be on a sustainable footing—that is so important. Fishing lobbies from across the United Kingdom of Great Britain and Northern Ireland, including the National Federation of Fishermen’s Organisations, which incorporates all those and many more, have contacted me and others in this House, saying that the EU landing obligation was an issue that continually raised its head. I understand that it is not the aim of the new landing obligation to be of harm to the fishing industry; rather it has ended up bad for fishermen because of the way in which the EU has gone about the obligation. When it comes to addressing that issue, hopefully the shadow Minister and the Minister will be able to indicate how best we can help our fishing sectors, given the way in which the EU has gone about those obligations.

On Saturday week I will be at my advice centre in Portavogie, where fishermen will come and tell me about all these things, including the landing obligation. Looking at Portavogie as an example of one of the fishing villages that I represent, there was once a vast and vibrant sector there, with 130 boats at one time, but that is now down to 70, which indicates where things are going. The landings, by the way, are pretty much the same as they were, so the gap has been filled. However, although we used to have four fishing factories to process the landings, now we only have one small one. Some have moved to Kilkeel, and I am pleased that they have been retained and that at least one of the villages has benefited.

According to the NFIFO:

“The most serious aspect of the landings obligation is its potential to ‘choke’ mixed fisheries; meaning that the exhaustion of one quota would require vessels to tie up for the rest of the year, foregoing their main economic quotas.”

That could be absolutely disastrous for the men and women whose livelihood comes from fishing, but we have yet to hear any suggestion of EU research into how to avoid that, let alone mitigate it altogether.

It is critical that the concerns of fishermen up and down this nation are addressed in respect of the landing obligation, as we do not want to see good, honest, hard-working people falling on hard times as a result of red tape and bureaucracy. Just to reiterate, the views that I have contributed were expressed to me by not just one individual, or by one individual organisation, but by a large number of different individuals and different groups from all across our United Kingdom of Great Britain and Northern Ireland, many of whom I am sure have never met, but who all have the same concerns and
feel the same pain. I presume that some have contacted Members of Parliament who are here as well. The main concern of the people affected was not about moving toward a sustainable fishing system for the United Kingdom; we would be hard pushed to find anyone who disagrees with doing that. Their concern was that they were not being included in decisions that matter to them—decisions they care about, and which potentially have a huge impact on their lives.

We can lead by example in Parliament by listening to those in the fishing industry—as we all do, and we reflect those viewpoints in this Chamber in today’s debate—and by consulting them when deciding how best to regulate our fishing industry. We do not need the top-down diktats that we have seen in this well-intended yet hated EU landing obligation. We need to do things differently, recognising that those who ultimately know best about our fishing industry are from the fishing industry itself.

Let me come back to a point referred to by the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) about Filipino fishermen. The men in the fishing sector in the village of Portavogie—and the hon. Member for South Down could refer to her two fishing ports—want to have Filipino fishermen. And do you know why? Because they are dependable. There was a tradition of service in the boats in the fishing fleets in Portavogie, but that is not there any more. Next week, we have the opportunity to meet the Minister and we have to express these concerns. We cannot ignore the fact that the Republic of Ireland has taken a step in that direction, and next week that must be part of our attempts to persuade the Minister of the merits of our case.

The NFFO has issued a bleak warning about what may happen if we continue to do things as they are currently being done. It stated:

“The EU’s blundering policy, supported it has to be said, by UK fisheries ministers, has the capacity to derail our fisheries and put us back decades if not handled very sensitively from here on in.”

That must be addressed—if that is not a wake-up call, what is? In the future, the approach to these issues should be to include fishermen and the organisations that represent them at the heart of such legislation, whether it is sovereign legislation or imposed on us from Brussels—good old Brussels. Well, Brussels sprouts are good.

I want to mention one final quote that illustrates just how illogical the bureaucratic EU diktat on landings is. If it were true that the EU and the Council of Ministers routinely set quotas that are unsustainable, it is a little difficult to explain how our fisheries are doing so well. At the annual “State of the Stocks” meeting in Brussels, the chairman of the International Council for the Exploration of the Sea advisory committee, Eskild Kirkegaard—it is hard to get my tongue around that; I imagine it does not sound right in my Ulster-Scots

accent—said, importantly:

“Over the last ten to fifteen years, we have seen a general decline in fishing mortality in the Northeast Atlantic and the Baltic Sea... For the majority of stocks, it has been observed that fishing mortality has decreased to a level consistent with Maximum Sustainable Yield... meaning levels that are not only sustainable but will also deliver high long term yields.”

It is clear from that statement by that knowledgeable person, who is chairman of the International Council for the Exploration of the Sea advisory committee, through the EU, that there is a sustainable industry out there. The hon. Member for Waveney (Peter Aldous) referred to positivity—let us breathe the positivity into this debate and make sure that we get the return, which is very important.

To refer to my constituency of Strangford, fishermen from the Irish sea and from the boats of Portavogie tell me that they have never seen the abundance of cod in the Irish sea that they have been seeing in recent times. Although the fishermen see that every week, the scientists who advise Europe do not see it, so we need to address that issue. We need to ensure that the quotas are right. The Minister knows about getting the quotas right for the prawn industry. That is very important; it is now the backbone of the industry in Portavogie and of the fishing fleets. When it comes to addressing those issues, let us have some reality from Europe in relation to a sustainable fishing industry and the fish that we have in the sea—the cod and the prawns.

I can only hope that hon. Members have taken note of these very important issues, that in the future fishermen and their organisations have a proper say in what affects them, and that fishermen from the villages of Kilkeel and Ardglass in the constituency of the hon. Member for South Down and from the village of Portavogie in my constituency are afforded an integral role in deciding the best way forward for the industry. After all, who knows the industry better than the fishermen themselves? I wish the Minister every success. I place it on the record that he has done well for us in the past few years and we look forward to his doing well—no pressure—for us again this year.

3 pm

Mr Iain Wright (Hartlepool) (Lab): It is a pleasure to serve under your chairmanship, Mr Nuttall, and to follow the hon. Member for Strangford (Jim Shannon), who is always an assiduous attendee of these debates and takes his parliamentary duties extremely seriously. I thank the Backbench Business Committee, and I particularly thank the hon. Members for South East Cornwall (Mrs Murray) and for South Down (Ms Ritchie) for securing an important debate that I think should be taking place on the Floor of the House.

I have tried to attend fisheries debates every year since I became a Member of the House and have tried to represent the interests of the fishermen in Hartlepool. The fishing industry in my constituency is perhaps not a staple part of the local economy as it is in other constituencies, but the key point is that generations of Hartlepool families, going back at least 800 years, have carved out a hard living in the dangerous and often unforgiving North sea. Bluntly, I find it very difficult to understand the conditions in which these brave men and, often, women serve: wet, cold, often dark, treacherous, freezing and far too often fatal.

Mrs Sheryll Murray rose—

Mr Wright: Before I give way to the hon. Lady, I pay tribute to her. Her professionalism and her knowledge of the industry shine through in everything that she says in the House, and her personal experience moves everyone in the House.
Mrs Murray: I thank the hon. Gentleman for those comments. Will he acknowledge that a commercial fisherman often also has to be an accountant, an engineer, a mathematician, a fisheries scientist and a gear mender? There are masses of qualities and areas of expertise that these hard-working fishermen need before they go to sea.

Mr Wright: The hon. Lady makes an important point. With regard to the point about being an accountant, I should declare my interest: I am a chartered accountant. If any fishermen want my services, I will be more than happy to provide them for a reasonable fee. But there is an important point, which is that fishing is a dangerous profession. Right hon. Member for Tynemouth (Mr Campbell) made an important point about a service that happens in North Shields. The same service happens annually in my own constituency, organised by the Mission to Seafarers for the Tees and Hartlepool, whose headquarters are on Seal Sands Road. There is a nice connection there, because it is a delight to be able to say that it is in the constituency of my parliamentary neighbour, my hon. Friend the Member for Stockton North (Alex Cunningham). It is a delight to see him serving on the Front Bench in this debate.

As I said, in my time in the House I have tried to reflect the concerns and issues of Hartlepool fishermen. The fishing fleet in my constituency consists predominantly, if not exclusively, of under-10 metre boats. The fishermen have expressed the same issues to me year in, year out, and I have raised them in these fisheries debates year in, year out. They have struggled with persistent problems: the quotas for under-10 metre boats and how those quotas are being squeezed by the bigger boats; unlicensed fishing; discards; and how to ensure that there is sustainable stock that allows for the maximum yield. However, what is really frustrating is that the issues that I raised in these debates on behalf of Hartlepool fishermen a decade ago remain concerns that threaten the livelihoods of people in my constituency today, such as Phil and Marty Walsh. Those problems pose—I am not being melodramatic—an existential threat to the Hartlepool and UK fishing industry.

I want to put some figures on that—perhaps I am comfortable about doing that, being a chartered accountant. People might think that an awful lot of money is involved, but in 2014, according to figures from the Marine Management Organisation, under-10 metre boats in Hartlepool landed fish with a value of just over £69,000. That is spread over a number of boats—a number of small businesses—in my constituency, so it is clear that the fishermen are hardly getting fat on the proceeds of their trade. It is a harsh climate—often literally, but also financially. The fishermen have to pay fixed costs such as insurance, without any guarantee of whether conditions will allow them to go out to fish. That is coupled with the fact that the revenue arising from their endeavours is low and often precarious.

I have raised the matter repeatedly in the House, and other hon. Members have done so far more eloquently than I can. The quota system is unfair—it favours large producer organisations at the expense of smaller boats. The quota allocations for 2015 show that although the under-10 metre fleet makes up 77% or 78% of England’s fleet—a fact mentioned by the hon. Member for South Thanet (Craig Mackinlay)—it was allocated only 3.2% of the quota. To add insult to injury, the producer organisations often do not use all the quota allocated to them. That suggests to me that the market is distorted and failing, and that smaller boats should be given a larger allocation.

I believe that the Minister is sympathetic to that point. I know that he is certainly very knowledgeable in this area, and I commend the work that he has done in the past two or three years. I am not telling him anything that he is not aware of or that I have not mentioned time and again in previous fisheries debates. He has recently committed to ring-fencing for small boats the first 100 tonnes of quota uplift, followed by an additional 10% or 15% of all available uplifts. That is a welcome step, but can he go further? Will he safeguard the interests of the under-10 metre fleet in Hartlepool and elsewhere?

In last year’s debate, I mentioned how the discards policy, although incredibly welcome and entirely sensible, is consolidating further market power in the hands of producer organisations at the expense of smaller players. I asked the Minister what the Government were doing to ensure that they met the requirements of article 17 of the reformed CFP, which requires member states to use transparent and objective criteria, including of an environmental, social and economic nature, when allocating fishing opportunities. Article 17 should move the quota system away from a methodology based on what was caught before and a system that disproportionately favours those who caught the most in the past. Those points are identical to the ones that I raised last year, but the question remains.

Several hon. Members have mentioned Greenpeace. Let me quote what Greenpeace has argued, which I think is striking:

“The government is currently starving our local, low impact fleet of fishing quota, sending some of them to bankruptcy or food banks. Meanwhile just one Dutch controlled vessel continues to get a mammoth amount of fishing quota because the system of allocating quota hasn’t changed since the 1990s. This is despite the fundamental change in the CFP that says that fishing quota should be used to incentivise sustainable fishing and benefit coastal economies. So it’s not just blatantly unfair, it’s also unlawful.”

We need to change that.

Mrs Murray rose—

Mr Wright: I am sure that the hon. Lady agrees.

Mrs Murray: Actually, if the hon. Gentleman had attended the last-but-one meeting of the all-party group on fisheries, he would have heard the other side of the argument. He might like to look at the very short film on the all-party group’s website that counters some of the mis-messaging from Greenpeace, because it puts the point of view of that large Dutch vessel. I think that the hon. Gentleman would be better advised to hear the other side of the argument before using Greenpeace’s complete propaganda.

Mr Wright: Well, I do feel disciplined, Mr Crausby; I feel chastised, and I will certainly look at the film that the hon. Lady mentions. The point about Greenpeace is important, because the Minister is obviously aware of the judicial review that it has brought about on the grounds that the Government have not fully and properly implemented article 17. I understand that a verdict is imminent. It could even come this side of Christmas, and I know that the Minister, in responding to the debate, will be hindered in what he can say.
Dr Wollaston: Does the hon. Gentleman acknowledge, though, that there is a value attached to these quotas, and that there should be full compensation if they are removed unilaterally? As my hon. Friend the Member for South East Cornwall (Mrs Murray) said, we need to recognise that the bulk of the fish on our plates must come from the large fleet.

Mr Wright: The hon. Lady makes a really important point. This is not an easy matter to solve, and successive Governments have struggled with it, although the Minister has gone some way towards addressing it. The hon. Lady is right that the quota allocation has a value and can be classed as an asset on the balance sheet, so there would need to be some sort of legal compensation if it changed. I fully recognise that it is a complex issue, but I am trying to represent my constituents, who are suffering deeply because the allocation of quota is incredibly unfair.

Peter Aldous: The hon. Gentleman is making his point extremely well, and we represent very similar constituencies with the same issue. However, I want to question what he said about quota being an asset on the balance sheet. Lord Justice Cranston, in his judgment in summer 2013, said that fish was a public resource, not an asset for any company to own.

Mr Wright: But the producer organisations can often lease quota and put the lease and the future revenue streams on the balance sheet, so, in that regard, quota can be seen as an asset.

What can the Minister say about making sure we fully implement article 17? Despite the complexities and confusions, which I fully recognise, can he do anything to increase the quota for the under-10 metre fleet? Will he commit to ensuring that under-10 metre fleet representatives have a place at the table when decisions are made on fishing at national and EU level?

I started by saying that the fishing industry in Hartlepool is more than 800 years old. It is a tough way to make a living, and it is made tougher by the restrictions and market distortions that are in place. As I said, the arguments I have set out are not new, and I have raised them time and again in fisheries debates. None the less, will the Minister do all he can following this annual debate to ensure that firm and tangible action is taken, and taken now, to ensure that this 800-year-old heritage industry, which, crucially, provides the livelihood of fishermen in Hartlepool, is not lost to history in the next few months or years?

Several hon. Members rose—

Mr David Crausby (in the Chair): Order. I want to call the Front-Bench speakers at about 3.50 pm, so that I can give Margaret Ritchie time to wind up. Four or five Members are standing, so if they can keep their contributions to less than 10 minutes, we should just about fit all them in.

3.12 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to serve under your chairmanship, Mr Crausby. I thank the hon. Member for South Down (Ms Ritchie) and others for securing the debate.

I am lucky enough to serve what I would argue is the most beautiful constituency in the country, but it is also the one with the longest coastline. It therefore has a large number of fishing ports, including larger ones, such as Mallaig and Ullapool, and some very small ones. I want to raise an important constituency matter, and I would like the Minister with responsibility for fisheries to discuss with the Secretary of State for Defence the issues that I will raise, because they run across both their portfolios.

The North West Inshore Fisheries Group has made representations to me and the Secretary of State for Defence about the consultation on the proposals, published on 30 September 2015, to extend the British Underwater Test and Evaluation Centre range and to introduce new byelaws. Like me, the NWIFG fully accepts that measures need to be expedited in the interests of national security, and that a suitable operational area is required for the secure deployment of acoustic and other test equipment, which the Ministry of Defence has used in this area for many years. I stress that I fully support BUTEC operating in the area, but that must be done on a sustainable basis, and it must take the local fishing community’s interests into account.

Given the significant scale of the proposed area extension and the associated restrictions, more could and should have been done to liaise with fishing and other interests. A full socioeconomic and environmental impact assessment should have been carried out before the consultation proposals were made public. A number of Members have mentioned the value of fish landings in their areas, and analysis carried out over a three-month period in the area I am talking about—the fishing grounds at the edge of the existing MOD range—showed that just seven vessels landed 28 tonnes of nephrops with a value of £271,000. Those seven vessels are a tiny proportion of the fleet in the area, and I should add that the value of the nephrops catch there is approximately three times the national average—this is the most important area for nephrops in the whole of western Scotland, so it is an area of some importance for us all.

The fact that there has been little liaison with the industry is important, given the assurances given in an Adjournment debate that I secured on 23 June. The Minister for Defence Procurement said:

“I want to ensure that full and proper discussions are held with representatives of the local fishing communities, which we will start shortly, in advance of the byelaw consultation. The aim of these talks will be to investigate what options might be available that would allow some fishing to take place at certain times within the revised water space—much as happens at present in part of the area other than that which is completely prohibited, which the fishing communities are well accustomed to.”—[Official Report, 23 June 2015; Vol. 597, c. 563.]

Local fishermen’s attempts to engage in constructive dialogue with the Defence Infrastructure Organisation and QinetiQ to get information about the plans and about the reasons behind the extent of the proposed extension were largely unsuccessful. The one meeting that did take place, with representatives of the North West Responsible Fishing Association, did not provide sufficient detail to enable the association to assess the proposals’ implications for local fisheries and communities. Those were not the proper and full discussions that the Minister for Defence Procurement promised in the House on 23 June, and that must be corrected.
The NWIFG, which is a member of the NWIFG, represents 70-plus fishing vessels in the area of Skye and Lochalsh and constitutes approximately 60% of the fishing fleet registered in the Portree fisheries district. Of the 70-plus vessels represented by the NWIFG, 25 fish directly in the Inner Sound area, and the majority are directly affected by the BUTEC proposal, so this is no small matter.

The one public meeting that was held, in Kyleakin on 13 November, did provide some useful information, but there was insufficient time for that information to be reflected in responses before the original consultation deadline of 18 November. We appreciate the short extension until 30 November, but the consultation period was still well short of the standard 90 days generally allowed by other Departments. Scotland has just come through a consultation on marine protected areas, which has taken some months and involved a full public consultation. Why are my constituents not afforded the same rights when the Ministry of Defence wants to come in and make changes? Forty-nine days is not sufficient time to allow for a detailed economic impact assessment of the loss of vessel earnings if the inner sea area of the BUTEC range is more than doubled, as is proposed in the new byelaws.

Thanks to support from Highlands and Islands Enterprise, a Government agency, the NWIFG has commissioned a short economic impact assessment to provide a clearer understanding of the proposals' implications. Significant work is required to compile information that adequately reflects the complex interrelationship between the various issues—fishing activities, the displacement of activities impacting on wider areas beyond the BUTEC range and the repercussions for onshore businesses and support services that are reliant on fisheries, secondary employment and so on. It was not possible to prepare a substantive report of that kind before the consultation deadline of 30 November. The draft report is due in the third week of December. The need for such an economic assessment was discussed at the public meeting, and there was consensus that it needed to be done well, even if that went beyond the deadline I mentioned, which has now passed.

With the NWIFG, I have requested that a period of at least three months be allowed following the publication of the full socioeconomic impact assessment, to allow sufficient time for consideration of its findings. We have also requested that a working group be set up to facilitate constructive dialogue, and that it include representatives from the local fishing industry, the Ministry of Defence, QinetiQ and other relevant stakeholders. The group could consider the implications of any economic and environmental impact reports and discuss possible options in relation to the size or location of any restricted areas required for BUTEC's activities. It is not good enough for the Ministry of Defence to complete its consultation, as it has done, for the Minister then to rule, and for the fishing communities in my constituency to be put at risk. There must be proper consultation.

The BUTEC range is in the inner sound of Raasay, in the middle of some of Scotland's most valuable and intensively used inshore fishing grounds. The new draft byelaw proposes an extended inner sea area of 53.9 sq km, which would more than double the area in which fishing by any method is prohibited at all times, and reduce the fishable area in the creel-only zone by 11%. Based on information on fishing areas collected during the ScotMap exercise and fisheries officers' local knowledge, it is estimated that at least 23 creel fishing vessels could be directly affected and no longer able to deploy a proportion of their gear where they do now; some vessels will be affected more than others.

These are all small, locally based vessels with limited range and very few, if any, options to relocate to fish elsewhere. It is therefore highly likely that the proposed extension of the inner sea area would displace creel fishing effort on to adjacent grounds, with concomitant impacts on others fishing in the area, particularly in the creel-only zone. Displaced fishing effort might result in an additional loss of catch in the adjacent area. Those involved in the fishery advise that it will exacerbate gear conflict on what are already crowded fishing grounds targeting nephrops.

I want to deal briefly with the consultation process. There are discrepancies in latitudes and longitudes of range boundaries published in MOD consultation documents. The consultation document does not sufficiently explain the reasons for selection of the boundary areas indicated, and whether any alternative areas could and should be considered. As part of the proposed working group discussions, the NWIFG requests further consideration of whether all fishing activity must be excluded from the entire expanded inner sea area, and whether continued activity may be possible, even for part of the year, or around areas with creel-friendly hydrophones. None of that has been addressed to date. Much of the proposed expansion is into the only designated creel area on the Scottish coastline. Further discussion is requested on potential for a cap or limit on the number of days that the outer sea would be closed to fishing activity. Presently, the outer sea area is open to fishing activity all the time.

Fishermen would like the current arrangement to continue, and would like assurances from the MOD and QinetiQ that the outer sea area will not be closed more regularly if the BUTEC range expands and operates under the new proposed byelaws. The MOD and QinetiQ are requested to provide a protocol for closure of the outer sea area; input should be sought from the fishing industry and sufficient forward notice and details of the closure period should be provided. We all have to work together. If the outer sea area is closed and fishing gear must be removed, fishermen will need sufficient notice to get access to their gear and move it, prior to closure. Most fishing vessels that would be displaced from the expanded BUTEC range will not be able to continue fishing with the same effect elsewhere, because the surrounding waters are already fully exploited with fishing activity. Displaced vessels may need to be scaled down, with respect to both vessel size and amount of gear, and in some instances vessels may be forced to stop fishing entirely.

If fishing vessels are forced out of operation, fishermen and their families will suffer directly through loss of jobs, and there will also be indirect negative impacts downstream—for processors, restaurants and the local service industry. Creel fishing represents a significant economic activity in the highlands; the vast majority of fishing vessels working within the inner sound are full-time operators, not part-time or hobby fishermen. A typical creel vessel in the Skye and Lochalsh area employs two
to three people—and only local people. In addition, many fishing businesses have been passed down through families, and will be inherited by the next generation. If the BUTEC range expands, a wider negative ripple effect will be felt by the community; that will include the many issues associated with elevated unemployment, and insufficient opportunities for alternative employment in the area. Ultimately, loss of local fishing jobs could result in depopulation—something that we are all too familiar with—which would have a negative impact on schools, other local enterprises’ income, and service provision. I therefore appeal to the Minister to talk to the Secretary of State for Defence and come up with something respectful to local fishing interests, as well as the interests of the MOD.

Mr David Crausby (in the Chair): Order. Members will have to keep their speeches shorter than 10 minutes, as I asked, if I am to get everyone in.

3.24 pm

Melanie Onn (Great Grimsby) (Lab): It is a pleasure to serve under your chairmanship, Mr Crausby. I want to echo the comments that colleagues have made about the Fishermen’s Mission, the RNLI and all the other support organisations that help fishing communities and do such good work. I also want to thank the Minister, because a couple of months ago, he met some of my constituents, and constituents of my Conservative neighbour, the hon. Member for Cleethorpes (Martin Vickers). They were deeply grateful for his time, and I was impressed by the extent of his understanding in that conversation. I cannot say that I followed it with the same degree of expertise.

There have been some excellent contributions in the debate, and there is a great depth of knowledge of the industry in the Chamber. There are many different elements to the industry. For example, Great Grimsby recently held the world seafood congress; visitors came from across the world to discuss, celebrate and support the fishing industry’s future success and sustainability. The organisers are to be congratulated because the event put the focus on the fishing industry as well as on my town and its historical relationship to that industry. I want to keep my speech quite contemporary and short, and to focus on the issues raised by constituents of mine employed in fisheries, and on how the industry can grow and continue to be successful. Many in the fishing industry to whom I have spoken believe the discards ban to be the most significant change to the common fisheries policy since its inception. The vast majority of the industry of course agrees with the principle of the ban, but there is a lot of concern, as has been discussed. There are many reasons for that, but the common theme is uncertainty. Under the landing obligation, ports are responsible for facilitating the landing of discards. At this point, though, before the ban comes in on 1 January, ports are unaware of what weight will need to be landed. Is the Minister confident that ports will be adequately prepared for the periods in the year in which discards will be high? What support are the Government offering to ports in this first year, when the level of discards is unknown?

There is also the issue of costs for landing, and on-costs. First, can the Minister confirm that fishermen will be expected to cover those costs—or will ports be asked to take the burden of the costs of the policy? Has the Minister fully considered transportation? It is assumed that the majority of discards will go to fish meal, but I understand that there are only two mainland fish meal plants in the UK—one in Aberdeen and, luckily for businesses in my constituency, one in Grimsby. The cost of transportation from areas in Wales or the south of England is likely to exceed the value of the fish being transported.

The chief executive of my local fish merchants association has raised with me the issue of the fuel surcharge, and how it particularly affects small seafood companies across the UK. The reason for a surcharge is clear, but there is a concern that it is being used to generate extra profits for distribution firms, rather than only to cover the fluctuating cost of fuel. For example, one local refrigerated transport company charges almost double the surcharge of that charged by a competitor. That suggests that some firms are not sharing the savings from low oil prices across the local economy. In a reply to my predecessor before the election, the former Exchequer Secretary to the Treasury suggested referring that complaint to the Competition and Markets Authority. Does the Minister agree with my constituent that that is harming small seafood firms? Does he believe that it is worthy of a Government referral to the CMA?

Looking to the future, we need to ensure that a career in fisheries is an attractive option for young people. The industry workforce is ageing, and that is cause for concern for the industry in the long term. There is a risk that the skills held by the current workforce will be lost.

Mrs Sheryll Murray: Does the hon. Lady agree that Seafish, under its training arm, is carrying out a lot of training of young fishermen, and that that should be applauded and encouraged, so that there is new blood entering the industry?

Melanie Onn: Any assistance given to rejuvenate and revitalise the fishing industry, and to bring younger people into it, is of course to be welcomed. In addition to having such training directly related to fishing, it would be great if it were expanded into all areas of the industry. A low wage and an insecure job will not attract many young people when they consider what to do on leaving education.

Justin Madders (Ellesmere Port and Neston) (Lab): My hon. Friend is absolutely right to raise the future of the industry and the risk of low pay. In my constituency, fishermen working on the River Dee are really struggling to make a living because of decisions being made on quotas by Natural Resources Wales. As those fishermen are based on the English side of the river, they are struggling to get their voices heard. Does my hon. Friend agree that since so many fishing areas cross boundaries, it is important that the developing devolution agenda ensures that there is a mechanism for all voices to be heard?

Melanie Onn: If true devolution is to be delivered properly, it is essential that all communities feel they have an influence over matters that are of particular importance to them. My hon. Friend makes an important point about a matter that I was unaware of.

The hon. Member for South East Cornwall (Mrs Murray) may have partly addressed this question, but I want to ask the Minister how he plans to attract...
more young people to the industry. It seems to me that the industry needs a proper strategy to secure its long-term future. I may well already have the answer.

There has been a lot of discussion in recent weeks about how to discourage the consumption of unhealthy food and drink, prompted by proposals to introduce a sugar tax. Should we also promote healthy foods such as seafood? Has the Minister had any meetings with the Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison), who has responsibility for public health, to discuss that? Haddock, in particular, is a healthy and environmentally sustainable food, and stocks have increased in recent years. Greater demand for British seafood would also help to revitalise parts of the industry that need investment to improve their working environment, such as the wonderful traditional, bespoke smokehouses in Grimsby docks.

I will finish on a rather cheeky point. I have somewhat foolishly agreed to run the London marathon. [Laughter.] I know. I would like to take the opportunity—excuse the puns—to cast my net wide and ask all hon. Members who have attended and participated in the debate to throw me a line and donate, because I will be running for the cause of the Fishermen’s Mission. I say that I will be running, but I am not sure whether that will be the case. If all the participants in this debate were to donate £20, I would be well on my way.

Mr Iain Wright: Twenty pounds?

Melanie Onn: I think that £20 is very reasonable.

Mr David Crausby (in the Chair): Order. We have two people standing, and I will call the Front-Bench spokesmen at 3.50 pm. If Kelvin Hopkins could keep his speech below nine minutes, I will call David Simpson, and he will get the same amount of time.

3.32 pm

Kelvin Hopkins (Luton North) (Lab): It is a great pleasure to serve under your chairmanship, Mr Crausby. I shall be considerably less than 10 minutes, I hope. It is something of an embarrassment that I speak from a non-fishing constituency; the fishing fleet of Luton is not large. On the other hand, I have spoken in fishing debates many times, and on every occasion I have spoken about the nonsense that is the common fisheries policy. I have consistently argued for the abandonment of the CFP, or the UK’s unilateral withdrawal from it, which would allow us to re-establish the limit of 200 miles, or 50%, for Great Britain and, I would hope, the British Isles in general.

I applaud the hon. Member for South East Cornwall (Mrs Murray), who put in her own very fine words what I am saying, and the hon. Member for South Thanet (Craig Mackinlay), who spoke in similar terms. If we withdrew from the CFP and permitted only UK fishing vessels to fish in our home waters—with possible licensing for a small number of foreign vessels, where appropriate, on an individual and carefully monitored basis—I think we would see a massive revival of the British fishing industry and of fish stocks across our waters. If all member states and, indeed, all nations operated under similar arrangements, they would all have a powerful vested interest in managing and monitoring their own stocks and fisheries. There would surely be plenty of fish for all British fishermen working under such arrangements, and stocks would be sustained at appropriate levels for the long term.

I recently had the pleasure of meeting representatives of the Government of Guernsey, which is not in the CFP. They showed me what could be done if we managed our own fishing stocks. They have their own 12-mile limit, and they are not governed by the CFP quota limits. They manage their fishing stocks extremely well. They are, in microcosm, what we could become. They are concerned that the British Government might give away control of their fishing areas to the CFP, and they have asked me to urge the Minister to take note of their case and be sympathetic to them. They manage the number and sizes of their boats very carefully. All the fishermen involved make a good living and fish stocks remain buoyant, if that is not a contradiction in terms. That is what we should become, with our 200-mile limit.

The representatives from Guernsey contrasted their experience with that of Jersey, which has seen its fish stocks disappear because it does not have the same control over its own fishing grounds. We should give notice now of withdrawal from the CFP and make Britain another Norway—another Guernsey writ large. The CFP has been a disaster, and it should be abandoned. That would be to the benefit of all fishing nations in the European Union, not just to us.

The appalling insanity of discards has been the most grotesque feature of the CFP. Discards are supposedly being phased out, but they continue for the time being. The excellent Library note on this topic states that according to the Environment, Food and Rural Affairs Committee report published in February 2012, in European fisheries, 1.7 million tonnes of fish were discarded annually, with some discards being up to 90% of catches. That is a complete nonsense. It will be to the benefit of us all—not just fishing fleets, the fishing industry and people who fish, but the whole country—and our diets if we maintain good fish stocks and a healthy fishing industry. As a great lover of fish, I hope that we will do so.

3.36 pm

David Simpson (Upper Bann) (DUP): It is good to speak in this debate, and I may now have a few extra minutes available. As a new member of the Environment, Food and Rural Affairs Committee, like the hon. Member for South Down (Ms Ritchie), I have a lot of terminology to use. Despite the fact that I have been in the agri-food industry for some 35 years—if it comes to beef, lamb or pork I could probably hold my own—in relation to fisheries I am dependent on my Northern Ireland colleagues to keep me right on much of the terminology.

In recent days, I strayed into the hon. Lady’s constituency to visit one of the ports in Kilkeel. It was an interesting visit. Although some of the facts shocked me, I was greatly encouraged by the vibrancy and positive attitude of many who were employed around the harbour. I met trawler owners, fishermen, marine engineers and boat builders, all of whom see a future for themselves with the industry. The blue, marine-based economy of Kilkeel is developing, and it is an honour to give them some level of recognition today. I heard about the challenges that are of great interest to the fishermen, and the rising barriers that are being faced in the industry.
In terms of the recent reform of the common fisheries policy, promises of decentralisation have failed to deliver much, albeit we are only two years into a 10-year programme. Industry representatives voiced their growing frustration with the advisory council, and the feeling that they are being disfranchised by the system. Will the Minister give his opinion, if he dares, on how to encourage our most important fishing stakeholders to continue active participation in the advisory council?

During my visit to Kilkeel harbour, I received a presentation about the development of the fishing industry in the 32 years since the creation of the common fisheries policy. It was interesting to see how the industry had changed from a profitable, mixed fisheries approach to one that had been struggling with dependence on a single species—nephrops or prawns. Now, thanks to the leadership shown by the industry, many are trying to turn the corner and redevelop the mixed fisheries model that has been so successful in the past, albeit with little help from the European Union.

On 10 November, the European Commission proposed its fishing opportunities in the Atlantic and in the North sea for 2016. The numbers for the aforementioned stocks were published by the Commission last Thursday and did not make good reading. Depending on how we interpret the Commission’s proposal for area VII prawns, it advocates a 10% or 17% cut for the stock. For Irish sea haddock, the proposal is for a 52% reduction in the next year’s total allowable catch. If the proposals were based on rational arguments they might carry some more credibility, but the fact is that, despite the promises of the reformed common fisheries policy, the Commission continues with its outdated approach to the annual negotiations by turning out numbers that have absolutely no basis in reality.

Will the Minister explain how the Commission justifies a proposed 52% cut in the Irish sea haddock quota when scientists state that, year on year, there has been an increase of some 400% in the number of those fish in the Irish sea? I hope he agrees that Northern Ireland’s fishermen have made tremendous sacrifices over the past few years to comply with EU regulations. The use of highly selective fishing gear, a reduction in the size of the fleet and a range of other measures have combined to reduce fishing effort in the Irish sea by around half.

Fish stocks, including the iconic cod, are showing encouraging signs of recovery. Local fishermen want to return to a mixed fishery form of management—a goal that the Commission claimed to share. However, the annual debacle that surrounds the EU’s December Fisheries Council really calls into question any confidence in the Commission’s ability to effectively remain in control of our fisheries. With that in mind, I ask the Minister to aim to secure a deal for the Irish sea when he goes to Brussels in a few days for the annual quota negotiations. The deal should recognise the socio-economic dominance of the prawn sector and the realistic goal, based upon fisheries science, of re-creating a mixed fishery with haddock at its core.

I would like to take a few minutes briefly to discuss the issue of recruitment and current crew shortages—a subject that has been touched on. When I spoke to a number of people in the Kilkeel harbour area, including in businesses owned by fishermen, it was made clear that there is a major difficulty in recruiting local staff or workers for the boats. I think we have a meeting with the Immigration Minister next Wednesday to discuss trying to get permits to allow some people from outside the EU to come to work on the fishing boats because young people do not believe that there is a future within the industry that can sustain long-term salaries for them.

A company in the Kilkeel area, called Sea Source, has recently run courses for young people and has tried to encourage them. On one occasion, the chief executive met one of the young men who had been on the course. He was working in a car-wash after getting top marks on the course, he simply said that he did not believe that the industry and life on a fishing boat could sustain his life—marriage, buying a house and even just a full-time salary. Those are issues that we greatly need to address.

I wish the Minister every success over the next few days. I do not envy his job. He has done a sterling job since he became Minister of State and I know that he has the industry at heart, but it is vital that we get a common-sense approach. There is a good future for the industry and the industry will acknowledge that, but there must be a common-sense approach, so that everyone can get a livelihood.

3.45 pm

Dr Eilidh Whiteford (Banff and Buchan) (SNP): We have had an extremely wide-ranging debate this afternoon. Several Members have opened their remarks by paying tribute to our coastguards, and to the work of the RNLI and the Fishermen’s Mission. I echo that and express my thanks to the men and women who crew our lifeboats in Fraserburgh, Peterhead and Macduff in my constituency. They are volunteers who risk their lives in all weathers to keep others safe. I thank many more besides, who work onshore for the wellbeing and welfare of our fishing communities.

I take a keen interest in this debate every year, as an MP representing two of the three largest fishing ports in the UK—Peterhead and Fraserburgh—and some of Europe’s most fishing-dependent communities, and given the crucial importance of the annual December talks not only to the fishing industry, but to the onshore processors, retailers and suppliers that depend on it. I am disappointed, therefore, like the right hon. Member for Tynemouth (Mr Campbell), that we find ourselves here in Westminster Hall once again debating this crucial industry in Back-Bench time, rather than in the main Chamber. Nevertheless, I am grateful to the Backbench Business Committee for allocating this time. I particularly thank the hon. Member for South Down (Ms Ritchie) for securing the debate.

Mr Alistair Carmichael: I just want to place it on the record that the main Chamber has now been adjourned for quite some time. With a bit of efficient business management, we could have been in there.

Dr Whiteford: I am grateful to the right hon. Gentleman for that helpful point, which I hope is noted across the House.

For the Scottish fleet, this year the EU-Norway negotiations are at least as important as the December Council—arguably more so—and they are going on as we speak. There are science-based recommendations
for substantial increases in some of our most important jointly managed stocks, including cod, haddock, herring and plaice, which offer substantial reward to our fleet for their conservation efforts. We need to work towards a fair and balanced exchange with Norway that takes account of our present and future needs.

The right hon. Member for Orkney and Shetland (Mr Carmichael), the hon. Member for Torne (Dr Wollaston) and my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr), among others, talked about the implementation of the discard ban. Members will know that in previous years that has been the key focus of our fisheries debates, particularly the challenges of making a discard ban workable in a mixed fishery when there is a strong likelihood that vessels will pick up by-catch of species for which they do not hold enough quota. That issue has not gone away. Indeed, it is one of the reasons that such a lot is at stake in the Norwegian talks. It is extremely important that we do not trade away stocks now that could become “choke” species in the next few years as the landing obligation is phased in for jointly managed stocks. The Government need to think ahead about the longer-term challenge. I hope the Minister takes that point on board.

On the wider issue of discards, it is important to reiterate that, for the Scottish fleet, discarding has not just stabilised over the past few years, but in many fisheries has actively substantially reduced as a result of conservation measures. I am glad that the practical concerns about the landing obligation in relation to the demersal fleet have been heard, and that it is being phased in gradually starting in January, but I am conscious of the need for ongoing flexibilities.

I hope the Minister can address the issues raised by the hon. Member for Great Grimsby (Melanie Onn) and clarify where the responsibility will rest for the disposal of unwanted, unmarketable fish landed under the discard ban. There has been some debate and confusion about that and it would be immensely helpful if the Minister would set out his interpretation of the regulations.

On the December Council, I am really quite surprised that no one has yet mentioned the ruling earlier this week of the European Court of Justice regarding the discard ban. That was alluded to by my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk and the hon. Member for Strangford (Jim Shannon).

Another key issue currently affecting the pelagic sector is the proposed zero TAC for west of Scotland herring, which was alluded to by my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk and the hon. Member for Strangford (Jim Shannon).

Mrs Sherryl Murray: On a point of order, Mr Crausby. I was talking about renegotiating the repatriation of UK waters, not the CFP. Is it in order for that to be corrected on the record?

Dr Whiteford: Thank you very much, Mr Crausby. I want to pick up on the important points raised by the right hon. Member for Orkney and Shetland on the EU-Faroes deal. Between us, we represent the bulk of the UK’s pelagic fleet, and I fully appreciate his frustration about Faroese access to EU waters, given the experiences of recent years and the sacrifices that our pelagic fleet has made to secure a compromise to end the stand-off on mackerel. However, it is important to remember that during those years of deadlock there were also significant adverse impacts on those parts of our white-fish fleet that historically have fished in Faroese waters. Reciprocal access to Faroese waters is extremely valuable to our demersal fleet, not least because it gives them effort refuge. Although I would strongly resist any further Faroese incursions into our waters, we need a balanced outcome that recognises the needs of every part of the fleet, including our white-fish fleet, and that is fair and workable for all parties.

Another key issue currently affecting the pelagic sector is the proposed zero TAC for west of Scotland herring, which was alluded to by my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk and the hon. Member for Strangford (Jim Shannon).

Mrs Sherryl Murray: On a point of order, Mr Crausby, I was talking about renegotiating the repatriation of UK waters, not the CFP. Is it in order for that to be corrected on the record?

Dr Whiteford: I am keen to address the important point raised by the right hon. Member for Orkney and Shetland, with which I am in substantial agreement. Everyone here today is committed to the long-term sustainability of the marine environment, our fishing
industry and our coastal communities, and to the sustainable harvesting of this precious food resource. It follows from that that we are committed to basing TACs on the best available scientific evidence. However, there is wide acknowledgment that the evidence on herring in area Vla is partial and inconsistent and does not accurately reflect what is likely to be happening in the whole area, which is ultimately a somewhat arbitrary set of lines drawn on a map. I accept the need for a precautionary approach and the need to consider clearer evidence, but that needs to be proportionate. We need an allocation that allows fishing to take place in support of the Pelagic Advisory Council plan that is already in place.

My hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford) mentioned the MOD consultation on the BUTEC range, which could potentially affect a large number of fishing vessels in the area. The inner sound of Raasay is home to some of Scotland’s most valuable inshore fishing grounds, and the nephrops creel fishery alone supports 54 vessels and is worth nearly £3.5 million to the fairly fragile local rural economy. I hope the Minister has listened to him and will undertake to make representations to his ministerial colleagues in the MOD.

On the subject of Government Departments that intersect with fisheries, my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk, the hon. Member for Strangford and other Members from Northern Ireland and parts of the west coast of Scotland have raised concerns about the way in which UK Border Force appears to have changed its approach to international seafarers who crew fishing vessels in our fleet. That issue affects my constituency, too, although the issues on the east coast and the west coast are somewhat different because of their geography. The boats are mostly fishing outside the 12-mile zone, and these seafarers are immensely valued by the skippers and are impossible to replace in the current context, so it is important to understand that they are not immigrants; they are contract workers who do not settle here. They are mariners whose main base is still in their home country. The industry is keen to clarify and regularise their status, so that they can continue to run their businesses effectively. I hope the Minister will help us to explain to his colleagues in the Home Office the value that those seafarers bring to the industry and to our wider economy.

The fishing industry is extremely important to Scotland’s economy. It contributes more than £500 million a year in revenues and sustains many coastal communities. Sea fish are not only important to our economy and exports; they are a key sustainable healthy food source, and we must continue to work with the industry to protect our marine environment. Harvesting this renewable resource in a long-term sustainable way is in the interests of everyone, including the fishing industry, and no one recognises that better than those who work on our seas. We recognise that we have some way to go on making the discard ban fully workable, and flexibility will be essential, but we are seeing the tangible results of conservation measures. It is crucial that our fishing industry derives concrete benefits from its efforts.

The passion and commitment we have heard from Members on both sides of the Chamber today, and the wide range of issues that have been raised, illustrates the importance of the industry to our coastal communities. The viability of the industry depends on the political decisions made in the next few days, so I urge the Minister to pick up the points made by Members on both sides of the Chamber this afternoon. I wish him well for the negotiations.

3.55 pm

Alex Cunningham (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Mr Crausby, I begin by congratulating the hon. Members for South Down (Ms Ritchie) and for South East Cornwall (Mrs Murray) on leading the charge by securing this debate. Colleagues from both Government and Opposition parties have made a number of excellent points, and I am grateful for the opportunity to contribute further on some of those matters, albeit not on the Floor of the House.

I am also grateful to the many organisations and individuals, some of them with clearly conflicting interests and views, who have taken the time to brief me since I took over this portfolio just a few weeks ago. I add my tributes to the people who work in our fishing industry, and particularly to those we see on television fighting tremendous waves offshore, to those who have died for their industry and to the voluntary organisations that provide such a tremendous service on our seas.

The annual meeting of the EU Agriculture and Fisheries Council will take place in a little under a fortnight’s time, and it is a key event in the marine calendar. We must make it clear what is in the UK’s best interests when the all-important fishing quotas are examined and agreed by member states. With the changes made to the common fisheries policy in recent years and the continuing assessment of their impact, it is right that we review and understand the issues ahead of the Council’s meeting and make sure that the Minister knows what we, and the communities we represent, believe he should be doing in the best interests of both the industry and the marine environment.

Various Members have spoken about the agreement to reform the policy, and I will speak about discards in a little more detail. It is estimated that discards previously accounted for 23% of all EU catches, or about 1.7 million tonnes of fish, annually. Some fisheries, however, experience a staggeringly high discard rate of up to 90% of catches, as my hon. Friend the Member for Luton North (Kelvin Hopkins) highlighted. The European Commission has rightly described the practice as “unethical” and identified the problem as “a substantial waste of natural resources”.

We have heard how, on 1 January 2015, the phased introduction of a landing obligation got under way in an effort to address such waste by outlawing the discarding of fish for all pelagic fisheries. Discard bans for all other species, and all EU fisheries, are due to be phased in over the coming years, beginning in less than a month’s time on 1 January 2016.

That element of the reformed common fisheries policy undoubtedly provides us with a real opportunity to promote the long-term sustainability of fish stocks and the viability of the fishing industry. However, I am aware that the imminent expansion poses a number of challenges, not least because some shore-based species are largely caught in mixed fisheries. Regrettably, it is highly likely that the next chapter will see additional bycatch and make this phasing in of the landing obligation more
complex to implement and monitor than the ban on discards of pelagic species. Although there are various exemptions to mitigate that likelihood, what additional measures will the Government introduce to incentivise the increased use of selective fishing methods, so that we can minimise bycatch and enhance sustainability as the landing obligation is gradually introduced for demersal species? What assessment has the Minister made of the number of fleets that have already adopted more selective measures and, more importantly, the number that have not?

Although the intentions behind a discard ban—to reduce the wasting of our fisheries’ resources and to drive improvements in environmental performance—are welcome, the change to allow the proportion of the total allowable catch originally held back to cover discards to be added to fishing quotas is anticipated to result in an increase in fishing quotas—the so-called “quota uplift.” Although uplift itself should not increase fishing mortality beyond recommended levels, that conclusion is built on an assumption that estimations of discarding are both accurate and verifiable. Were fishing fleets to receive quota uplift and yet continue to discard or high-grade illegally, fishing mortality could rapidly rise beyond sustainable levels and undermine recent improvements.

A report commissioned by the World Wide Fund for Nature suggests that equipping and installing all fishing vessels in the over-10 metre UK fleet with remote electronic monitoring camera systems and undertaking to review 8% of video footage could cost less than is currently spent on traditional monitoring options in the UK, which account for only 0.1% of the hours fished by the fleet. I therefore challenge the Minister to outline what safeguards he will be seeking on EU-wide monitoring to ensure compliance with the new rules and a level playing field for all member states. I would also be grateful if he told us what thought has been given to providing enhanced monitoring at sea, whether remotely by CCTV or on board by scientific observers, and what plans he has for developing a risk-based approach to monitoring through the development of catch profiles.

On a related theme, it is notable that the reformed policy establishes that decision making in areas such as fixing fishing opportunities must be guided by scientific advice on maximum sustainable yield, a theme raised in some detail by the hon. Members for Totnes (Dr Wollaston) and for South Thanet (Craig Mackinlay), among others. The central aim, as we know, is to implement sustainable management of fisheries while allowing the highest rate of extraction at which stocks can be fished without risking depletion and jeopardising future catches. That is the view of the conservationists and the industry, but I am aware that there are different views on the accuracy of the science, with some arguing for increased rather than decreased quotas.

Overfishing, as we know, is proven to be bad for fish stocks and has negative knock-on consequences for the fishing industry that relies on them and the communities supported by the sector, so the science must be accurate and verifiable. There is all the more reason for it to be so when we consider the October decision of the Fisheries Council to set total allowable catches for 2016 in the Baltic sea that exceed scientific advice in a majority of cases.

My hon. Friend the Member for Penistone and Stocksbridge (Angela Smith), speaking in the fisheries debate last year, affirmed that, “the interests of the marine environment go hand in hand with the best interests of the fishing industry and of our hard-pressed coastal communities.”—[Official Report, 11 December 2014; Vol. 859, c. 1047.]

I reiterate that sentiment, and I highlight again the need to develop stronger partnerships with the fishing industry to shape the transition to a more sustainable future.

We already know of the increase in marine conservation zones around our coast. Again, co-operative work is needed to ensure that we can conserve while allowing the fishing industry to exist alongside conservation. I am clear that we will arrive at that future only when we heed the scientific advice available and exploit it to develop policies firmly grounded in evidence. While Ministers in the Agriculture and Fisheries Council continue to set limits each December that outstrip the recommendations of so-called experts, despite a commitment to end overfishing by 2020 in the worst-case scenario, that future still appears some way off.

Of the total allowable catches announced for 2014, for instance, 31 of 69 stocks, or 45%, were fished above scientific advice. The UK is a prime offender, having been placed at the top of the EU overfishing league table for 2015 by the New Economics Foundation. I hope the Minister will therefore commit to seeking agreement on fishing limits that do not exceed those levels when he attends the Council meeting in Brussels in 10 days’ time or so, rather than accepting higher limits that risk more severe cuts in the run-up to 2020.

The situation is all the more pressing given that, as the Marine Conservation Society tells me, most stocks in the EU are data-poor. Almost two thirds of demersal stocks in the North sea alone are estimated to be data-deficient, ahead of the implementation of the landing obligation on 1 January. I also hope that the Minister will support a risk-based approach to the management of such data-deficient species in the short term and push for those species to be made a priority for research and assessment. Delaying that process means delaying the benefits of sustainable fishing. If the outcomes of the Council meeting show a lack of ambition similar to last year’s, it will unnecessarily interrupt progress.

We have heard in the debate about the recruitment challenges facing boat owners and their desire to recruit more non-EU workers within a regulated scheme to enforce minimum standards on service, pay and treatment. I am hopeful that the Minister will respond to that in co-operation with his Home Office colleagues. As my hon. Friend the Member for Great Grimsby (Melanie Onn) and others mentioned, it is sad that so many of today’s young people who might have been mariners two generations ago now shun the sea, preferring a more family-friendly lifestyle. Perhaps if the earning power of past days returned, attitudes might be different and more young people would move into the fishing industry.

Although our industry still supports a huge number of jobs in our coastal communities, those opportunities risk becoming unsustainable as long as small vessels have disproportionately restricted access to the UK’s quota. Many Members have raised that issue in the debate, including my north-east neighbours, my right hon. Friend the Member for Tynemouth (Mr Campbell)
and my hon. Friend the Member for Hartlepool (Mr Wright). I look forward to hearing the Minister address Members’ challenging and serious questions on that issue.

I know that Greenpeace is not the flavour of the month for some Members here, but it calculates that small-scale vessels represent more than three-quarters of the total UK fleet but have access to just 4% of the UK quota. The remaining 96% is held by larger-scale interests. I am sure the Minister knows that the right decisions at the Council are required to support our coastal fishermen and the communities and jobs that they sustain, but I hope to hear also that he will use the power in his gift to give a fairer deal to smaller boats and open up wider access to the UK’s fishing quota.

4.6 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I thank all hon. Members for their contributions to this debate. In particular, I congratulate the members of the all-party parliamentary group on fisheries on securing this debate from the Backbench Business Committee. I note that the House has adjourned, as the right hon. Member for Orkney and Shetland (Mr Carmichael) pointed out. I hope that in future years, we can hold this debate where it belongs: on the Floor of the House.

I begin by recognising those who, sadly, paid the ultimate price and lost their lives while fishing this year. It is an incredibly dangerous occupation; this year, no fewer than 11 fishermen lost their lives in accidents at sea, a number slightly higher than in previous years. As many hon. Members have said, our thoughts are with the families of those killed. It is a dangerous occupation, and fishermen put their lives at risk to bring food to our table. In that regard, I acknowledge my hon. Friend the Member for South East Cornwall pointed out. I hope that in future years, we can hold this debate where it belongs: on the Floor of the House.

I will say a little bit about the reforms to the common fisheries policy. As I have said in similar debates, the reality is that no man-made system of administration will ever be perfect for the management of fisheries. The marine environment is incredibly complex—thousands of different species interact with one another in mixed fisheries—and no administrative legal regulation will ever be perfect, but the test that we should set ourselves is whether our changes and reforms are moving us significantly in the right direction. I contend that they are, and that the latest CFP reform—my predecessor, my hon. Friend the Member for Newbury (Richard Benyon), took a leading role in the negotiations—is a step in the right direction.

We have achieved a number of things in the latest reform, which is now being implemented. The first is regional decision making. Nation states sit around a table to agree multilaterally how they should deal with the issue of discards and implement multi-annual plans. The role of the Commission, rather than dictating from the centre, is effectively to sign off and agree those management plans put together by member states. To return to the point made by my hon. Friend the Member for South East Cornwall, that is because everybody has a stake in the fishery: those countries have a shared interest in responsible management—and it is the right thing to do.

Secondly, we have introduced the discipline of a discard ban, which is important. Discarding is a shameful practice that has continued over many decades—a couple of years ago I was reading a book written by George Orwell in 1942, which talked about the scandal of fish being discarded back into the sea—so the discipline of a discard ban is important.

We will only make a discard ban work in practice as well as in theory if we have as many flexibilities as are necessary to make it work. Despite the concerns that fishermen have expressed, which I hear, there are many flexibilities in this policy. For instance, there is the ability to bank and borrow quota, so if someone does not use all their quota in one year they can roll it over to the next. My hon. Friend the Member for South East Cornwall pointed out that we cannot allow that flexibility to exhaust the following year’s quota, which is why there are limits of around 10%.

There is also the ability to have inter-species flexibility, so that if someone catches over their quota on one species but still has quota for another species, they could count one species against the other. We will probably need some sort of exchange system, so that we have the right values of fish; otherwise, there could be unintended consequences. Nevertheless, that is a second important flexibility. There is also a survivability exemption. With certain flatfish species that are caught by certain nets, if they are juvenile and undersize but would survive, it is not good to land them; it is good to put them back in the water and give them time to grow. If all else fails, there is a de minimis exemption. If someone has tried everything else in the book, and nothing can prevent some level of discarding, that de minimis exemption enables some discarding to continue, but in strictly limited circumstances.

With all these flexibilities, the discipline of fishing sustainably, and—as the shadow Minister pointed out—the aim and policy of getting to maximum sustainable yield this year where possible, and everywhere by 2020, we have started to make progress. For instance, as recently as 2009, only about five quota species were being fished sustainably. We are now up to 32 species being fished at maximum sustainable yield, which is up from 26 last year. Also, the stock trends in many areas are moving in the right direction, so there has been some good progress on MSY.

The advantage of fishing sustainably is that fishermen can then catch more fish. That is a very important point, which we must keep stressing. Pulling belts in and showing some restraint today, provided that we are not discarding those fish, means that tomorrow, next year and the year after we should have more fish. I think we are starting to see that come through in the advice from ICES.

Only a few hon. Members touched on the situation in the North sea, but I will highlight it, because it is very positive for most stocks. There is always a danger in these debates that we focus on things that are difficult and challenging, and fail to recognise success. However, with cod, for instance, there is a recommendation for a 15% increase in the total allowable catch. There are also recommendations for a 30% increase in the TAC for North sea haddock, a 16% increase for herring, a 15% increase for plaice and a 20% increase for monkfish in some areas. We are seeing some really positive results in the North sea, and that is partly a consequence of our fishing sustainably there in recent years.
Mrs Sheryll Murray: I acknowledge the success in the North sea, but the UK share of the North sea TAC is considerably more than it is in area VII. Only 8% or 10% of the cod and haddock are in area VII to begin with, so any cut would have a disproportionate effect on fishermen in the south-west.

George Eustice: My hon. Friend highlights an important point. In the Celtic sea, depending on which area we look at, the French and the Irish have the majority of stock, particularly of haddock. She is right about that; I think that the figure I saw was more than 80%. However, to make a slightly different point, a cut there has a disproportionate effect on the French and Irish, because they have a larger starting base, and if it is a stock that we never had much of in the first place, a cut does not matter as much. Nevertheless, I understand her point, and we should probably have a fairer share of that stock.

I also recognise that the news is not universally good. Yet again, for the third year running that I have been Minister—and it was the case for some years before that, too—there is some very challenging science for the Irish sea in particular, which I will return to later. As the hon. Member for Waveney (Peter Aldous), pointed out the importance of science, and I absolutely agree with them. As I said at the start, no system will ever be perfect; the science will never be perfect. There will always be evidence gaps, and however much scientists try to model things to make the science as up-to-date as possible, there will always be instances in which the science is not quite right. Nevertheless, it is still right to take the science as our starting-point in negotiations.

We are improving the science that we have. Last year, we had enough science and enough evidence to carry out an MSY assessment on 46 stocks, and that number is now up to 62. We are getting better each year at moving stocks away from the data-limited category, and at getting reliable science, so that we can set accurate MSY assessments. Those assessments will be absolutely crucial if we are to get to MSY on all quota species by 2020.

May I pay tribute to the fantastic work that the Centre for Environment, Fisheries and Aquaculture Science does in Lowestoft? I should add that Lowestoft is the right place for CEFAS to be located. We have given a vote of confidence in CEFAS and its future by making available money to upgrade its laboratories. I visited CEFAS last year and I was incredibly impressed by the work that it does on Endeavour, the vessel there. I also pay tribute to the great work that my hon. Friend the Member for Waveney (Peter Aldous) has done to lobby in the interests of CEFAS when it comes to investment.

A number of hon. Members, including the hon. Member for Great Grimsby (Melanie Onn), asked about port capacity and how we will deal with discards that are landed. I can confirm that we have a group of people working with industry on this issue. There is a ports group that deals with officials in my Department. I had a meeting with, and an update from, one such official at the beginning of this week, and we believe that we are making good progress in addressing people’s concerns.

I will make a few points about that. The first thing to note is that just as we are phasing in an approach to achieve MSY on stocks, so too we are phasing in the landing obligation on fish species. We are starting in quite a modest way with some of the larger species that define a fishery. This year, we are considering haddock in the North sea, and whiting, sole and nephrops in Ireland, but in the Celtic sea we are mainly looking at hake and Dover sole. In each area, we have typically picked only two or three species to which the discard ban applies this year, and our assessment so far is that the amount of additional fish that will be landed and that will not be sold into the human food chain is actually negligible. We do not believe that that is a challenge that will present itself this year, as some people do.

Longer term, a number of options are available. We will make available grants to those ports that want to have quayside facilities to manage undersized fish that is landed. We will make funding available to support fishermen in investing in even more selective fishing gear, so that they do not catch and land undersize fish in the first place. For those who do not want to invest in such quayside facilities, there are enterprising companies—one of them is based in Great Grimsby—that have surplus processing capacity. Already, they are running a network of lorries around the country, collecting offal from fish processing factories and turning it into fishmeal. We believe that in many instances—this is already being investigated—they will be able to expand their network to consider taking undersize fish to that processing capacity. Yes, there will be challenges, but I come back to what I said at the beginning: the policy will never be perfect and will always present challenges. The question is whether we are moving in the right direction.

My hon. Friend the Member for South East Cornwall raised the issue of the Commission’s proposal for a 125% increase in channel plaice in areas VIIId and VIIe. The Commission proposal is looking at something more around 63% as a recommendation. That is partly because,
on the basis of strong science, we secured an in-year increase in 2015, and the Commission is starting to take that into account. Nevertheless, things are positive for place in the channel.

My hon. Friend also mentioned Dover sole. She is right that the management plan limits that to a 15% increase, despite the science advising a 44% increase. We will be looking closely to see whether we can improve that. As a general rule, we are a bit sceptical of management plans. In a reformed CFP, we believe that clear criteria are needed around the discard plan and quotas, with all the flexibilities that I described.

Mr David Crausby (in the Chair): Order. I remind the Minister that I was hoping for time for Mrs Ritchie to wind up.

George Eustice: Thank you, Mr Crausby. I will make sure that there is.

The right hon. Member for Tynemouth (Mr Campbell) mentioned the Farne Deeps. I have a meeting with officials tomorrow to discuss the challenge there. He also mentioned salmon, and I attended the summit. I pay tribute to some of the work done by the fishermen with their nets, and the progress made, but the salmon stock is in a dire state. We need to protect all the salmon as they come into our waters, and that is why we are looking at catch-and-release schemes for anglers, improving fish passes and water quality, and removing net gear. We are also looking at options to buy out some licences to secure early closure.

The right hon. Member for Orkney and Shetland (Mr Carmichael) mentioned the EU-Norway deal, which is incredibly important to his constituents. We made good progress and managed to get the proposed TAC reduction there down to 15%; the original proposal had been much higher. It has been more challenging to get an agreement on blue whiting. Looking at zonal allocation, we believe that we have a strong case for a higher share of the quota, but it has been hard to get agreement. As the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) said, we were not able to get Iceland and Russia at the table for an agreement on that. We had issues with Iceland seeking access to our waters as the quid pro quo for coming on board, and we were not able to agree to that. My hon. Friend the Member for South Thanet mentioned skates and rays.

Mr David Crausby (in the Chair): Order. Minister, we finish at 4.30, so you are not giving Ms Ritchie very much time.

George Eustice: Thank you very much, Mr Crausby. I am afraid I have not managed to get to the other points, but I make one final point before wrapping up, relating to that, but I do not agree with them. We would like the Justice decision this week on the cod plan. Those of us who represent fishing constituencies need that issue addressed. Running alongside that is the need, whether we represent constituencies in the devolved regions or in England and Wales, for the ongoing infrastructure investment to meet the requirements of the landing obligation and the discard ban. More investment will be required for that ongoing modernisation.

Mrs Sheryll Murray: On a point of order, Mr Crausby. I was under the impression that Ms Ritchie was to be given adequate time to wind up the debate.

Mr David Crausby (in the Chair): Well, you are taking up time, Mrs Murray. I am not empowered to sit the Minister down. It is in his hands, so can we let him conclude?

George Eustice: In view of your guidance, Mr Crausby, I will conclude my speech earlier than would be the norm. Normally, those winding up the debate get a couple of minutes, but I conclude very briefly by saying that at the next EU negotiation—some have said that we should seek to repatriate this matter—there is a case for looking at the whole issue of relative stability. It is too early to decide what our negotiating position would be, but I am open to suggestions from Members.

4.24 pm

Ms Margaret Ritchie (South Down) (SDLP): I thank everyone who participated in the debate. Seventeen Members, including the Front Benchers, made contributions, representing the needs of their constituents. Front Benchers from the SNP, the Opposition and the Government responded to the debate. We all know that the fishing industry presents many risks and challenges to those directly employed in it, but there is no doubt that the offshore and inshore fishing industry contributes an enormous amount to all our local economies, whether in Britain or Northern Ireland.

In the next few weeks, the Minister will make direct representations as part of the negotiations in relation to total allowable catch. I hope that he will ensure that none of our industries in our fishing villages—I think of Ardglass and Kilkeel in my constituency—and none of the people involved in them will be imperilled by any downturn in any fish quota species, or by the discard ban, the landing obligation or any of those issues.

Other issues raised today by Members include crewing. We will discuss that directly with a Home Office Minister next week, but it is important that we obtain proper regulations to ensure that our fleets can operate, day to day. Many fleets would be tied up if we did not have the support of the Filipino fishermen. We in the west of Scotland and Northern Ireland have a unique position on that, because we have an impediment with the restricted inlets and fjords and the geography. That means that the 12-mile limit and all that has to be looked at. We have to adopt a common-sense approach.

The common fisheries policy has recently undergone several key reforms, including: a phased ban on discarding fish, effective for pelagic as of last year and demersal as of this coming January; a legally binding commitment to fishing at sustainable levels; and increasingly decentralised decision making. Political points were made about repatriating powers from the European Union in relation to that, but I do not agree with them. We would like the Minister to write back to us on the European Court of Justice decision this week on the cod plan. Those of us who represent fishing constituencies need that issue addressed. Running alongside that is the need, whether we represent constituencies in the devolved regions or in England and Wales, for the ongoing infrastructure investment to meet the requirements of the landing obligation and the discard ban. More investment will be required for that ongoing modernisation.

[Ms Margaret Ritchie]

We wish the Minister well in the negotiations in the next two weeks. We hope that he can achieve an upturn in the quota allocations for all the significant fish species. If I may be a little local, area VIIa needs an upturn in the quotas for haddock, nephrops and cod. My colleagues across the UK also need that, because fishing is central to the growth and productivity of all our local economies. The fishing industry, whether offshore or inshore, fuels both those interconnected factors. I think the Minister may have wanted to comment on cod.

George Eustice: I would like to deal with a couple of the points that the hon. Lady raised. I sadly did not get a chance to speak about nephrops in my speech, but the proposal is for an 18% reduction. In previous years, we have been successful in getting the proposal substantially down. Last year, we even got an increase in the TAC.

On the institutional impasse and the ECJ decision this week, the judges have predictably come down on the side of the Commission and the Council, but it is one of those matters where we won on the substance, if not the technical legal issue. That was recognised by the Court, which made it clear that nothing will be done until at least 2017. That gives us a year to accommodate the viewpoint of the European Parliament, and to ensure that in future it has the correct viewpoint.

Ms Ritchie: I thank the Minister for that information. Let us hope that we get a sensible outcome that brings benefit to all our fishing communities. Once again, I thank all who participated—

Mr David Crausby (in the Chair): Order.

4.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).
Neonicotinoids on Crops

4.30 pm

Ben Howlett (Bath) (Con): I beg to move,
That this House considered e-petition 104796 relating to the use of neonicotinoids on crops.

It is a pleasure to serve under your chairmanship, Madam Chairman, and may I wish you a very happy birthday? [HON. MEMBERS: “Hear, hear.”] Whoever said I was a suck-up?

Neonicotinoids are more easily referred to as neonics. As a dyslexic, I will use that phrase for ease. Neonics are a class of pesticides used on crops to control pests such as aphids and grubs. The petition, which received more than 90,000 signatures, was prompted by the effect that neonics have on pollinators in the UK, specifically bees.

The petition states:

“Neonicotinoids, especially seed treatments of imidacloprid and clothianidin on arable crops, have become of increasing concern to beekeepers and bee researchers in recent years with many of them suspecting that they may be connected to current bee declines. These concerns have led to partial bans on the use of some neonicotinoids for specific crops in several European countries, including France, Germany, Italy and Slovenia. Bees are already facing sharp declines in their numbers and need help.”

The EU placed a ban on three types of neonics just over two years ago. However, attention was returned to the issue when the Government permitted limited use of the substances as an emergency measure.

I want to discuss the importance of bees before continuing to discuss neonics, the EU approach and the recent permission granted by the Government for some farmers in Suffolk, Cambridgeshire, Bedfordshire and Hertfordshire.

Michael Tomlinson (Mid Dorset and North Poole) (Con): It is a pleasure to serve under your chairmanship, Ms Vaz, on your birthday.

Given the level of interest in this subject—it is clear from this room and from my inbox that the residents of Mid Dorset and North Poole and people around the rest of the country are concerned—perhaps my hon. Friend will comment on the revitalising of the all-party group to inform and discuss the issue further.

Ben Howlett: I thank my hon. Friend for that intervention. I welcome the creation of the all-party group to inform and discuss the issue further.

Ben Howlett: I thank the hon. Gentleman for his intervention. I agree that not only bees, but a range of different insects are put at risk.

I must say that it was not me who secured the debate; it was the 90,000 people out there who signed the e-petition, which was taken forward by the Petitions Committee.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): May I also say it is a great pleasure to serve under your chairmanship on your birthday, Ms Vaz, and on my 30th wedding anniversary?

I congratulate my hon. Friend on securing this debate. I wish to reflect the concern of people in Chesham and Amersham about the state of bees. The British Beekeepers Association’s annual honey survey has shown a 34% drop in the honey crop this year, partly due to poor weather and windy conditions, and also queen issues in the hives.

Ben Howlett: I thank my right hon. Friend for that intervention; many a time I have ended up having to stand up and respond to queen issues. That is an in-joke. I am incredibly alarmed by the decline of the bee population in the UK. Climate change has had a serious impact.

Several hon. Members rose—

Ben Howlett: I want to make some progress, but I will bring in as many Members as possible during my speech.

On the importance of bees, apart from providing the summery buzzing sound that we hear, bees are crucial to our natural environment. They pollinate most of our crops and many wild flowers, as well as playing a crucial role in supporting wider biodiversity. However, this crucial part of our nation’s wildlife is in danger from a combination of factors that have led some species to become extinct. In 2012, the Department for Environment, Food and Rural Affairs announced that England had seen the greatest decline in wild bee populations anywhere in Europe. That cannot be ignored.

Andy Slaughter (Hammersmith) (Lab): The hon. Gentleman mentioned the 94,000 people, I think, who petitioned. Does he agree that this is an issue across the country? In my very urban constituency, I have had 430 emails so far on this matter. Does he think the Government need to be consistent in their ban on bee-harming pesticides? They seem to be flip-flopping at the moment, and pesticides are damaging many crops.

Ben Howlett: I agree with the hon. Gentleman. I represent an urban constituency—we have two farms in Bath—but we have a lot of people who are beekeepers or members of the Beekeepers Association. This is a wider issue, but everyone in our country buys honey—or rather, most people buy it if they have a taste for it—and we need to ensure we give enough support to bees. I agree that the Government’s line needs to be consistent.

and I echo the concern of all my constituents about the effect of neonicotinoids on the decline of bees. Does the hon. Gentleman agree about the potential effect on the decline of butterflies, which has been noted recently in research by the Universities of Stirling and Sussex?
Caroline Lucas (Brighton, Pavilion) (Green): I am grateful to the hon. Gentleman for giving way and I congratulate him on securing this debate. I was a member of the Environmental Audit Committee, which strongly recommended a moratorium in the previous Parliament. Does he agree that the Government should look again at that EAC recommendation? Earlier this year, the single study used to justify the UK’s voting against current restrictions was widely discredited, and the key scientists behind it left to join the pesticides company Syngenta. Does the hon. Gentleman agree that, in the light of that, we need to revisit the UK’s decision?

Ben Howlett: I agree there is a range of scientific evidence, which I have started to get my head round. I am looking at as much as possible, and I would like the Government to do something similar.

Mr Andrew Turner (Isle of Wight) (Con): I thank my hon. Friend for allowing me to intervene. On the island, Dave Cassell is chairman of the Isle of Wight Beekeepers Association. They would plead for farmers to be given more information from the Government about what the least damaging time of day to spray is. I am told that spraying in the evening is much less damaging than in the daytime.

Ben Howlett: I thank my hon. Friend for his intervention. I honestly do not know the answer, but I hope that I can pass the buck to the Minister.

Several hon. Members rose—

Ben Howlett: I want to make a little headway, but I will give way to hon. Members in a moment.

The decline in the British bee population is not solely caused by the use of neonicots. A variety of factors combine to result in a severe decrease in the number of bees in the UK. Climate change is having an effect on the population, as is the loss of habitats, intensification on land use, the spread of pests and diseases, and the use of pesticides in farming. Those causes can be interlinked and all need to be addressed. However, today’s debate focuses on the use of neonicots.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate the hon. Gentleman on securing this debate. As his right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) mentioned earlier, the honey crop has fallen by about 30%. What does he think we can do generally about the situation? The problem does not apply only to Britain, but to other countries as well, and it has been going on for several years.

Ben Howlett: I thank the hon. Gentleman. Gentleman for his intervention. This is an international problem and it needs to be looked into at a European Union level as well. I understand the Government are doing so.

John Redwood (Wokingham) (Con): The issue that worries me and many of my constituents—and, I suspect, others around the country—is the decline of the bee population. I am grateful that my hon. Friend has pointed out there is not a single cause for the decline. Does he agree that we need a varied response from the Government that covers a number of issues in order to crack the real problem?

Ben Howlett: I absolutely agree with my right hon. Friend that a multifaceted approach and strategy must be considered. Hopefully my hon. Friend the Minister will set that out when he responds.

Simon Hoare (North Dorset) (Con): My hon. Friend will probably be aware that Robin Page of the Countryside Restoration Trust, who writes and speaks a lot of sense on these sorts of issues, has drawn attention to the parallel between the rise in the badger population and the decrease in the number of ground-nesting bees. Someone should do some extra research on that. Does my hon. Friend agree that whenever the Government and the EU apply science to these matters, science must always be front and centre when decisions are taken, but where there is uncertainty the precautionary principle should always come to the fore?

Ben Howlett: I agree that there should be more scientific research into this issue. I have not read the article to which my hon. Friend referred, but I am sure that he speaks with great eminence on the subject.

Huw Irranca-Davies (Ogmore) (Lab): I commend the hon. Gentleman for securing this debate. It is very well attended, which shows how important it is. It is important that there is openness and transparency on the science and evidence. Such transparency might well help the Government. The Environmental Audit Committee, which I chair, wrote to the Secretary of State on 1 September saying that she should publish all the evidence in a timely manner so that everyone can investigate. Things have moved on since then, but it would be good for all parties if, when decisions are made, the evidence is put out there so that everyone can interrogate it in a timely manner. Does the hon. Gentleman agree?

Ben Howlett: Yes. An open and transparent world would be an awful lot more useful for our constituents, who, to be frank, have struggled. I must admit that I, too, have struggled to find some of the information that is available.

Moving on, I am well aware that the farming community produces some good arguments for the necessity of pesticides and neonicots, which in some instances are much more effective than other pesticides. Nevertheless, a balance needs to be struck. Crops are without doubt an essential part of our nation’s agricultural sector, but bees also play an essential role in our natural environment as pollinators and otherwise.

Margaret Greenwood (Wirral West) (Lab): I congratulate the hon. Gentleman on securing this important debate. Like many other Members present, I have been contacted by lots of constituents, one of whom signed off with the line: “If the bees go, we’re all in trouble.” I think we would all agree.

Along with colleagues, I have just returned from the GLOBE International conference in Paris, which coincided with COP21. Environmental resilience was very much to the fore. Does the hon. Gentleman agree that, in a crucial week for climate change globally, this subject is part of a much bigger picture? We should take it very seriously.
Ben Howlett: I agree that we need to look at this issue much more strategically.

Mr Philip Hollobone (Kettering) (Con): My hon. friend is making an excellent speech. The most important part of it for me is that he said that the decline in the bee population in this country is the biggest in western Europe. Rather than concentrating on why bees are declining generally, we should ask what it is about this country that means we are doing worse than anywhere else.

Ben Howlett: I thank my hon. Friend for his intervention. I have to admit that I am not an expert on this subject. Hopefully, the Minister will answer that question in due course.

Moving on to the rest of my speech, neonicotinoids are of great concern to many of our constituents because of how they operate. As I have said, I am not a scientist, but I understand that neonicotinoids are rapidly absorbed when sprayed on plants or, more commonly, used to treat seeds to protect plants throughout their lives. As well as disrupting the neurological function of the pests they are meant to target, neonicotinoids are also toxic to bees and other pollinators. In 2013, the EU introduced a ban on the use of three types of neonicotinoids on crops that are particularly attractive to bees—namely, spring-planted cereals and flowering crops.

Caroline Nokes (Romsey and Southampton North) (Con): On the point about the three types of neonicotinoids that caused concern back in 2013, does my hon. Friend agree that the farming community and, indeed, retail can play a leadership role on this issue? The Leckford estate, which is owned by the John Lewis Partnership, is in my constituency. In response to the concerns in 2013, it stopped using neonicotinoids, and since then has done massed work to increase the viability and sustainability of all pollinators on the estate.

Ben Howlett: I thank my hon. Friend for her excellent intervention. I agree that removing neonicotinoids from the chain of production has not caused some sort of massive collapse in the system. In many ways it has had a very limited effect. I agree that all producers have a responsibility.

Mims Davies (Eastleigh) (Con): I thank my hon. Friend for giving way before he moves on. He is showing expertise minute by minute and so should not worry; we will get there. I have a farming background. My hon. Friend touched on how long neonicotinoids can remain and the studies of the chemicals’ long-term effects. There are conflicting conclusions. Many of those present, and many of the constituents who write to us, are confused by the science, the conclusions that are drawn and the warnings we are given, but we have just heard from my hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) that there can be alternatives. I do not believe that all the options are being explored.

Ben Howlett: Yes, there is a mix of evidence out there. We do not yet have a definitive answer, but hopefully we will hear one from the Minister. I empathise greatly with the view that much more evidence should be put out there, because it sometimes feels as if one is going through the process but the information is just not readily available.

Moving on quickly, there are still types of neonicotinoids whose usage is not controlled. The three banned types can still be used as a seed dressing on crops such as sugar beet and winter cereals. Earlier this year, the European Commission asked the European Food Safety Authority to collect information on the risks posed to bees by the three banned neonicotinoids. The authority is currently reviewing the data it collected and will soon provide conclusions as to the risks. It collected information from more than 370 contributors, which will increase our understanding of the effects of neonicotinoids, so I hope that the Government listen to the findings.

David Warburton (Somerton and Frome) (Con): I congratulate my hon. Friend on securing this important debate and also wish you, Ms Vaz, a happy birthday. Many of my constituents are very concerned about this issue, which is important to the whole of Somerset and the west country, and I share many of those concerns. Does my hon. Friend agree that it is important to understand the criteria on which the Government will make their decision, if they ever do?

Ben Howlett: I would not possibly speak on the Government’s behalf, but I hope the Minister will answer that question by explaining the criteria that will be under consideration.

The EU allows member states to authorise the usage of the banned neonicotinoids to deal with emergency situations that are temporary, limited in scale and controlled, in order to address a danger that cannot be contained by any other reasonable means. The Government granted permission for their use on oilseed rape where the crops are in greatest risk of pest damage. The area that was granted permission, which extends across Suffolk, Cambridgeshire, Bedfordshire and Hertfordshire, represents just 5% of the UK oilseed rape crop area. The Government rejected two earlier applications that would have covered 79% of the crop area. I am pleased that the Government accepted the application only for a far smaller area, but I am still concerned about the potential impact of neonicotinoids on the bee population in that area.

Field studies have suggested that the levels of exposure experienced by bees in the wild are not sufficient to cause any negative consequences for the pollinators. The problem with relying on that assertion is that there have not been experiments of a significant scale to provide definitive evidence on which to base our approach to neonicotinoids. The usage currently authorised by the Government provides a good chance to ascertain on a bigger scale what their impact might be.

Mike Wood (Dudley South) (Con): I thank my hon. Friend for giving way and join others in wishing you a happy birthday, Ms Vaz. Is my hon. Friend familiar with the study by the European Academies Science Advisory Council that shows that, even at sub-lethal doses, the impact of neonicotinoids on pollinators can be such that the reduced crop yields actually offset any benefits from using them as a pesticide in the first place?

Ben Howlett: Yes, I have seen that report, and I agree with my hon. Friend about its findings.

The Government have frequently and rightly stated that they will base their future policies on scientific evidence. They admirably said that decisions need to be
ruled by science, but if they are committed to that, then proper data must be collected from the crop areas that have been granted permission to use neonics. Because neonics are absorbed so well by plants, residues are found on the pollen and nectar, which consequently affects pollinators. Evidence about the effect of such residues is crucial for future conservation work, so I encourage the Government to consider using approved plots to help to shape future decisions.

The high number of signatures on the petition shows how concerned the public are about the harm that neonics cause to bees and other pollinators. I urge the Government to gather more scientific evidence from the EU’s research and from sites that currently use the banned neonics. I also urge them to consider other types of neonics that are currently authorised but may have a detrimental effect. Since 1990, the UK has lost about 20 species of bees. We cannot afford to keep losing those crucial pollinators.

4.50 pm

Daniel Zeichner (Cambridge) (Lab): I congratulate the hon. Member for Bath (Ben Howlett) and the many petitioners on raising this important subject; I can report that many of my constituents are positively buzzing with excitement at the prospect of this debate.

We all agree that we need bees: they pollinate our food crops and wild flowers and play an essential role in supporting wider biodiversity. As we all know, however, their numbers have declined dramatically. DEFRA described the trend as “severe” and admitted that the sharp decline in England is greater than that experienced by any other country in Europe. We have lost more than 20 species of bees in just over a century, and 35 bee species are considered to be under threat of extinction. This is clearly a very serious issue.

The reasons for the problem are complex and many. They include habitat change, the spread of pests, diseases and invasive species, and climate change. The list goes on, and its breadth is intimidating to lay people. Those multiple pressures and stresses are sometimes linked and interrelated, so our responses must be sophisticated, but there is one contributory cause that could and should be tackled now: the use of pesticides, and in particular of neonicotinoid pesticides.

As we have heard, neonicotinoids have been used widely by farmers in the UK for pest control purposes on a range of agricultural and horticultural crops—in particular, as seed treatments on oilseed rape, cereals, sugar beet and maize. Neonicotinoids act on the brains and nervous systems of insects, including bees, and affect motor function, feeding, learning, homing, foraging and reproduction.

Two years ago, the European Union restricted the use of three types of neonicotinoid pesticide—a move supported by the majority of EU member states, but, ironically, not by the “greenest ever” coalition Government, who were one of just a handful of member states to oppose the measure. That decision flew in the face of hard, sound evidence. Indeed, the European Food Safety Authority concluded that the three commonly used neonicotinoids posed an unacceptable danger and “A high acute risk to honey bees”. It recommended a full ban on all neonicotinoids.

Stephen Timms (East Ham) (Lab): My hon. Friend is making a very good case. As he said, it was disappointing that the UK opposed the ban. Does he agree that the scientific evidence gathered since then has strengthened the case in favour of a ban?

Daniel Zeichner: I very much agree. Those of us who have ploughed through the detailed report find it overwhelming. It was disappointing that, after opposing the earlier advice, the coalition Government published a 10-year national pollinator strategy for bees and other pollinators that did not go nearly far enough. Specifically, it ignored the challenge that neonicotinoid use poses to pollinators.

This autumn, the Government, despite the growing evidence demonstrating the adverse impact of neonicotinoids on pollinator numbers, granted an emergency authorisation for their use. In my county of Cambridgeshire, it allowed farmers to plant oilseed rape with neonicotinoid-treated seeds, which sparked many protests across my constituency and contributed to half a million people across the country signing petitions.

Catherine West (Hornsey and Wood Green) (Lab): Does my hon. Friend agree that that decision was made a little too soon, as not enough research had been done?

Daniel Zeichner: I thank my hon. Friend for that point. Many people felt that at the time. We all agree that the challenge is how best to take a science-led approach to the use of pesticides. We must balance the need to support farmers and protect food security with the need to protect wildlife and reverse the decline of pollinators.

Rob Marris (Wolverhampton South West) (Lab): As a former vice-chair of the all-party group on honey bees, I welcome this debate but I caution my hon. Friend that it is difficult for farmers and those of us who are not scientists. On 26 August, the European Food Safety Agency put out a press release stating that neonicotinoids should continue to be banned, even though it was still gathering evidence on a procedure that did not close until 30 September. It is now considering that evidence and looking at whether the ban should continue. That does not help, and makes the issue more confusing for people.

Daniel Zeichner: My hon. Friend makes a very good point. These issues are complex, and we are trying to balance the various risks. The Government said that they will listen to the scientific evidence to inform any changes to their position, but despite the strong evidence they still seem to be sticking their fingers in their ears. Since the EU restrictions were introduced two years ago, many peer-reviewed studies have been carried out in lab and real-world settings that underline how damaging such chemicals are for bees.

Neil Carmichael (Stroud) (Con): I just want to fly in on this debate with the observation that the Environmental Audit Committee published a powerful report in the previous Parliament on this very issue. The new Chair of the Environmental Audit Committee is here—or at least he was. That report is well worth reading.
Daniel Zeichner: I thank the hon. Gentleman for that intervention. Bees are the gift that keeps on giving to parliamentarians.

I understand farmers’ concerns. Local farmers have explained to me that they have lost crops when they have not been able to use such pesticides. But taking a wider view, there is no really compelling evidence showing widespread crop failure since restrictions on neonicotinoids were introduced. In fact, the 2014 DEFRA report found that in the immediate aftermath of the banning of neonicotinoid pesticides in 2013, the net yield for rapeseed actually increased by 16%. Furthermore, bees have a crucial role to play in improving crop yields and quality. A decline in pollinators as a consequence of neonicotinoids will paradoxically harm the very crops that farmers are trying to protect, and many farmers appreciate that fact.

Mrs Gillan: Would the hon. Gentleman welcome the countryside stewardship scheme that, ultimately, the Government announced earlier this year? I understand that the scheme, which will amount to £900 million, will be open to people competing for projects, with particular emphasis on bees and pollinators. Extra points will be given to agreements that work to support bees, pollinators and other farm wildlife. Surely that is a really good opportunity for people in the countryside—farmers and others—to bid for projects under the scheme and, hopefully, to produce the evidence we need to keep our bee population healthy.

Daniel Zeichner: Stewardship schemes have always been important in rural areas. I strongly support them and, as someone who believes in intervention, I will continue to do so.

New research suggests that neonicotinoids might be damaging food production. There is some evidence that apples pollinated by bumblebees exposed to neonicotinoids are of a lower quality to those pollinated by neonic-free bumblebees. Although I sympathise with and understand the concerns of farmers who argue that they need such chemicals to grow their crops, it is worth bearing in mind that, given the rate at which bee colonies are collapsing, before long many existing crops will be at risk unless farmers take the very expensive action of pollinating their crops themselves—a service currently provided free of charge by bees across the country.

Mr Hollobone: The hon. Gentleman is making an excellent speech. Members on both sides of the Chamber would agree that the decline in the bee population in this country is higher than in any other country in western Europe. The hon. Gentleman is contending that the reason for that decline is the use of such pesticides. If that is not correct—I do not know whether it is or not—can he suggest a possible alternative reason, or does every route that he has used to explore this issue lead him to conclude that such pesticides are the cause of the decline in the bee population in this country?

Daniel Zeichner: The hon. Gentleman comes to the sensible conclusion—the one that I am coming to—that the use of neonicotinoids is the prime problem that we should be acting against. When all is said and done, pollination services are critical for both ecosystem function and crop production and are estimated to be worth between £430 million and £603 million a year to UK agriculture.

In conclusion, bees have been the unhappy victims of neonicotinoid use. Their decline is not only devastating for wildlife, but damaging to food production and our agricultural economy. It is time that the Government ended what some of us fear might be a slight case of knee-jerk anti-Europeanism, listened to the public pleas and scientific sense and ensured that our bees and farmers can flourish.

5 pm

Rebecca Pow: They made a beeline for you.

Rebecca Pow (Taunton Deane) (Con): I thank you for calling me to speak and wish you a happy birthday, Ms Vaz. I also thank my hon. Friend the Member for Bath (Ben Howlett) and the 90,000 people who signed the petition for creating such a buzz around the subject, which affects us all indirectly. I had my usual Somerset honey for breakfast, but there is sadly a lot less of it right now.

I wanted to speak in this debate for a whole range of reasons. As a member of the Environment, Food and Rural Affairs Committee, I have an interest in sustainably producing safe food for the nation for the long term and in support of the Government’s 25-year food and farming plan. DEFRA fully understands the need to produce more food at home, and I am delighted that the Department has highlighted its understanding of the significance of bees through the bee pollinator strategy mentioned earlier. I speak to represent the farmers in my constituency, with whom I have had many discussions about the issue and who are, after all, vital custodians of our countryside, which needs to be a functioning ecosystem, as the Environmental Audit Committee has highlighted. I also speak as a promise to the many hundreds of people who have contacted me about the issue. They are truly passionate about the plight of our bees and followed my campaign, during which I made the topic a major point.

Simon Hoare: They made a beeline for you.

Rebecca Pow: They made a beeline for me, yes. It is telling that I have had more emails about this subject than about the Syria debate, and I had an awful lot of those.

I am also speaking up for the bees today, as I am sure we all are, because we owe them a great debt, as my hon. Friends have mentioned, and we must not underestimate their value. What they do for us worldwide is in the region of £360 billion-worth of services, pollinating 90% of our crops. They are unbelievable unpaid workers. As a former environmental and gardening broadcaster and journalist, this subject is close to my heart. My key message to the Minister is a call for balance and for scientific evidence. Neonicotinoids and their effect on bees must be taken seriously in light of the aforementioned need to produce food more sustainably. This is about not taking risks and weighing up the benefits of pesticides against their collateral damage. In 2013, the EU suspended the use of three types of neonic due to concern about the impact on bees. It was a political decision and politicians can only make decisions based on the science available at the time.

The UK went along with the suspension, but was sceptical about the evidence. The Minister may expand on this later, but I think it was more about concerns
regarding the alternative pesticides that might be used—the old ones—were not able to use neonicotinoids. The UK has since lifted the suspension of two of the offending pesticides on 5% of England’s oilseed rape crop, to which my hon. Friend the Member for Bath referred. This December, however, the EU will be reviewing the neonicotinoid restrictions, which is what makes this debate so timely. Since 2013, much new evidence has come to light, which is why I am at pains to make it clear that the new evidence must be considered by the EU, the European Food Safety Authority and, in particular, by our Government.

Mrs Gillan: I am most grateful to my hon. Friend for giving way. Is she aware that the matter is of great international concern? In the USA, the Environmental Protection Agency is currently reviewing neonicotinoids and the risk assessments associated with such pesticides. Would it not be good if our Government co-ordinated with the evidence base that the American review will produce?

Rebecca Pow: I could not agree more with my right hon. Friend. It is an international issue, but people on the doorstep are also concerned. We should all work together. I think something like 90% of some produce in the US comes from California and it would be devastating if bee pollination crashed so much that all those crops had to be pollinated by hand, as they now are in some parts of China.

Mr Hollobone: My hon. Friend is making an excellent speech. All of us here would agree that the issue is international. Given her extensive experience in this subject in this country, can she tell us why the bee population here is declining faster than anywhere else in western Europe?

Rebecca Pow: My hon. Friend makes a good point. In the chosen fields in the chosen crops, there are about 10% of the bees that are needed. In the UK, about 70% of the honey production comes from oilseed rape. We know how important bees are for pollinating the hedgerows adjacent to fields; is it working on the wildflowers in the hedgerows adjacent to fields? Are the bees being affected?

Simon Hoare: I think my hon. Friend attended with me a reception hosted by Friends of the Earth on this issue in the summer. I was struck by the clear lack of control regarding run-off and the build-up of residue in field margins, watercourses and field drains, which is beyond any form of measurement but allegedly has a negative impact on bee numbers and their health and environment. Should the Government and producers be doing more to try to arrest the situation?

Rebecca Pow: My hon. Friend makes a good point. Many studies are now starting to look at the effects on field margins. During the first trials, quadrats were laid only in the fields where the spray had been applied, but it is now realised that we must look much wider and at what happens in the next year and the year after.

5.9 pm
Sitting suspended for a Division in the House.

5.24 pm
On resuming—

Rebecca Pow: We have all buzzed back from voting. I will try not to drone on for too much longer.

On a serious note, not so long ago everyone had dire memories of the pesticide DDT. The lesson to learn from that is that we must not take risks. In the 1980s I remember sitting in the Agriculture Select Committee’s inquiry into agricultural pesticides which looked in particular at the effects of sheep dip on human health, and this issue is as serious as that, as I think hon. Members would agree.

I want to refer to research on apple tree pollination, as did the hon. Member for Cambridge (Daniel Zeichner). We know how important bees are for pollinating the apple crop. Recent research at the University of Reading found that bumblebees who had been exposed to neonicotioids visited fewer trees and collected less pollen than those who had not been exposed. When the researchers cut the apples open, they found a third less pips than would be expected. Pips are an important sign of good pollination, and good pollination and lots of pips means good quality fruit, which is not just good for us and our health, but valuable to the farmers.

Interestingly, it was discovered that bees exposed to neonicotioids spent much longer foraging but were less effective than those who had not been exposed. That is odd, because that means that those bees were not looking for food, which is what bees should be doing.

Victoria Prentis (Banbury) (Con): As a producer of cider, the health of apple trees is terribly important to me. What sort of research into neonicotioids and its effect on bees does my hon. Friend think would be useful?

Rebecca Pow: Lots of research is still going on, which is why more and more evidence is coming forward, which is heartening. The chief scientific adviser has commissioned a lot of field trials, which I expect we will hear about later. However, research must cover the...
whole countryside including the hedgerows, ditches and streams and not just the specific areas where rapeseed and maize crops are grown.

Back to those bees who were exhibiting rather odd behaviour, that they were foraging away but not being effective suggests that their behaviour had been changed, possibly, it is alleged, by pesticides. It is worrying if that affects the bee's memory and ability to learn about and do productive foraging.

Marcus Fysh (Yeovil) (Con): It is a great pleasure to speak in the debate. Does my hon. Friend agree that bees are particularly important to our ecosystems, and that nothing is more important than following a precautionary principle when we look at pesticides? Does she not also think that we can all play our part by trying to encourage growth in the bee population by planting wild flowers in our meadows and gardens? Will she congratulate two constituents of mine, the Cordwell family in East Coker, who every year run a wonderful community event?

Rebecca Pow: My hon. Friend has obviously been looking over my shoulder at my script, because I am coming on to that point. I know of that field of wild flowers, which is truly a heaven for bees. Individually, we can all play our part to help the bees and I urge everyone, including all those who signed the petition, to do that in our green spaces and gardens. If we add all our gardens up, they come to 1 million hectares of land, which is a huge habitat.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Will the hon. Lady join me in congratulating the local trust in Calderglen, in East Kilbride, which helps my constituents, including local children, to learn about beekeeping and the importance of bees’ contribution to our environment and the ecosystem?

Rebecca Pow: I will congratulate it. That is exactly the sort of work we should encourage. I think the new all-party group on bees—I hope I am not giving anything away—is going to try to set up a House of Commons apiary. How exciting would that be? That would be really good—we could all learn about beekeeping.

As I was saying, all our gardens together make up 1 million hectares of land, which would be a very valuable habitat if we all did things that helped bees and other insects. I do those kinds of things in my garden; indeed, before I came to this place, I gave talks about this subject and invited people to my garden to show them what I had done.

We do not need to use chemicals in our gardens. People should leave their borders long all winter—I do. People might think that that will look a mess, but solitary bees and other over-wintering insects can take shelter there in the winter and hibernate in all those lovely hollow stems. People should not cut their borders down until February.

People should also have lots of flowers from January to December. That is quite possible—I photographed all my flowers yesterday, and I am putting the pictures on my website. We should do that because some bees are still around. Those solitary bees have not gone to hibernate yet—they have not gone into those little stems yet. They still need some nectar, and if they wake up early, they will need some nectar. We can all do things to help.

In summary, I call on the EU and the Government, through the chief scientific adviser and DEFRA, to give all new evidence regarding the effects of neonic on bees the utmost attention.

Simon Hoare: I appreciate that my hon. Friend is summing up, but she has hit the nail on the head. Everybody is concerned. The farmers want to see the bees, and so does everybody else. However, the huge difficulty for all concerned is finding out which body, with which methodology for garnering research, they can have faith in. Some people will be suspicious of work supported, sponsored or commissioned by the pesticide manufacturers, while others will be concerned if it is sponsored or commissioned by environmental groups, which are believed to be unfriendly towards farmers. Can my hon. Friend indicate who might best commission such research?

Rebecca Pow: I am going to leave that to the Minister. There are many scientific bodies involved, and it would take a long time to answer that question. The Centre for Ecology and Hydrology, the Environment Centre in York, Reading University and some Scottish universities are doing work on this. That work is invaluable, and we must look at the assessments that are made.

I ask the Minister please not to take unnecessary risks with the environment and with human health. Will he please invest in innovation and science so that we can find new, non-toxic ways of controlling pests and disease—ways that will work and that will ensure that our precious farmers can produce our food in a healthy fashion, while our important bees can go about their daily work in a similarly healthy fashion?

5.33 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is a pleasure to serve under your chairmanship, Ms Vaz. I hope today is everything you wished for.

I congratulate the hon. Member for Bath (Ben Howlett) on his excellent series of sentences. I also congratulate the petitioners on securing the debate. I am here in place of my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr)—indeed, I am something of a plan B—but I do have a personal interest in bees, in that I once had a hive in my bedroom. I did not want it there, but the bees had decided that my chimney was a great place to create a hive. That gave me an interest in bees, which I have kept to this day.

Kirsten Oswald (East Renfrewshire) (SNP): Would my hon. Friend agree with the interested residents of East Renfrewshire, many of whom have been in touch with me to raise their concerns? They believe it is vital that we take account of all available research into the decline of bee populations and into changes in bee behaviour, and that we take a precautionary approach.

Drew Hendry: My hon. Friend is exactly right. We should take the most cautious approach we can in looking after not only bees, but other pollinators. The International Union for Conservation of Nature estimates that nearly
10% of bee species are under threat. The intensification of agriculture and seasonal crops have reduced food for bees, creating an ongoing problem.

Neonicotinoids are thought to transfer chemicals through crop growth to various pollinators. Protection for bees, and encouragement for a friendly environment, should be something we are all concerned about. However, the Government caused outrage in July, when they lifted the EU ban for 120 days. They now say they will follow the best advice. The background is that there are concerns about the efficiency of DEFRA-funded trials.

That message is too weak to allay citizens’ concerns about bees.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I hope my hon. Friend agrees that that is why it is critical that we proceed with caution. On the use of neonicos, the Scottish Government have taken a cautious, evidence-based approach, as they do on many issues. They take the view that if the science is not clear, there is a need for further research. Scotland’s current position complies with EU legislation, which does not allow the three neonicos to be used on crops, especially ones with flowers that are attractive to bees.

Drew Hendry: I thank my hon. Friend. Indeed, the Scottish Government view is that the EU does not allow the three neonicotinoids to be used on crops attractive to bees.

Bees and pollinating insects are vital to our health, wellbeing and future. The pesticides we are talking about are rightly banned in the EU while full scientific tests are carried out to see whether they are harmful. The decision by the Scottish Government and the Cabinet Secretary, Richard Lochhead, that they will not support any relaxation of restrictions unless there is clear evidence that neonicotinoids pose no threat to those species is the right way to proceed. I hope the Minister will come back with some strong measures to back up the Scottish Government’s approach.

5.37 pm

Danny Kinahan (South Antrim) (UUP): I am pleased to be speaking today. Like many here, I am a new boy when it comes to learning about bees. However, I followed a wild bee nest at home for about 20 years. Every year it was there; every year it was buzzing. Then, suddenly, it was gone—a badger had climbed up the tree and cleared it out. That is another risk. However, at least that taught me the importance of bees.

I wish you happy birthday, Ms Vaz; I hope you have a more exciting time this evening than you are perhaps having at the moment. I am pleased that those behind the petition have raised the issue before us.

Like everyone else, I want to call for a balanced approach. At home, many farmers come to me saying that the pesticides they use do not work, and that they cannot get the growth they need. On the other side, I have 25 beehives at home—they are not mine—and the man who looks after them is complaining about insecticides, but also about many other things. The neonicos are not one of the things he has complained about, although he has complained about the varroa mite among many other issues. We need to concentrate on a whole approach.

I hope the Minister will find a way of balancing what the EU and all the groups here are doing. Equally, I hope he will look at the joint Irish approach being taken north and south of the border; in that way, we will be learning all the time. I am really looking for us to take a dynamic approach so that we are constantly looking at everything, learning all the time, making decisions and, as the hon. Member for Taunton Deane (Rebecca Pow) said, taking no risks. We should make our decisions based on the knowledge we have—if we do not know enough, we should not make the decisions.

Tristram Hunt (Stoke-on-Trent Central) (Lab): The hon. Gentleman is making a passionate speech. Does he agree that this is one area of public policy debate that unites urban and rural? In Stoke-on-Trent, I have a lot of correspondence, particularly from people with allotments. They live in a highly urban area, but they are just as passionately concerned about this issue as people in more rural communities.

Danny Kinahan: I certainly agree. I know that both a rural and urban approach are needed, and there are ways of doing that. If we consider what we know today, we can make decisions and move things forward.

I was keen, as a new boy in this place, to set up an all-party group on bees, so I am familiar to hear that that has been done. I knew very little about the subject, so I started exploring it. When I went to one of its events in September, people from the Royal Society for the Protection of Birds said to me, “Please don’t just go on bees alone; go on all pollinators—the butterflies and everything else. Fine, call it the ‘all-party group on bees’, but we should be looking after all the different insects involved in pollination.”

I had never heard of the solitary bee; what intrigues me about it is that it apparently covers itself in an oil so that it can hide in damp ground. I come from Northern Ireland, where we have lots of damp ground, particularly at the moment, so I imagine we have plenty of solitary bees. The more I got involved in this issue, the more I realised there was to learn.

It has been mentioned today that we have lost 20 species of bee. Let us all learn from that. We need a system that teaches everybody, so that we are all learning about this—children in schools, parents and people in later life, in clubs and in community groups. Let us get everybody involved and learning. That might mean getting councils to use more of their land for beehives and planting the right plants, perhaps at roundabouts and in verges. There are plenty of places we can use.

Hannah Bardell (Livingston) (SNP): Does the hon. Gentleman agree that a key part of this debate is food security and food supply? In Scotland, crop pollination by bees and other insects is of particular importance for oilseed rape, tomatoes and strawberries, which we hold dear. On the matter of engagement and education, would he join me in congratulating organisations such as the West Lothian Beekeepers Association in my constituency, which does its best to support beekeeping at a grassroots level?

Danny Kinahan: I certainly congratulate the West Lothian Beekeepers Association. I know there are many such organisations. In Northern Ireland, we have a
huge apple-growing, cider-making county in County Armagh, so we know the importance of pollinators.

The petition hardly touched Northern Ireland. I did not have any emails about bees than about Syria over the weekend, but it was pretty close. There is massive interest in the bees issue, but sadly not many people knew about the petition. All of us—including Northern Ireland, Ireland and Scotland—need to work together and learn from one another. There is an all-Ireland strategy; we need to learn from that, and I need to find out more about it.

We need to look at all the other things that affect bees, right the way through to the husbandry and how we all work. I would like to see the all-party group up and running, with us all being part of it, and the Minister using it as a way to sound people out and hear different concerns and ideas. That is the way forward. This is a wonderful thing to be part of. It is nice to have something from Northern Ireland that is not orange or green; if I can make a really bad joke, we did have B Specials, but they are extinct.

5.43 pm

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): It is an honour to serve under your chairmanship, Ms Vaz. Happy birthday to you. I thank all the people who secured the debate by public petition; I believe their number sits at 90,000 at the moment—that is quite a lot of people who are interested in bees. I thank the hon. Member for Bath (Ben Howlett) for bringing this debate forward. There have been a lot of good contributions. If you will indulge me, Ms Vaz, I will make some observations.

Although we are not in full possession of all the facts, we have to tread carefully. Mankind has a poor track record when it comes to environmental and ecological protection, and the loss of pollinators from the ecosystem and the knock-on effects of that on the food chain should cause serious alarm. That has serious implications. In a world with an ever-increasing population, we must not realise in hindsight. Significant changes must be made to how we live on the planet if we are not only to survive but thrive.

We need to recognise that we may not be fully aware of the effects of neonicotinoids on humans. Bread sold in the UK has been tested and shown to contain pesticide residues in 60% of cases—three out of every five loaves, which is utterly astonishing. The potential health impacts concern me greatly. The American National Institutes of Health finished a landmark 20-year study last year, which indicated that seven pesticides—some of which are very widely used—may be causing clinical depression in farmers. The study showed a significant correlation between depression and the pesticides studied.

Christina Rees (Neath) (Lab): While the human population is increasing, the bee population is plummeting. Does the hon. Lady agree that the continued use of neonicotinoids will not allow the bee population to recover? My constituents in Neath—a beautiful rural area, made for bees—and the West Glamorgan Beekeepers Association are very concerned about that.

Margaret Ferrier: I concur with the hon. Lady and take her point on board.

We simply do not know the long-term effects of these toxins on our bodies. We must recognise the other measures that need to be taken in order to plan for the future. We have heard that bee numbers are rapidly dropping. We heard from the hon. Member for Bath that neonicotinoids have been banned in countries such as France, Germany and Slovenia, to name a few. We would be here until half-past 7 tomorrow evening if I went through all the excellent interventions there have been today. We heard about the 34% drop in the honey crop and about queen issues in the hives.

Tulip Siddiq (Hampstead and Kilburn) (Lab): My constituents have been writing to me about the worrying decline in the honeybee population. One thing they have raised is whether we should have more programmes explicitly designed to improve the situation. Two of the initiatives mentioned, which are bolder than the ones we have at the moment, are the healthy bees plan and the insect pollinators initiative. Both were agreed under the previous Labour Administration. Does the hon. Lady agree that such programmes need to be put in place, and that we should work in a cross-party way to urge the Government to do so?

Margaret Ferrier: I am sure the Minister will answer that question when he sums up. Today’s debate has proved that many Members are interested in bees, and we want to work in a cross-party way. I am glad to see that the APPG has been set up, and I will be joining it. Like the hon. Member for Bath, I am not an expert on bees, but we all wish to learn about this issue. As the hon. Member for South Antrim (Danny Kinahan) said, the issue is about education—educating ourselves and young people in schools. We have heard throughout the debate that the moratorium should stay in place. Farms and farmers need more information from Government.

One question raised was about the best time to spray crops, which can perhaps be answered.

This is an international and European Union issue. We need a varied response from the UK Government. We need to look at the scientific research and do more research. We heard that we need an open, transparent, evidence-based approach and that we must interrogate the evidence in turn. It is clear that lots of MPs have attended this debate because of the amount of lobbying they have received.

The hon. Member for Stoke-on-Trent Central (Tristram Hunt) made the point that this issue is not just rural but urban as well. We need to look at environmental resilience and climate change—the bigger picture—and at the length of time that pesticides are exposed in the air and around crops. There are alternatives, but the issue is all about evidence and building an evidence base. We heard that 20 species of bees have already been lost because of habitat change and climate change, so we need to look at that. As I mentioned, in Scotland we have a ban in place, and we have to keep that. It is too soon for a decision, but we need to take a science-based approach. The situation is still confusing and a few people are saying that the UK Government are still not listening on this complex issue.

One of the best interventions we heard was from the hon. Member for Stroud (Neil Carmichael), who said that bees were the gift that keeps on giving to
parliamentarians. It is also important to keep the stewardship schemes in place in rural areas. We may need to pollinate crops if we lose bees.

The hon. Member for Taunton Deane (Rebecca Pow) said that we cannot take risks and looked back to the ‘80s and the effects of sheep dip on human health. There are issues to do with people’s health, so we need to be very careful. We heard from her that bees spend longer foraging, but are not as effective, and how that has impacted on apple trees. Interestingly, she said that bees’ memories were being affected and asked whether neonicotinoids were why. Again, it all comes back to us wanting to produce food in a healthy fashion and to take an evidence-based approach.

My hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) mentioned that he had had a hive in his bedroom, which was very interesting to hear. Perhaps he could get involved in the APPG in Parliament as well. The hon. Member for South Antrim mentioned that we need to look at the joint Irish approach. He said that we should not take risks and that we should take decisions once we know enough. He added that we should all learn together and work together to find out more.

I would like a couple of questions to be answered. Will the UK Government undertake to adopt the same sensible, cautious, evidence-based approach shown by the Scottish Government? Will the Minister also address some of the concerns raised, such as the suggested link between pesticides and depression? Everybody has contributed fully to the debate today. It has been great. All constituents and the people who have signed the petition will see that we are taking their concerns forward.

5.52 pm

Nick Smith (Blaenau Gwent) (Lab): I thank the Petitions Committee, the thousands of petitioners and the hon. Member for Bath (Ben Howlett) for introducing the debate this evening. I also thank the many colleagues who have intervened and made contributions. Let me also say that it is of course a pleasure to serve under your chairmanship, Ms Vaz. Many happy returns of the day to you.

This debate is timely. The public are very engaged on this issue; I have received more correspondence on this than on many other parliamentary matters in recent years. We are all in no doubt about the importance of pollinators to our food supply, biodiversity and our economy, but they are in very serious decline. In 2012, the Department for Environment, Food and Rural Affairs said that England had seen the greatest decline in the diversity of wild bees of anywhere in Europe. It stated:

“Since 1900, the UK has lost 20 species of bees…A further 35 bee species…are considered to be under threat of extinction.”

This debate is a chance for the Government to reassure the public that those concerns are being taken seriously, as they review the evidence underpinning the 2013 EU ban over the next year. I am pleased that the Government now seem to have an open mind to considering the best available scientific information, given their previous opposition to the ban.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I wish you a very happy birthday, Ms Vaz. Was my hon. Friend as disappointed as I was when the Government did a U-turn on their implementation of the 2013 EC regulations in full? I had a letter on 17 July saying that the regulations would be implemented in full and then, two days later, they decided to approve the usage of two neonics on 5% of the national winter oilseed rape crop area.

Nick Smith: Yes I was, and I thank my hon. Friend for her intervention.

The Government still have not clarified what their current assessment of the latest evidence is and whether they consider it sufficient to support the EU ban. Since the ban, more scientific evidence has appeared emphasising the risk to bees. Examples include a link between the use of neonics and the decline of UK butterfly species, an impact on the pollination that bees provide, resulting in lower-quality apples, as others have mentioned, and emerging evidence that neonics could also affect the soil in which seeds are planted and the wild flowers that grow in it.

The more conservative analysis provided by Professor Charles Godfray and Angela McLean to the Government found a strong scientific consensus that bees exposed to these pesticides in fields suffer harm. However, it could not yet assess whether that harm ultimately leads to falls in overall bee populations. Professor Godfray’s paper highlighted one “gold standard” field study from Sweden, showing significant damage to the bumblebee populations. There was no effect on honeybees, but it is worth noting that honeybees pollinate only 5% to 15% of insect-pollinated crops. I would argue that the lack of a conclusive link with population decline should not, however, be used as a reason for ending EU restrictions. Where are the Government in their judgment of that evidence? Can the Minister give us an insight into how evidence-based policy will be applied?

Everyone here will have sympathy with farmers who are facing considerable difficulties establishing oilseed rape crops in areas under high pressure from cabbage stem flea beetle. In April, it was estimated that 5% of the winter oilseed rape crop had been lost to CSFB.

I appreciate the understandable desire to have every tool available in the toolbox to respond to CSFB, but although 70% of the oilseed rape crop was previously treated with neonics, this is the first harvest without neonics and DEFRA’s statistics for this year’s harvest have shown no change in oilseed rape yield. Waitrose has reported that, since it stopped using the pesticide on oilseed rape in 2012, it has not picked up any differences in yield, other than those attributed to seasonal, field and soil differences. Declines in yields in the eastern region, which have suffered the most from CSFB, have mirrored drops in other areas where that pest is not a problem. It would be good if the Minister said what assessment the Department had made of the effect of restrictions on yield. What amount of loss is considered an emergency warrant authorisation for the use of these pesticides?

There are concerns that farmers are having to resort to pyrethroid, an older pesticide, which is worse for pollinators and honeybees in particular. However, research seems to show that there has not been an increase in the use of that pesticide in the spring, which is the time of
the highest risk to bees. The farming press have been publicising guidance from the Rothamsted institute on using sprays only when absolutely necessary, alongside other measures for avoiding flea beetle damage, including reducing cultivations and delaying drilling. *Farmers Weekly* has even advised farmers that spraying pyrethroid for flea beetles is a “waste of time” and could kill beneficial insects that prey on the pests, as well as fueling insecticide resistance.

It seems that the farming community has responded to those calls. A Newcastle University study found that 19% of farmers had changed their practices to take account of the non-availability of neonicotinoids. New technologies and redesigning crop rotations have been shown to reduce reliance on pesticides by 50%. There has also been valuable work in promoting beneficial insects, some of which are predators for the pests. I hope the Minister will outline what assessment his Department has made of the impact of using alternatives to neonicotinoids, which is one of its reasons for opposing the EU ban. What work is the Minister doing with the farming industry to ensure that independent advice is provided to farmers on sustainable pest management approaches?

Although today’s debate has focused on neonicotinoids, there are, of course, many reasons for the decline of pollinators, including habitat loss, climate change and pests and diseases. There are many positives about the national pollinator strategy in addressing those causes, most critically the way in which it provides a call to action for many amazing local projects across the country to increase food, shelter and nesting sites. This has rightly tapped into what the Environmental Audit Committee describes as “an invaluable and committed resource”, but is this enough? I agree with the Buglife assessment that the national pollinator strategy is more of a framework than a programme. I would like to see more effort from the Government in creating better farm habitats. With three quarters of our land used for agriculture, our agri-environment policy is the best tool we have for effecting large-scale change.

There are concerns about the way in which the new greening requirements of the basic payment scheme are being implemented and there is no guarantee that it will deliver improvements for pollinators and other wildlife in the farmed landscape. What assessment has the Department made of implementation of the greening requirements of the basic payment scheme, particularly its effectiveness in delivering improvements for pollinators in the farmed landscape?

The new countryside stewardship scheme has targeted support for pollinators, but it has been a real worry that while 11,000 farmers have come out of entry-level stewardship agreements, only just over 2,300 applications were made by the deadline for the mid-tier stewardship scheme that replaced them. Will the Government agree to the NFU’s request for an urgent review of the Government’s implementation of the countryside stewardship scheme?

[Phil Wilson in the Chair]

Ms Vaz—[Interruption.] The Chair has changed. Mr Wilson, in 2013, the last Government were found to be failing in the majority of their environmental commitments, with 30% of UK ecosystem services, such as pollination, found to be in decline. They comprehensively failed to deliver on their biodiversity strategy and their promise at the beginning of that Government to leave the environment in a better condition than they found it. Over the next five years, with their 25-year plan to restore the UK’s natural diversity, they have an opportunity to start to put that right.

6.1 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Thank you for calling me, Mr Wilson—and also for your stealth entrance, which went unnoticed by some Members in the Chamber.

I congratulate my hon. Friend the Member for Bath (Ben Howlett) on leading this debate. The scale of the petition on this issue shows just how much people care about it. Many hon. Members have received many emails about it. When I was about to make the decision early in the summer, I received some 50,000 emails and regret that it was impossible to reply to all of them. However, I understand that there is a lot of public concern about the matter.

I commend my hon. Friend for his generosity in giving way to so many hon. Members who wanted to speak. I did not anticipate the luxury of having time at the end of this debate, given the numbers present at the beginning; nevertheless, those numbers show just how important this issue is. I have been passionate about it throughout my time as an MP. I worked in the farming industry—we were fruit farmers and we had beehives on the farm—and three years ago I attended an event at which Friends of the Earth launched its “Bees Needs” campaign. It was a great campaign aimed at encouraging schools and people in towns and across the country to invest and help habitats for bees. I may have differences with Friends for the Earth about elements of the neonicotinoid debate, not least the emergency authorisations that I approved earlier this year—I will return to that—but I commend its work to raise awareness of the plight of our bees.

A number of hon. Members have talked about the reasons for the decline. The hon. Member for Cambridge (Daniel Zeichner) suggested that the evidence was absolutely clear that the decline in the bee population could be linked directly to neonicotinoids, and neonicotinoids alone. That is an over-simplification. The reality is that we have seen declining bee populations since the mid-1950s. The reasons for the decline in our bee populations are many, varied and complex. We believe that a large element is loss of habitat, particularly the loss of wild, traditional flowering meadows. We have lost hedgerows, which are an important habitat for bees, particularly bumblebees.

We have also seen problems with disease, and sometimes stress makes bees more susceptible to disease. We have had varroa and hive mites, and a linked problem is that many of our honeybees are imported from countries such as Italy. Those bees are not genetically disposed to survive winters here in the UK so we often have winter losses. Indeed, in Cornwall—my hon. Friend the Member for Truro and Falmouth (Sarah Newton) is nodding—there is a project to reintroduce the native black bee. It is more resilient and produces less sugar, but keeps more of it for itself during the winter months so that it can survive.

Neonicotinoids are a relatively recent group of chemicals so we cannot directly attribute the decline in the bee population just to them. If hon. Members are serious
about wanting to help bees, as I am, we must look at the wider picture, which is exactly what we have sought to do with our pollinator strategy. Just a few weeks ago, I launched the implementation plan to start moving that strategy forward. It includes a range of issues, such as commissioning new evidence so that we can better understand the pressures on our bees, and looking at integrated pest management.

Some hon. Members have suggested a different approach that does not rely on pesticides. I absolutely agree. In the decades ahead we are likely to see reduced reliance on chemical pesticides, probably the use of genetic technologies so that we can breed disease resistance directly into crops, and an alternative approach to husbandry, sometimes going back to the skills of rotation, which to some extent have been lost in modern farming, to reduce the build-up of pests, disease and weeds in the first place. We call that integrated pest management, and DEFRA hosts the voluntary initiative organisation, whose primary focus is encouraging the development of integrated management so that over time we will be able to reduce our reliance on chemical pesticides.

On neonicotinoids and authorisation of pesticides more generally, it is important to recognise that pesticides are tightly regulated. Active substances are approved at EU level only if they meet safety requirements. The UK is responsible for authorising products containing approved active substances and we carry out thorough assessment of the scientific evidence, drawing on advice from the UK’s independent expert scientists on the Advisory Committee on Pesticides, which I will return to later. The risks to species such as bees form a key part of the assessment before products are authorised, and we carry out thorough examination of all the research that has been done—laboratory research that looks at the impact on bees of acute poisoning through very high levels of neonicotinoids, but also the beginnings of some of the field trials that have been taking place. There was an interesting field trial in Sweden, for instance. The people involved believed that there could be an impact on bumblebee populations, but not necessarily on honeybee populations.

The paper concludes that this is a very complex issue. Some of the work in Canada, for instance, concludes that there is no big impact on bee populations. However, the big conclusion from the paper is that we need more field-scale trials. That is why the Centre for Ecology and Hydrology is at the moment in the UK doing a very large, comprehensive trial, the results of which we should have next spring, and those results will feed into the review currently being carried out by EFSA. The Centre for Ecology and Hydrology is also doing work in other European countries, so that we can better understand this disease.

Our position is that we will not remove the existing restrictions if the evidence points to the fact that those restrictions should remain. A number of hon. Members have talked about the precautionary principle. We are adopting a precautionary, evidence-based principle. We are very clear, though, that it should be a precautionary principle based on an assessment of risk, not theoretical hazard. That is where sometimes we have a difference of opinion with other European countries, because some of them look just at theoretical hazard rather than a true assessment of risk.

I want to turn now to the emergency authorisations that we made earlier this year, because this is a crucial point. If we want to make a precautionary restriction work, it is essential that we allow there to be some use in extreme cases—some use of emergency authorisations. That is now an established approach that we have. If we want a precautionary approach, over time fewer pesticides will be available on general licence, but as pesticides are removed as a precaution, it is important that we make available the opportunity to grant emergency authorisations. Otherwise we have all sorts of unintended consequences. We force farmers to start to use other chemicals that perhaps have escaped the notice of the scientific community, but are even more damaging. For instance, when the ban first came in, there was some evidence of a shift to using another chemical, called Mesurol, which was dangerous to birds. We then moved to ban that chemical, so we have to consider unintended consequences. We also have to consider the problem of resistance building up to other vital insecticides. For instance, there was growing resistance to overuse of pyrethroids. That is an issue to which we have to be sensitive.

To assess applications for emergency authorisations, we have a group of experts called the Expert Committee on Pesticides. That is a group of 15 academics. They are entomologists, toxicologists, professors and doctors, with unrivalled expertise in pesticides, toxicology and the environment. They give us advice on the applications that we receive for emergency authorisations. It might be worth my pointing out that the use of emergency authorisations has grown in line with the withdrawal of pesticides for use on a general licence. In 2012, member states of the European Union granted a total of 193 emergency authorisations. Just 14 were from the UK in that year, making 7% of the total. In 2015, the number of emergency authorisations in the
EU grew to 414, but only 11 emergency authorisations were granted in the UK, representing just 3% of all emergency authorisations made in the European Union. I therefore put it to hon. Members that far from being cavalier about this, the UK has a proven track record of showing more caution and being more thorough in the way it assesses those applications. The growth in applications is no surprise, because if products are withdrawn from the market, there will be an increase in the number of emergency authorisations.

Bob Stewart (Beckenham) (Con): Has my hon. Friend the Minister any idea, in forecast terms, when we might know definitively what is killing off our bee population?

George Eustice: My general experience of these things is that the more science we have, the more evidence gaps get identified, so we never actually have a perfect picture and all we can ever do is make the best judgment we can with the science that we have. However, I do believe that much of the work that is being done—for instance, by the Centre for Ecology and Hydrology—will mean a big increase and big improvement in our understanding of neonicotinoids in the future. Some of the work that we are commissioning as part of our national pollinator strategy will also assist in that process.

I want to turn now to the specific emergency authorisations in relation to the three neonicotinoids. We had two applications: one for Cruiser and one for Modesto; they were the products in question. The first application from the National Farmers Union asked for an authorisation covering 79% of the area of England. The conclusion, which was published, of the Expert Committee on Pesticides was that although it acknowledged that there was a problem with cabbage stem flea beetle in particular, it could not be controlled by other means, it believed that an authorisation covering 79% of the country did not satisfy the requirement of its being strictly confined and restricted. For that reason, it recommended refusal of the first application. I accepted that: I refused the first application.

There was subsequently a second application from the NFU, bringing much more detailed evidence from agronomists of the impact on the ground of cabbage stem flea beetle in particular, county by county. On the basis of that, it put in an application for use over 5% of the English area, which roughly represented the area of Suffolk, which had suffered particularly badly. The Expert Committee on Pesticides assessed that second application and recommended that second application and concluded that it satisfied all the requirements, so it recommended that we approve that emergency authorisation and that is what we did.

Jo Churchill (Bury St Edmunds) (Con): Will my hon. Friend the Minister explain whether we are doing impact assessments that will directly look, in terms of an evidence base, at whether the four counties that have been given an exemption have in fact suffered greater degradation of their bee population, because that gives us a perfect example to look at? From talking to beekeepers, it appears that they have not experienced that, so are we looking at the results before last year and after these past 120 days in 2015?

George Eustice: One point that I will make to my hon. Friend is this. We have granted an authorisation for 5% of the area; it is predominantly in Suffolk, but also in the surrounding counties. I was going to come on to this point, because my hon. Friend the Member for Bath also raised it. It is actually quite difficult to get a scientifically robust evidence base when one has a mixture of fields around. Far more important is the work being done by the Centre for Ecology and Hydrology. That is scientifically robust: the right controls are in place; and we will get a much clearer picture.

I want to move on to some of the points made by hon. Members. My hon. Friend the Member for Isle of Wight (Mr Turner), who was here earlier, made a point about the benefits of spraying in the evening. He is absolutely right. When I worked in the industry as a farmer, it was always good practice to ensure that one sprayed at night, for two reasons. There tends to be a slightly more still environment—less wind and less drift—but also, crucially, bees do eventually go to bed. If people spray in the evening, most of them will have returned to their hives, so that is good advice, and advice that is pushed strongly by the voluntary initiative that I mentioned.

The chairman of the Environmental Audit Committee, the hon. Member for Ogmore (Huw Irranca-Davies), raised the issue of the publication of minutes. I know that it was a criticism made of us that we were trying to hide something. Let me be clear: we were hiding nothing. The summary of the minutes of the 20 May meeting, which was the first one—the one at which the first application was discussed—was actually published on 7 July, and the detailed record of the 7 July meeting, the second meeting, was actually published on 24 September. There is no conspiracy reason for the delay in that publication; it is simply that the subsequent meeting where the minutes were agreed by the ECP took place on 22 September. They had their minutes, they agreed the minutes and they published them thereafter. There is no attempt on the part of the Government to hide anything; the reasons for the authorisations are there and clear for all to see.

My hon. Friend the Member for Taunton Deane (Rebecca Pow) asked whether chemicals might come off seed treatments and end up in hedges. She is right; concern has been expressed in some of the science that there may be leaching, which may affect wildflowers in hedges. I am sure that that is something that the European Food Safety Authority will look at as part of its evidence.

I was also pleased to hear mention of the fact that the APPG on bees will have its own apiary. In the Department for Environment, Food and Rural Affairs, we have our own hive on the roof of Noble House, and we harvested our first honey this year.

James Berry (Kingston and Surbiton) (Con): Does not what the Minister has said about beekeeping in DEFRA underscore the fact that this is not just a rural issue, but an urban and suburban one? It affects my constituents in Kingston and Surbiton just as much as it does his constituents who live in rural areas. Our pollinator strategy needs to deal with the countryside, towns, cities and suburbs.

George Eustice: I completely agree with my hon. Friend. I heard one of the most distressing anecdotes I have ever heard on the matter when I attended a Friends of the Earth event three years ago. Somebody at the event talked about an old brick wall adjacent to a garage in an urban area, which was—excuse the pun—
George Eustice

A hive of activity, from which, at a particular time of year, all the solitary bumblebees who made their home in it would emerge. The local wildlife trust told people in its newsletter that if they went to the wall at the beginning of the summer, they would see all those bees emerging, which would be a sight to behold. When everyone went there, however, they found that the owners of the garage, completely oblivious to the sanctuary that it offered to the bumblebees, had knocked the wall down to rebuild the garage. Raising awareness of the fact that even things such as stone walls are important habitats is absolutely crucial.

I want to move on to a few of the other things that have been mentioned. Several hon. Members have asked why we are doing worse than other countries, and I think a lot of that might be down to the intensification of our farming during the second part of the 20th century. In addition, we cannot dictate how many people will be willing to become beekeepers. Several hon. Members mentioned the fact that oilseed rape yields increased in 2014 by 16%, but the point is that during 2014, seeds that had been treated with neonicotinoids were still being used. It is too early to predict the impact of the loss of those chemicals on yields. The situation is complex, because when people suffer severe crop damage as a result of cabbage stem flea beetle, they often go on, effectively, to replant the crop.

The British Beekeepers Association has suggested that the 30% drop in honey yields has been predominantly down to poor weather. I want to say a little bit about the study that revealed that if bumblebees were exposed to neonicotinoids, there would be fewer seeds in apples. Although we think that that is useful evidence, we do not think it necessarily proves a direct correlation between the loss of those seeds and the use of neonicotinoids.

Finally, I want to move on to some of the key points made by the shadow Minister. I believe I have covered many of the points he made, but I want to mention our countryside stewardship scheme. We have had strong uptake of the pollinator package, which we made clear would be a key part of that scheme. The number of applications this year was slightly below what we expected—that is not surprising, given the difficulties we had with the computer—but not that far below; we expected around 3,000 applications, and we had around 2,500. We will work to see whether we can improve uptake next year by getting a simpler application process online so that farmers can be guided to the right measures and put together agreements more easily. If we can get agreement from the European Union to simplify some of the over-burdensome regulation and reporting requirements that it insists on, I hope we will also be able to remove some of the bureaucracy from the schemes. They have been very successful and they have got a strong track record, and we would like to see more of them taken up.

6.24 pm

Ben Howlett: First, I thank Elizabeth St.Clair, who tabled the petition on the petitions section of the Parliament website, and the 90,000-plus people who signed it. It says a great deal for democracy in this country that people’s views are heard, listened to and responded to by the Government. I also say a massive “thank you” to the Minister for his comprehensive answer to an awful lot of questions and speeches. I also thank all the Members who put forward their views and intervened, including the hon. Member for Cambridge (Daniel Zeichner), my hon. Friend the Member for Taunton Deane (Rebecca Pow), the hon. Members for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) and for South Antrim (Danny Kinahan), and the shadow Minister, the hon. Member for Blaenau Gwent (Nick Smith).

One thing is absolutely clear: we cannot allow the number of bees in our country to keep falling. We have heard about the range of measures that the Government are looking at to stop that trend, but we need more information and much more research. I hope that the Government will come before the House again after the publication in the summer of the European journal and the research, so that we can find out the reasons for the decline in the bee population. Neonicos are a part of that, but it is a wider problem. On behalf of the Petitions Committee, I thank all hon. Members for turning up and I thank the 90,000 people who signed the petition. I hope that more people will bring forward petitions in due course.

Question put and agreed to.

Resolved,

That this House has considered e-petition 104796 relating to the use of neonicotinoids on crops.

6.26 pm

Sitting adjourned.
The first precision medicine for cystic fibrosis, Kalydeco, targets a mutation that only a little more than 4% of people with cystic fibrosis in the UK have. On that medicine, patients have shown increased lung function and slower progression of lung disease, and the number of hospital admissions has fallen by more than half. There are predictions that some people on the drug could expect a near-normal life expectancy. Orkambi is the next precision medicine for cystic fibrosis. It is being developed by Vertex, based here in London. It targets a mutation that around 50% of people with cystic fibrosis have, and, like Kalydeco, it has the potential to offer significant health benefits. Orkambi is now licensed for use in the EU and will soon begin its separate appraisals for clinical and cost-effectiveness across the NHS, covering England, Scotland, Wales and Northern Ireland. Work in this area is also important for people affected by muscular dystrophy and related conditions, with a number of drugs in late-stage clinical trials and one, Translarna, which is used to treat Duchenne muscular dystrophy, undergoing appraisal by the National Institute for Health and Care Excellence.

Muscular dystrophy is a progressive condition, often rapidly so, meaning that delays at the regulatory, approvals and funding stages can make all the difference to whether someone can access a treatment. Genomics England is currently delivering the 100,000 Genomes Project, the aim of which is to create a new genomic medicine service for the NHS. The project is focused on rare diseases and cancer. The developments in cystic fibrosis treatment and the impact of the new medicines have already demonstrated the human benefit from work in this area, but the current single technology appraisal system may not enable access to personalised medicines.

The existing NICE appraisal system makes decisions on the efficacy of a drug based on 24 weeks of clinical trials data. It fails to take into account the long-term benefits to sufferers’ quality and length of life. The focus on measuring the benefits of a treatment in terms of quality-adjusted life years does not work for genetic diseases such as cystic fibrosis, because it massively underestimates the impact that the drugs have on quality of life over the long term. It also fails to take account of the wider societal benefits of these medicines, such as the way they can help sufferers or their carers to get into work. In short, the existing system cannot provide an accurate assessment of new treatments, such as Orkambi, which offer long-term, preventive stabilisation of cystic fibrosis. It may say no too soon to treatments that require time for their value to be realised.

This debate is not about spending more money on drugs. In fact, it is the opposite: it is about making sure that we are helping people with conditions such as cystic fibrosis in the most cost-effective way, which could actually reduce hospital admissions and enable them to work more easily. According to the Cystic Fibrosis Trust, new genomic treatments could be available to 90% of people with cystic fibrosis within five years, but under the way in which NICE currently appraises...
Michael said they will enable him to focus on his career told us that these new treatments mean that she can go and is "now had a stable job". Simon, who took part in that debate, said that it is with Members of Parliament ahead of this debate. They show that if we embrace new technology and think of new ways of opening up democracy beyond the walls of Westminster, people such as Carly, Lorraine, Michael and Kelly can be heard.

The system needs to change. We need NICE reform and an appraisal system fit for a future that includes personalised medicines, which cannot be approved too soon. In the current system, decisions about a drug’s efficacy are based on 24 weeks of clinical trials data, but for new medicines such data are not available. The system needs to account for the development of data over time, and for cystic fibrosis it needs to account for the fact that the value of the new medicines will be realised over time.

Cystic fibrosis is a test bed for reform. The Government must agree to explore ways of collaborating with the trust. I know that the Minister is meeting the Cystic Fibrosis Trust later today to discuss some of these issues. There has been major investment in the life sciences in the UK, but we cannot continue to invest in developing innovative new medicines if patients cannot access such treatments.

I have several questions for the Minister. Can he update the House on the timings for developing proposals for a new system for appraising new medicines? Will he consider meeting the CFT to discuss working with it to develop a system for managed access to medicines that includes a CF registry? Can he comment on the safeguards that will be in place to ensure equality of access to medicines under any new scheme? Will he consider amending the appraisal process for the new drugs to give more weight to the societal benefits for sufferers and their carers? What is the Government’s latest thinking on following Scotland and Northern Ireland by introducing a ring-fenced fund for rare disease drugs in England? Will he write to the chief executive of the National Institute for Health Research to ask how his organisation plans to work with specialist muscle centres to address concerns about the lack of clinical trial capacity for Duchenne muscular dystrophy? Finally, how can NICE and NHS England be given greater powers to negotiate the best price with pharmaceutical companies to ensure that new treatments are not held up or rejected on the grounds of cost?

9.43 am

Mrs Cheryl Gillan (Chesham and Amersham) (Con): It is a pleasure to serve under your chairmanship, Sir Edward. I warmly welcome the Minister, who, I am afraid, is very familiar with what I am speaking about
today; I hope he gives me an A for effort and persistence. Given that we have spent so much time discussing access to Translarna, perhaps in his winding-up speech he will have some good news for me and my constituent.

I congratulate the hon. Member for Dudley North (Ian Austin). I am absolutely delighted that he secured this debate on access to medicines for people with cystic fibrosis and other rare diseases. Like me, he knows how important this issue is for families up and down England. I have been looking at the issues surrounding Duchenne muscular dystrophy for what seems like many years—in truth, it has been for just over a year. Only 90 boys affected by the disease in England are eligible for this drug, and the number is slightly larger across the whole of the United Kingdom.

Duchenne muscular dystrophy is a devastating condition that leads to full-time wheelchair use between the ages of eight and 11. It is a progressive, muscle-wasting disease that eventually affects the muscles involved in the respiratory and cardiac functions. Sadly, few with the condition live to see their 30th birthday. I have been working with Muscular Dystrophy UK, which fights causes to do with muscle-wasting conditions. I pay tribute to that organisation for all the support and help it gives. It not only informs Members of Parliament, but helps people affected by those diseases. My constituent, young Archie Hill, is an inspiration to everybody in this area. He has been campaigning for many years, and he and his family are indefatigable in their efforts to get the right medicine at the right time to these boys.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my hon. Friend the Member for Dudley North (Ian Austin) on securing this timely debate. As the right hon. Member for Chesham and Amersham (Mrs Gillan) will recall, some months ago we all went to Downing Street to petition to get something done about muscular dystrophy. I am sure she would agree that one of the big problems is that even if the new treatments are okay, there is always a long run-in, in which negotiations take place between the Government and the pharmaceutical companies.

Mrs Gillan: The hon. Gentleman is absolutely right. I pay tribute to the other colleagues in the House who took part in that petition. That truly cross-party effort aimed to draw attention to the drugs that are not readily and fully available to our constituents. I was grateful that it was a cross-party delegation, because such things are much stronger when they take place in an atmosphere of good co-operation across the board rather than a political atmosphere. We saw parliamentarians at their best, so I thank the hon. Gentleman for attending that lobby at No. 10 Downing Street, which was inspired partly by Muscular Dystrophy UK and partly by the families it supports.

The issue for me is the drug that the hon. Member for Dudley North referred to. Translarna is its trademark name; it is called ataluren. It is produced by a company called PTC Therapeutics, which calls it its “lead product candidate” for these disorders. I know that the Minister is familiar with PTC Therapeutics, and I hope that in his winding-up speech he will refer to any contact he has had with the company. One of the issues surrounding the efficacy and licensing of the drug is the cost, so I hope the Minister will update us on that situation.

PTC Therapeutics states that the drug is a “novel, orally administered small-molecule compound for the treatment of patients with genetic disorders due to a nonsense mutation. Ataluren is in clinical development for the treatment of Duchenne muscular dystrophy caused by a nonsense mutation…and cystic fibrosis caused by a nonsense mutation…Ataluren was granted conditional marketing authorization in the European Union under the trade name Translarna”. I believe that it is already available in France, Germany, Italy and Spain. It is the first treatment approved for the underlying cause of Duchenne muscular dystrophy, which is a complicated condition.

Nonsense mutations are implicated in a variety of genetic disorders. They create a premature stop signal in the translation of the genetic code contained in the mRNA. That prevents the production of full-length, functional proteins. The company says that "ataluren interacts with the ribosome, which is the component of the cell that decodes the mRNA molecule and manufactures proteins, to enable the ribosome to read through premature nonsense stop signals on mRNA and allow the cell to produce a full-length, functional protein. As a result…ataluren has the potential to be an important therapy for muscular dystrophy, cystic fibrosis and other genetic disorders for which a nonsense mutation is the cause of the disease.”

The importance of access to Translarna cannot be overstated. Boys such as my constituent Archie Hill have been waiting since August 2014 for a decision on whether Translarna will be approved in England. As I said, it is the first licensed drug to tackle an underlying genetic cause of Duchenne’s. It would help to keep Archie and these other boys walking for longer and potentially delay the onset of the devastating symptoms affecting the heart and lungs that I referred to earlier.

NICE’s appraisal of the drug is ongoing, but the families have not yet been made aware of when guidance will be issued, leaving them facing an anxious wait over the Christmas period. Over the time I have known Archie and his family, I have seen his mobility decrease; it is depressing to see such an active, energetic, lively, intelligent young man, who has his life before him, being denied a drug that could well keep him active for longer and improve his quality of life.

Julian Sturdy (York Outer) (Con): My right hon. Friend is making a powerful argument. She is right to say that we must improve access to new medicines, which can transform the lives of people such as her constituent Archie. Does she agree that new medicines may also reduce hospital admissions, which would have a huge impact on the NHS?

Mrs Gillan: I thank my hon. Friend for that intervention. He is absolutely right. There is no doubt that increasing the length of time that these young people can be kept active and mobile will inevitably reduce the amount of time that they spend requiring treatment in other health settings.

I also want to describe the emotional journey. Seeing anybody suffering with a muscle-wasting condition is terribly draining, because they fade before one’s eyes. That is why the drug is so important, particularly for young people suffering from Duchenne’s. I turn now to my constituent’s mother, Louisa Hill, for a quotation. She said:

Decision makers need to understand the impact on children of even a small change. It gives them more time to run and play football with their friends. It’s really buying precious time. Archie
will have to deal with very difficult mental and physical challenges as his condition progresses. Translarna is buying time for Archie just to be a kid.”

If you are not touched by that statement from a mother, I do not know what you would be touched by.

Translarna is not the only potential therapy that could benefit Archie. For example, others, such as utrophin upregulation, which involves injecting a protein called utrophin into the muscles to compensate for the loss of dystrophin in boys and young men with Duchenne’s, are in a later stage of clinical trial. It is vital that the process of moving such drugs from the laboratory to the clinic is expedited, including ensuring that appraisal processes are as swift as possible; that secure funding is available to help meet the costs of new drugs; and that NHS England and NICE have effective mechanisms to negotiate an appropriate price with drug companies.

On 14 October, I had the temerity to question the Prime Minister on Translarna at PMQs. He referred to the cancer drugs fund and its role in reducing the costs of drugs for rare types of cancer. A similar model would help for rare disease drugs for conditions such as Duchenne muscular dystrophy. The Prime Minister said:

“The cancer drugs fund has helped to reduce the costs that the companies charge. We need to see that in other areas, too.”—[Official Report, 14 October 2015; Vol. 600, c. 313.]

The Government’s accelerated access review provides an important route through which such issues could be addressed. I hope that the Minister will have his feet held to the fire by the Prime Minister’s answer.

Research into treatments for Duchenne’s is at a promising stage, with a range of potential therapies in late stage clinical trials. As I said, Translarna is already licensed in Europe, but the UK muscle centres where trials are conducted are reporting that given the growth in clinical trials they lack the resources, such as staffing levels and equipment, to keep pace. As a result, centres report that they are turning away new trials—not because of bad science, but because of a lack of capacity. [Interruption.] I see the Minister shaking his head. He knows that the situation is serious and I hope he will comment on it.

That lack of capacity risks causing a bottleneck in drug development and gives boys such as Archie Hill less chance to enrol on a trial that could allow them access to a new therapy. A clinical trial capacity audit, conducted by Muscular Dystrophy UK as part of the “Newcastle Plan” of joint working with UK Duchenne charities to address clinical trial capacity, corroborated the reports and also found that:

“Work on clinical trials is not counting towards specialist training at many centres for medical doctors, physiotherapists and nurses”

which is affecting trainee participation. In addition, it was found that a “lack of acknowledgment of research in clinical job planning means that already overstretched clinical staff are having to carry out research activities in their own time. This is consequently severely limiting centres’ abilities to take part in research.”

It also found that the process of setting up a clinical trial can be excessively bureaucratic. Perhaps the Minister, with his experience in this area, will be able to comment on that.

I am disappointed that Archie Hill and the other boys suffering from Duchenne’s do not have access to Translarna. The process has seemed to take an incredible length of time, and I hope that the Minister will be able to do something about it. Like the hon. Member for Dudley North, I have a series of questions that I want to put to the Minister, which may help him when he sums up.

First, will the Minister commit to meet representatives of Muscular Dystrophy UK? I would be grateful for that, and it would be helpful for him to discuss the accelerated access review, particularly in the context of the emerging treatments for Duchenne’s. Secondly, I do not suppose that he can say this, but when can families such as Archie’s expect to be notified of NICE’s guidance on access to Translarna on the NHS? It is the obvious question and one that I hope he can answer.

Thirdly, will the Minister ask the chief executive of the National Institute for Health Research’s clinical research network how his organisation plans to work with specialist muscle centres to address concerns over the lack of clinical trial capacity, particularly for Duchenne’s? The hon. Member for Dudley North referred to the latest thinking in Scotland and Northern Ireland, such as introducing a ring-fenced fund for rare diseases. I hope that that might be a recommendation of the accelerated access review.

I do hope that the Minister will be able to give us some optimism. Boys such as Archie Hill are an inspiration to us all. For one so young, he is very mature in his attitude towards not only his Duchenne muscular dystrophy, but other children suffering from rare diseases. He has great capacity for humanity and for tireless campaigning. This will be the second Christmas since I met him that he will be waiting for an outcome on Translarna. Will the Minister talk to PTC Therapeutics, to NICE and to anyone else to whom he can reach out, to ensure that this year the Christmas present for Archie Hill and other boys in England is to have access to ataluren or Translarna?

10 am

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir Edward.

I thank my hon. Friend the Member for Dudley North (Ian Austin) for proposing today’s debate on cystic fibrosis and on the future of the drug therapy. I thank the cystic fibrosis team at York hospital. I have met with them and discussed at length their innovative service, which is at the cutting edge of provision for those with cystic fibrosis and takes on board the need for clinical excellence and the sterile conditions that we have heard about—they work the service around the patient, not the patients around the service. I also thank the people at the Cystic Fibrosis Trust for their time.

I emphasise the points made by the right hon. Member for Chesham and Amersham (Mrs Gillan). Her tireless campaigning was triggered by the inspiration of Archie Hill from her constituency and presses for the need to make progress on the right therapeutic responses for those with Duchenne muscular dystrophy. We would all like to see progress with Translarna.

I want to take a wider view of the therapeutic measures for those who experience cystic fibrosis. I am a physiotherapist by training and have worked for 20 years in the NHS with respiratory and neurological conditions,
so I have a real understanding of the people who experience cystic fibrosis. There has been massive change in the management of that condition in my time in practice, in particular in physical therapy. Traditionally it is a more static approach, but now more dynamic in support of individuals—physical treatment, rather than a more static treatment, especially when dealing with mucus clearance and building up lung capacity. That is all about the treatment and management of symptoms, however, similar to the drug regime that accompanies the physical therapy.

We have seen progress, therefore, but today we are debating a step change in our approach to cystic fibrosis. We are trying to provide hope to the 10,000 people who happen to have cystic fibrosis. Looking at a new generation of drugs might provide that hope. Orkambi is a drug that targets abnormal proteins, which will deal with the symptoms. When we look at drug therapy for cystic fibrosis, we should be looking not only at the immediate impact, which so many drugs do, but at the long-term effect. Every instance of a chest infection brings about damage to the lungs, as people have to expectorate continually, and that has long-term implications that can be fatal for some.

It is vital that we look at early intervention, which is what Orkambi is all about—about bringing a step change in the treatment process for those with cystic fibrosis. By targeting the proteins we have the opportunity to ensure that the cells in the lungs are healthy, which will produce longevity among patients. It is hoped that the new drug will bring improvement to about 50% of people with cystic fibrosis, which in itself will be a seismic change in the outcomes for them. It will have a profound impact.

I encourage the Government not to be nervous about cost, because costs for someone with cystic fibrosis are already high and cannot be underestimated. I will focus on existing costs, such as the cost of frequent visits to hospital, including the frequent use of intravenous drugs. A large proportion of people are on IV drugs for approximately one month a year, which is costly. People also have to be in sterile conditions, because the risk of further infection is incredibly high. Ongoing therapeutic intervention with drugs or physiotherapy has significant bearing on costs. There are also costs to do with managing a high-calorie but healthy diet.

Another expense is the drugs. Cystic fibrosis is not on the list of diseases for which people get free medication. Will the Minister look at that? When the list was drawn up, people with cystic fibrosis were not living into adulthood, so we should re-examine it. There are the costs of having lung transplants, if people require one, and any drugs that prevent future lung transplants have to be a positive, despite the risks, because people will be brought long-term hope.

There is the cost to an individual of education, which for many will have a disturbed pattern—in and out of school—and the impact on long-term employment opportunities. Even if in work, many people find it difficult to hold down a job, because the nature of the disease often takes them out of the workplace and they have to organise and balance their day with fitting in physio and the demands of drug therapy and diet.

Finally, there is the cost of care. Rarely is it only one person involved in care for any of the diseases that we are talking about—a network of care is put around an individual with such a disease. Moving to a precision, early-intervention drug, therefore, is a way to bring in resource management, which can be positive not only for the individual, but for the NHS as a whole.

The result of what is being called for today would be positive economically and for people’s lives. In my short contribution, I want to ask the Minister to address the timeline for progress. There is obviously discussion in Europe, such as on the European regulations for Orkambi, and we want to see the timeline tightened up, so that people can have real hope in the new year that they will get access to the drug, because each time someone has a chest infection it has an impact on their long-term future. Time is not something that so many have, so my plea is for progress on securing access to the drug for those with cystic fibrosis.

10.8 am

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairmanship, Sir Edward. It is also nice to see the Minister in his place again—whatever the debate might be, there are few for which the Minister and I are not in the same room at the same time.

I thank the hon. Member for Dudley North (Ian Austin) for bringing this important issue to Westminster Hall. It affects my constituents and I am here to speak on their behalf—this is the place for us to do that as elected representatives. As he mentioned in his introduction, in Northern Ireland we have had some good news, with money set aside for rare diseases. Any approach to such diseases needs to be innovative and to take into account all those who contribute, be they academics, researchers or hard-working charities who provide support for those suffering from cystic fibrosis and their families.

I also commend the right hon. Member for Chesham and Amersham (Mrs Gillan) and the hon. Member for York Central (Rachael Maskell) who have spoken. They are doughty campaigners on behalf of those who have Duchenne and on many other issues. It is good to see them in their places and making valuable contributions.

We are surely duty-bound to support and fund those who fight for the sufferers and those developing new treatments. The debate is very much about how we develop new treatments and move forward.

David Simpson (Upper Bann) (DUP): I also congratulate the hon. Member for Dudley North (Ian Austin) on bringing the debate. Does my hon. Friend agree that pharmaceutical companies need to be sent a message that their work in research is not about large profits; is it about curing rare diseases? We saw that difficulty whenever we approached pharmaceutical companies on meningitis B: some companies held out for large profits at the expense of people who were suffering.

Jim Shannon: I thank my hon. Friend for focusing on the pharmaceutical companies. They can do a great deal and there is also a role for Government and the NICE guidelines, which direct the direction in which pharmaceutical companies will proceed. The companies are driven not always by profit or margins; criteria also indicate to them what to do.

We should be ever mindful that people are suffering through no fault of their own, so we need to help them move forward. It is good to see facts and figures that show that, on average, a child born in the 21st century.
with cystic fibrosis will live for more than 50 years. There have been tremendous advances. The innovation and hard work done by charities and researchers is too often forgotten, but it has brought about real results, with new precision medicines treating not just the symptoms, but the underlying cause of the condition. We must go further in that direction. To be fair, cystic fibrosis is one condition that we are probably treating rather than solving at the moment, but we need to see a future where everyone with cystic fibrosis can live a life unlimited, which the facts show is more achievable today than ever before.

Unfortunately, precision medicines are expensive and, as my hon. Friend the Member for Upper Bann (David Simpson) said, it is difficult to predict the cost-effectiveness of new treatments. However, we need to get those treatments and try them out to move forwards. I understand that the Government are considering how we can speed up access to innovative treatments, which I think comes under the NICE guidelines. Will the Minister respond to that in his speech? There are proposals to approve new drugs provisionally while using real-world data to assess their benefits. I welcome that and look forward to seeing more of it.

May I put on record my thanks to the Northern Ireland Rare Disease Partnership under the chairmanship of Christine Collins, who happens to be one of my constituents? We have worked together over the years on this matter. Indeed, in the previous Parliament we spoke to the Under-Secretary of State for Health, the hon. Member for Battersea (Jane Ellison), in a private meeting. She was supportive and allowed us to make positive progress. As everyone knows, health in Northern Ireland is a devolved matter. The Minister there, my colleague, Simon Hamilton, has set aside about £3 million for the partnership, which shows there are positive approaches in Northern Ireland and a positive way forward. Perhaps that could be emulated across the whole of the United Kingdom of Great Britain and Northern Ireland.

It is estimated that one in 2,500 babies in the UK will be born with cystic fibrosis and there are more than 9,000 living with the condition. The facts are stark. It most commonly affects white people of northern European descent—it is much less common in other ethnic groups. Those are the facts, which in my constituency means that we are looking at virtually the whole populace. Other constituencies will have similar demographics, so it is concerning to hear that, but it is encouraging that research has advanced so much that we can pinpoint such factors so that we know where problems could arise.

Babies are screened for cystic fibrosis at birth using a heel-prick test as part of the NHS’s newborn screening programme. The NHS and Ministers responsible are taking correct steps to diagnose such conditions at an early stage. Treatment for cystic fibrosis is not curative, but it seeks to manage symptoms. Medications including steroids, antibiotics, insulin and bronchodilator inhalers are often used. Nutritional advice and physiotherapy for airway clearance are commonly part of management.

Cystic fibrosis patients may also be suitable for lung transplants. NICE provides a number of guidelines on specific treatments for cystic fibrosis, which it is currently updating. They are due to be published in 2017. On organ transplants, I believe that we should all be considered to be donors unless we say otherwise. The Welsh Assembly has taken steps to bring in that in Wales and such legislation is pending in other regions of the United Kingdom as well, but whenever we see stories about those who are managing but no more and for whom a lung transplant would be the beginning of a new life, perhaps we should emphasise the organ transplant system and find a method to make progress on that.

The hon. Member for York Central rightly referred to families. We focus on those who have cystic fibrosis, but let us also focus on those who support their loved ones at times of hardship and difficult health symptoms. I will also plead the case for Prader-Willi syndrome. I have a number of constituents who have it, but that is not unique by any means to my constituency; it is seen across Northern Ireland. We do not hear much about this, which is another muscular wasting disease and also an eating disease—it is an obsessive disease.

The right hon. Member for Chesham and Amersham talked about Duchenne muscular dystrophy. I have constituents who suffer from that and I have attended events just across the way with people from across the UK with it. It comes in different levels and types, but, as she said, there have been advances in medication. The Minister may refer to those in his reply, but we also need to focus on how we can help those families.

Recent developments show that innovation is working in advancing treatment of cystic fibrosis. I commend the Department for its work. I will also mention the hard work done by universities in partnership with private business and enterprise to come up with innovative ideas for new drugs. We can never underestimate the importance of what they do. Just as others speak highly of their universities, I do so of Queen’s University Belfast and Ulster University which are bringing forward innovative ideas for advances in medicine and other things. We could work well together with them on this.

I spoke earlier of the hidden or forgotten sector: the voluntary charities, of which there are many. Where would we be without them and their dedicated researchers? Such people often dedicate their lives to helping humanity overcome disease. The Cystic Fibrosis Trust is just one example. It is the largest charity funder of cystic fibrosis research in the UK. Last year it invested more than £3 million in groundbreaking research and it plans to invest a further £3.5 million by the end of this financial year. By adding our support and funding where possible, we can add to the great work being done and make a real life-changing difference for those with cystic fibrosis and their families.

10.18 am

Martin Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Sir Edward. I applaud the hon. Member for Dudley North (Ian Austin) for bringing this timely debate. If any fact highlights the importance of this, it is that the median survival age is just 28. That really highlights the issue. If that does not focus minds on the need to do something, nothing will. He also touched on quality of life. We must remember that it is not just about statistics and medical reports. It is about the life of not just the sufferer, but the families involved. I am grateful to be able to take part in the debate.
The hon. Gentleman also mentioned issues relating to NICE, its assessments and medicines. I am obviously a Scottish Member, and things are slightly different in Scotland, so I was grateful that Members mentioned the differences. One thing we have is the Scottish Medicines Consortium, which assesses medicines a bit quicker, putting them through the peer-approved clinical system. That is a good practice, which the Minister should perhaps look at. Having said that, we are also still waiting for the assessment of Orkambi, and we hope to have it around April, so there is still a delay in getting things through for everyone.

The right hon. Member for Chesham and Amersham (Mrs Gillan) made some good points. I was interested to hear about muscular dystrophy, which is not an issue I know much about, although the situations people face are obviously very similar. She highlighted the impact on families and the importance for children and young people. When we hear people’s life expectancy, that really highlights just how devastating this issue is.

The hon. Member for York Central (Rachael Maskell) made interesting points about therapeutic measures. Her key message was about providing hope, and I share her view on that. I hope that this Government and all the Governments in the devolved Assemblies take on board the message that we should not be nervous about costs. That message needs to go out from here very strongly.

The hon. Member for Strangford (Jim Shannon) highlighted the different and positive practices in Northern Ireland, which, again, I find interesting. I am sure there are things we can learn from each other’s areas. One positive in Scotland is that the Scottish Government have the UK-leading new medicines fund, which, in May, more than doubled the support it provides, from £40 million to £90 million. That will affect all rare diseases, including cystic fibrosis. There are therefore things we can do, and there is good practice we can demonstrate and lead the way on.

Another thing we did in Scotland was to abolish prescription charges. Before we did that, two thirds of all paid-for prescriptions were for long-term conditions. That was another financial impact on the families we are talking about, who already have enough difficulties.

With those comments, I look forward to hearing the Minister’s view. I hope we have sent a strong message to not only the Government here, but the Governments in our devolved Assemblies.

10.22 am

Andrew Gwynne (Denton and Reddish) (Lab): It is a pleasure to be back, having spent four and a half weeks in cold, wet Oldham, running the Labour party by-election campaign. I pay tribute to my fellow shadow Ministers for standing in for me in numerous Westminster Hall debates. It is good to be back, and it is good to see you in the Chair, Sir Edward.

I pay tribute to my hon. Friend the Member for Dudley North (Ian Austin) for making sure that this important debate could take place. He is right that we need to make sure that access to pharmaceuticals is one of the most important policy areas. With the results of the accelerated access review coming out in the new year, the effectiveness of NICE is very much on the agenda.

I also pay tribute to the right hon. Member for Chesham and Amersham (Mrs Gillan), who spoke powerfully about not only Archie, but Duchenne muscular dystrophy, which is a terrible disease, and she is right that we need to do much more to make sure drugs are available to treat it. I hope the case she made for Translarna will not fall on deaf ears with Ministers, because such drugs can make a big difference to the quality of life of children such as Archie. The right hon. Lady has put that case very powerfully in her question to the Prime Minister, and in her contribution today.

In June 2009, the previous Labour Government adopted the European Council recommendation on action in the field of rare diseases, which recommended that member states should establish and implement plans and strategies for rare diseases. Following on from work set out before the 2010 election, the coalition Government published the UK strategy in November 2013. NHS England published its statement of intent with regard to the UK strategy in February last year.

Since then, we have had the five-year forward view, which reaffirms NHS England’s commitment to achieving better outcomes for people with rare diseases, and when the Minister concludes the debate, I am sure he will give us more detail about how he sees the points made by my hon. Friends the Members for Dudley North and for York Central (Rachael Maskell), the hon. Member for Strangford (Jim Shannon) and the hon. Member for Linlithgow and East Falkirk (Martyn Day), who leads the SNP on these matters, and the right hon. Member for Chesham and Amersham. Rare diseases are a crucial part of the five-year forward view, and given that the UK leads in life sciences, there is no reason why we cannot start to push the boundaries on what is achievable in respect of the drugs available for rare diseases.

The problem is that, although each of the publications I mentioned set out some laudable intentions, the actions arising from those publications have been baby steps in comparison with what we actually need. Changes resulting from the Health and Social Care Act 2012 have left patients and professionals to navigate a labyrinth when accessing medicines that, in many cases, have already been approved or have received licences. That really should not be happening.

Before the last election, the Opposition said unambiguously that we would reform NICE from top to bottom to remove the requirement to enforce competition rules and to ensure that access to medicine was decided on the basis of a medical justification, balanced with consideration of how much money we had available. I think we all now agree that NICE needs some reform. The current appraisal system makes decisions based on 24 weeks of clinical trials data, but that understates the efficacy of drugs that provide long-term stabilisation of a condition.

Other Members have spoken of the frustration cystic fibrosis patients have felt at not being able to access new treatments because those will not be approved given the way NICE appraises them. As my hon. Friend the Member for York Central said, the NICE system is not set up to assess precision medicines, and the issue extends well beyond cystic fibrosis to other rare diseases. Members have spoken powerfully about cystic fibrosis, and what we have heard about could be an excellent platform for testing new ways of doing things, and that could, indeed, also be the case with muscular
By Andrew Gwynne

dystrophy. The appraisal system for innovative medicines needs to be overhauled and to be adapted to include personalised medicines. Until the system is prepared to look at the value of new medicines over time, instead of looking for more rapid effects, it will not be suitable for its purpose.

I have some specific questions for the Minister. I am concerned that the highly specialised technologies evaluation programme could limit access to medicines for people with rare diseases. There are widely held concerns that the process, which was introduced after the 2012 Act to appraise medicines for rare diseases, is opaque and that the topic selection process is out of date. Does the Minister have plans to work with NICE to update the selection criteria for the pathway? Am I right that the process does not take into account conditions defined by genetics, biomarkers or differences in clinical presentation? Will he look again at that? Will he, as other hon. Members have asked, meet representatives of Muscular Dystrophy UK and the Cystic Fibrosis Trust to discuss those matters?

I accept that there has been huge investment in life sciences in the UK, but the current system, which encourages investment in technology and does not facilitate patient access to it, is unsustainable and wrong. Without such reform as we have discussed, funding for research on the relevant medicines could dry up and we could lose crucial shots at tackling a lot of rare diseases once and for all. The accelerated access review is a timely opportunity to take a careful look at how people get access to the kinds of medicines that might change their lives. It would be a tragedy if we threw that opportunity away.

I do not doubt for a moment that the Minister is fully behind every Member taking part in the debate in wanting to expedite the availability of the drugs in question, and I am keen to hear more about how the Government plan to do that. I commend Members for speaking so powerfully in a consensual cross-party manner in today’s debate and at other times when we work in Parliament to promote such causes. I hope that the Minister will answer all the questions that have been asked, and offer a glimmer of hope for those people who seek access to such drugs.

10.31 am

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): It is a pleasure to serve under your chairmanship, Sir Edward. I congratulate the hon. Member for Dudley North (Ian Austin) and other hon. Members from across the House who have spoken. This timely debate has been incredibly powerful—not that there has been much disagreement in it. It has been an opportunity to raise important issues that I am dealing with, and I am grateful to colleagues for acknowledging that.

The debate is particularly timely because I am convenor of a major summit today on accelerated access for faster cures. There is a precision medicine summit in London and the Association of Medical Research Charities has just held its annual conference, at which I exhorted members to come to my table with ideas about how to accelerate novel treatments and give the charities more of a voice. A powerful and helpful debate is going on.

I pay tribute to the work of the Cystic Fibrosis Trust, which is among a number of charities that lead the debate on innovative treatments and medicines. Its leader Ed Owen in particular plays an important role in that; but so do Carly, Lorraine, Michael, Kelly and the other people who have been mentioned. Many of the charities do extraordinary work to articulate the experience of patients who suffer from disease and bring it to the policy table in a powerful way. It is a change in policy making that I am keen to accelerate.

The debate goes to the heart of the challenge and opportunity that precision medicines represent for our system and the landscape of assessment, testing, approvals and reimbursement, as well as the growing role of charities and the patient voice. Those things are passions of mine and I want to discuss why, in the next few months and the years ahead, there will be dramatic progress.

The Government and I wholeheartedly support the cystic fibrosis campaign’s central aim of ensuring that as many people with CF as possible will have access to personalised medicines by 2020. That sets an inspiring and clear goal and I relish the attempt to deliver it. I want to make some remarks about the condition, about what NHS England and the NHS in Scotland and Northern Ireland are doing about treatment today, about the rare diseases and precision medicine landscape, and about the reforms that I am pushing to try to deal with the issues that have been raised.

I have had a career in biomedical research, so it is an extraordinary privilege to have been given my role by the Prime Minister, who has personal experience of the tragic consequences of genetic disorders affecting children. I am delighted to share with the House the fact that my passion to lead in this field, and unleash the power of the NHS and our research expertise in a new landscape for accelerated access, is exceeded only by the Prime Minister’s.

As hon. Members know, cystic fibrosis is the most common life-limiting inherited condition in the UK. It affects about 10,500 people in England—and more, of course, in Scotland, Northern Ireland and Wales—more than half of whom are adults. Cystic fibrosis is one of the UK’s commonest life-threatening inherited diseases. It is caused by a single defective gene. As a result, the internal organs and especially the lungs and digestive system become clogged. That results in chronic infections, inflammation in the lungs and difficulty digesting food.

The number of adults living with CF is gradually increasing over time, because of improvements in diagnosis from newborn screening and new treatments. The condition affects everyone differently—that is an important point—but for many it involves a rigorous daily treatment regime including physiotherapy, oral, nebulised and occasionally intravenous antibiotics, and taking enzyme tablets with food. For those who are very ill with cystic fibrosis and who have very poor lung function, daily life can be a struggle as basic tasks can leave them breathless. Some patients use a wheelchair to get around, and use oxygen to help them breathe.

For patients and their families, managing the condition is extremely challenging. That is made worse by the absence of an effective treatment or cure—or, as several colleagues have explained today, by the tantalising presence of a possible treatment or cure that cannot yet be administered to them or their suffering loved ones. I pay
tribute to patients who grapple with the disease day in, day out, and who have done so for years, for their patience as we try to bring new solutions to the table. Current treatments generally target the complications rather than the cause of the condition. Treatments can be broadly classified as nutritional support, relief of airway obstruction, treatment of airway infection and, ultimately, lung transplantation.

What are the Government doing? I want first to talk about what the NHS is doing in England and in Scotland and the other devolved areas, and then to say something about what we are doing more strategically to tackle the new landscape.

Since April 2013 NHS England has been responsible for securing high-quality outcomes for patients with cystic fibrosis as part of its remit to deliver specialised services. Its service specifications for cystic fibrosis—one for adults and one for children—set out what providers must have in place to offer high-quality care and support equity of access to services for patients with cystic fibrosis, wherever they live. The NHS England cystic fibrosis clinical reference group has developed a number of clinical policies for the treatment of patients with cystic fibrosis and it reviews outcomes with the Cystic Fibrosis Trust and with patients and charities.

As we have heard, Scotland, leading within the United Kingdom—and it is not the first time—has launched a dedicated fund worth £40 million this year to give patients greater access to new medicines, as the Scottish Health Secretary, Alex Neil, has announced today. The £40 million new medicines fund expands and replaces the rare conditions medicines fund established in March 2013, giving health boards access to greater resources. In 2013-14 the rare conditions medicines fund supported the cost of 45 different medicines, benefiting more than 200 patients, including ivacaftor for cystic fibrosis as well as other treatments for related rare diseases.

NHS England is investing significant resources into the provision of new medications that work directly on the genes causing cystic fibrosis. Since 2013, it has routinely commissioned ivacaftor or Kalydeco for the treatment of cystic fibrosis in those with a certain gene mutation affecting only 5% of the CF population. Earlier in 2015, that indication was extended to an additional eight mutations for patients aged six years and above. NHS England is considering a policy proposition for extending the use of ivacaftor for the same gene mutations to children aged two to five years. It will consider the evidence base and be included with other therapies requiring investment as part of NHS England's prioritisation process for specialised services for 2016-17.

Several colleagues raised the matter of Orkambi. Some drugs for cystic fibrosis will be considered by NICE through its technology appraisal process, including Orkambi, which, as many will know, is lumacaftor in combination with ivacaftor. NICE is currently developing technology appraisal guidance on the use of Orkambi for the treatment of patients with cystic fibrosis. It currently expects to issue final guidance in July 2016. NHS England will commission drugs where there is a positive NICE technology appraisal, and I will say something about the changes that we envisage in the landscape in that respect.

NHS England operates a horizon-scanning process to identify new treatments and the cystic fibrosis clinical reference group advises on the development of services for patients and keeps relevant published literature under review. Where NICE is not considering a therapy, NHS England can consider the evidence base and may propose commissioning treatments through its policy development process. I shall say something shortly about changes that we are considering in the way NHS specialist commissioning might embrace the new freedoms in the accelerated access review to accelerate the commissioning of rare disease treatments.

In fact, ivacaftor is something of a mild success story. NHS England commissioned it earlier than might otherwise have been expected, having agreed, in discussion with the company that makes it, a flexible pricing model. We want to see more of that sort of innovation.

I am grateful to the hon. Member for Denton and Reddish (Andrew Gwynne) for giving me some time to answer the various questions asked, which I will try to do in some detail. First, I want to set the scene in terms of why this debate is happening and why this landscape is under such pressure. The truth is that breakthroughs in genomics and informatics—our ability to understand patients’ genetic predisposition to different diseases and to respond to different drugs, as well as the availability of large-scale data sets, including individualised patient treatment histories and anonymised cohort studies—are transforming the traditional pathway for drug R and D, which normally takes years. It now takes roughly 15 years and £2 billion to bring the average drug to patients.

Genomics and informatics, particularly for some of the rare genetic diseases, allow us to take time, cost and risk out of the development pathway in a profound way. That is driving opportunity and challenge in our system; the Prime Minister created this post and put me in it to ensure we respond to that challenge with ambition.

Julian Sturdy: My hon. Friend the Minister is absolutely right to say that the medical landscape is changing hugely at the moment, but does he feel that the wider implications of new medicines are being fully explored by NHS England and NICE? We have heard about the huge consequences of cystic fibrosis for not only the sufferer but their wider family and the NHS. Does he feel that those wider consequences are being fully explored?

George Freeman: My hon. Friend raises an important point. Over the past few decades, the NHS across the UK has played an inspiring role in leading a lot of the breakthroughs in new treatments, but we have become latterly a slower adopter of the very treatments we often helped to discover. That is partly because the pressure of an ageing society and the rising cost for the health system today of just treating existing conditions are extremely challenging. In some areas, that has made innovations appear a cost to the system, when in fact good innovations may come with a cost spike on day one but generally lead to downstream savings in years 2, 3 and 4.

My hon. Friend puts his finger on a profound challenge at the heart of this landscape: in order really to assess the impact of innovative treatments, we need a much better handle on the existing costs, many of which are hidden, that come with a diagnosis. For that reason, I am spearheading work in the Department of Health to drive through a system of per-patient costing, so that we can begin to get a much clearer handle on what a CF diagnosis means on day one for both the patient and the
George Freeman: Health economy. That will allow NICE and NHS England to develop much more intelligent systems for assessing whether an innovation really represents good value.

Genomics and informatics are changing the landscape; for that reason the Prime Minister has created my post and we have launched a series of initiatives. On genomics, we have launched a groundbreaking £300 million initiative to sequence the genomes from 100,000 NHS patients of cancer and rare diseases. We have also launched 11 genomic medicine centres across the NHS, so that genomics is fundamentally embedded in our health system. On informatics, we have released huge amounts of cohort data to drive research, and we just announced in the comprehensive spending review a major £3.5 billion programme to invest in NHS digital infrastructure to support that.

We have launched precision medicine and cell therapy catapult centres with the Medical Research Council and industry partners to lead in both understanding causal mechanisms of rare diseases and developing and accelerating new treatments. We continue to fund the excellent National Institute for Health Research, for which it is my privilege to be responsible, to the tune of £1 billion a year, and we committed this year in the CSR to fund it throughout this Parliament, at a cost of £5 billion. We have funded the £700 million Francis Crick Institute, and roughly £2 billion of the drugs budget is allocated to new medicines and new treatments in this Parliament.

There is a major commitment, in terms of science and funding, to trying to tackle this issue, but crucially we need policy reforms to ensure that breakthroughs in science can be harnessed for much quicker benefits for patients. That is what the accelerated access review and a number of other initiatives, such as the test bed programme and the vanguards I am running with NHS England, are about—trying to ensure we can change the pathways for getting innovation into our health system for much quicker patient benefit.

I want to say something about the accelerated access review and the specialist commissioning reforms that NHS England is putting in place. I know all Members here take an interest in this subject, so I hope they will be aware that I have launched the independent AAR to ask and answer one big question: what can we better do to harness the extraordinary infrastructure here in the UK in terms of our deep science research base, our NHS-NIHR research base and our NHS daily treatment platform?

The NHS is the fifth biggest organisation in the world, making millions of diagnoses and carrying out millions of treatments every day. Its original founding mission was to be a research organisation, but unless we better capture the data on those interventions, we are not harnessing that intelligence enough to inform treatment.

I have asked that the AAR tackles three big questions. First, what can we do to allow the innovators—the developers of new drugs and innovations—quicker access to patients, to reach the all-important moment of proving an innovation works in patients? Secondly, what can we do to harness our leadership in genomics and informatics in order to create a more intelligent system for NICE and NHS England, with more flexibilities, so that they can assess, adopt, approve and reimburse innovations using real-time data about real patients? That will allow us to develop a more flexible set of pathways and adaptive tools with which to embrace this revolution.

When a drug comes to us with a genomic biomarker and we know that it will work for a certain sub-cohort of patients, that profoundly changes the risk dynamic of a traditional pharmaceutical clinical trials programme and should allow us to accelerate adoption for particular patient groups.

Rachael Maskell: Within those considerations, will the Minister also look at international evidence, so that we are looking at not only our own clinical trials but those on a global scale? Clearly, developments are global rather than just national.

George Freeman: The hon. Lady makes an important point. I have been to Washington three times and to Berlin, Paris and Brussels to highlight that while the UK is leading in this field, we need a transatlantic—European and American—agreement on how we move things forward. That is why I am convening and chairing a summit this afternoon with the Washington-based FasterCures campaign, which is a cross-party group on the Hill pushing for innovations in this space. I have been talking to the Commission about the European framework. I want the UK to be the best entry point into the European market, but I also want the European regulatory framework to be consistent and coherent; that is an important point.

The second question I have asked the AAR to look at is: what freedoms, flexibilities and new pathways can we envisage giving NICE and NHS England, particularly in the field of specialist commissioning? For CF, the decision to purchase ivacaftor is a national one, made by an NHS England specialist commissioning unit. I would like that unit to work much more closely with the Department of Health pricing team, so that where we can offer a company faster access to a key patient cohort, data and genomic information, we are able to do a much better deal with the company.

At the moment, we are operating the Translarna and Vimizim programme in the existing landscape. I share colleagues’ frustration, but it is important we go through due process. I do not think anyone wants a world in which Ministers decide what drugs come through on the basis of political pressure, tempting though it may be. I have done everything I can this year to expedite the existing process.

Following the positive news on Vimizim, I am hopeful about Translarna—a similar drug. NICE has been consulting on the process, and I believe the company has been engaging with NICE on pricing. I am hopeful that there will be a decision in the next few months to parallel the one on Vimizim, but that decision is not in my gift: it is up to NICE, which is rightly working on the basis of the very best clinical evidence.

Mrs Gillan:—

George Freeman: I had better crack on; I will come to the questions that my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) asked later, if I may.
Members have raised a number of questions and I want to deal with them all. The hon. Member for Dudley North asked about timings for the accelerated access review. We have had an interim report. I have asked for final recommendations in the spring—in March or April—and also that the review considers whether the process should go on. I want recommendations that we can implement quickly, but equally these discussions are complex and we may well need to go on to look at other bits of the landscape. I would be delighted to meet the Cystic Fibrosis Trust—in fact, that is already arranged; we are meeting this afternoon at the summit that I have organised.

The hon. Gentleman also asked about safeguards, which is a very important point. Although all of us share a recognition of the need to accelerate access, nothing in what is happening must in any way undermine patient trust and confidence in safety and protections. That is an important balance to strike. Nothing in what we are doing in any way looks at changing the legal basis in terms of negligence, consent or the clinical trials framework. The issue is about ensuring that our systems have the flexibilities to embrace the very latest scientific advances, particularly, in this case, genomic biomarkers.

The hon. Gentleman asked about amending the NICE appraisal process to weight wider societal costs. At this point, the review is not specifically looking at the internal mechanics of NICE’s current high-technology appraisal process, but we are looking at giving it, with its new flexibilities and freedoms, a suite of different types of innovation that might come through. We are particularly looking at where that can be ring-fenced and targeted at particular patient groups.

The hon. Gentleman asked about a ring-fenced fund. As I said, we are looking at the allocation that we have had from the Treasury, which is about £4 billion extra on drugs in this Parliament, £2 billion of which is more or less the existing demand driven by demographic change. There is about a £2 billion allocation in there for new medicines. The difficulty is that the drugs that we might consider now to be most worthy of ring-fencing and accelerating may not be the ones that in five years’ time, on the basis of the clinical evidence, we look back on and say, “Why did we not accelerate that?”

We want to make sure, through the AAR, that we are putting in place a system that gives us the flexibilities to pull through those drugs that have the most transformational effect. But let me be clear: we are looking at wanting to build in, over the next few years, a wider understanding of the real costs to our health economies—local and national—of different forms of disease. That is why the Secretary of State and I are leading on per-patient costing so that, in due course, we can develop a more intelligent system to reflect that.

The hon. Gentleman asked about the NIHR and specialist muscle centres. This debate covers a number of different disease areas, and it is a tribute to the NIHR’s research network that more and more charities of different disease areas, and it is a tribute to the specialist muscle centres. This debate covers a number of different disease areas, and it is a tribute to the specialist muscle centres.

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Finally, the hon. Gentleman asked about the accelerated access review and the powers that we are looking at for NICE and NHS England. I do not want to pre-empt the findings of that independent review, but I have asked that the review looks precisely at how we can make it easier for NICE and NHS England to work more closely together. Specialist commissioning would be an obvious place to start to share those data and look at how we can get a better deal for everybody—for patients, the system and the economy.

My right hon. Friend the Member for Chesham and Amersham asked about Translarna and Vimizim and how quickly we may be able to get good news for Archie. I pay tribute to my right hon. Friend; she has been a very doughty campaigner on this matter during the last year. I share her frustration that in the existing system, due process has to be gone through and that, although we have expedited this as much as we can, it has taken a long time. I pay tribute, as she has, to Archie. He, like so many of these patients, is an inspiring example of the very best of this sector and of this country. They are people who have the most reason to complain, but tend to be the least likely to and the most inspiring, given their generosity about the system and their demand that we take their suffering and use it to make sure that others do not have to suffer.

I have touched on the timetable. I am very hopeful that we should get a decision from NICE on the basis of the secondary consultation early in the new year.

Mrs Gillan: I thank the Minister for the way in which he is still pursuing this matter on behalf of my constituent and the other boys. However, does he share my frustration? I know we have to go through due process, but why does due process have to take so long? Every day matters to these children and to their quality of life. I cannot impress enough on the Minister, NICE and anybody else watching this debate, that due process must be executed in a more timely fashion. This is nothing short of torture for these boys and these families. I know that the Minister has tried very hard, but I just hope that the people at NICE will be listening to this. I appeal to them directly through him to make a positive decision on this before Christmas; it would be the best Christmas present that these boys and their families could have.

George Freeman: My right hon. Friend makes her point as powerfully as ever. I shall not add to it; it has been put on the record very clearly.

My right hon. Friend asked about contact with the company. It is not for Ministers to get actively involved—much as, at times, I would like to—in negotiating these deals, but I have made contact with the company, both on Vimizim and Translarna, to urge it to be as flexible as it can in discussions. I can only say that I am hopeful that it will have been able to reach a point where NICE feels able to make a recommendation.

Part of the reason why due process is important is that when NICE makes a recommendation, NHS England is bound in law to provide the drug in perpetuity, so it is a major cost undertaking. In some cases, these drugs cost £200,000 or £300,000 a year, so it is a commitment of several hundred million pounds from NHS England. Other patients would say, “We must make sure that when you make a decision like that, it is done properly.” However, I share my right hon. Friend’s frustration that a lot of these breakthroughs scientifically mean that we ought to be able to speed things up.
My right hon. Friend asked whether the Prime Minister is holding my feet to the fire. She need not worry; I am as passionate about this as ever and very impatient to make sure that the AAR is landed with some good recommendations.

My right hon. Friend made an excellent point about NIHR staffing. I am working with the chief medical officer and the NIHR on that at the moment. A number of our clinical research facilities could, with a few more staff, turn over more and do more trials work. There is an opportunity for us to get more people internationally to enrol in NIHR training—in clinical trials and translational research training—which would give us more capacity and allow us to move things along faster.

The hon. Member for York Central (Rachael Maskell) raised an important point about cost. I have touched on the work that we are doing on per-patient costing to try and make sure that we develop a system that more intelligently captures the real cost of disease.

I am grateful to the hon. Member for Denton and Reddish, the Opposition spokesman, for his comments. I congratulate him on the by-election victory. He asked about NICE reform, which I have touched on, through the AAR. We do not want to interfere with or undermine NICE’s independence and their “gold standard” reputation, but we want to create a place in which the accelerated access review gives them the freedoms that they are, indeed, helping to shape.

In conclusion, this debate has highlighted not only the challenges from the rising costs of new drug discovery—£200,000 to £400,000 a year for patients in the rare disease space—and the pressure on the one-size-fits-all model of assessment, but the opportunities for us to unleash our leadership in genomics and informatics to create a new landscape. That is why this week, the Association of Medical Research Charities conference and my summit this afternoon, and the accelerated access review work is creating momentum for a new landscape for accelerated pathways for patient-led innovation.

I think we will look back in two or three years at this as a crucial turning point at which the system that was set up to assess a very one-size-fits-all, 20th-century model was rapidly adapted, creating new opportunities for patient-led innovations and charities such as the CF Trust to bring through innovations that benefit their patients more quickly.

Sir Edward Leigh: Would you like to sum up, Mr Austin?

Ian Austin: If I may, Sir Edward. I thank you for chairing this debate. I thank the Minister and the Opposition spokesman for what they have said. It was really interesting to listen to the Minister and my hon. Friend the Member for York Central (Rachael Maskell) bringing to bear the deep expertise that they have gained from their careers before coming into Parliament. The right hon. Member for Chesham and Amersham (Mrs Gillan) spoke really movingly, and incredibly passionately and powerfully, about Archie Hill.

Most of all, I want to thank the people at the CF Trust and my constituent, Carly Jeavons, for raising this issue with me. I think this debate shows exactly how Parliament and politics should be working—with our constituents raising issues with us, us coming here to speak up on their behalf, and the Minister responding to their concerns—so I am very grateful indeed for that.

Question put and agreed to.

Resolved.

That this House has considered access to medicines for people with cystic fibrosis and other rare diseases.
Shakespeare Theatre (Knowsley)

10.59 am

Mr George Howarth (Knowsley) (Lab): I beg to move,

That this House has considered the proposal for a Shakespeare theatre in Knowsley.

Let me begin with a few acknowledgments of those who helped me to prepare what I am about to say: Professor Kathy Dacre, a Shakespearian scholar who is heavily involved in this project; Dr Stephen Lloyd, the archivist at Knowsley Hall, who made some helpful suggestions; Mr Mike Harden, chief executive of Knowsley Council; and, last but by no means least, Professor Elspeth Graham of Liverpool John Moores University.

Prescot, my home town in Knowsley—which I also share with my hon. Friend the Member for St Helens South and Whiston (Marie Rimmer)—has a unique place in theatre history. It is a market town and one of the oldest settlements in Merseyside. In the later Elizabethan period, Prescot was a lively town providing lodgings, hospitality and entertainment for visitors, including gambling and cockfighting. In 1592, it supported 19 alehouses and by 1622 it had an astonishing 43 such premises—far more than were needed for the town’s modest population of a few hundred. That reflects the fact that it was an entertainment centre to which people would travel for the market or the theatre, which I am about to describe. It also explains why there were very few people in each of the alehouses.

Prescot was the site of the Playhouse, the only free-standing, purpose-built theatre outside London in the Elizabethan period. It was built in the 1590s by Richard Harrington, who was closely connected to the Stanley family, the Earls of Derby, who were one of the most influential families in England. Ferdinando, Lord Strange, fifth Earl of Derby, and his brother William, the sixth Earl, were directly involved in the theatre, maintaining a talented group of professional players. Several important companies performed in Knowsley, and it was home to the Earl of Derby’s Men and Lord Strange’s Men, the troupes of actors which later formed the core of the Lord Chamberlain’s Men, who performed Shakespeare at the Globe in London.

The original Playhouse in Prescot was a relatively small theatre that held public performances and rehearsals prior to more prestigious performances at Knowsley hall and the further estates of the Stanleys, such as Lathom house near Ormskirk, as well as those belonging to leading families in Lancashire. William Shakespeare attracted audiences from all social backgrounds and his actors had played at the Globe, where performances were effectively public rehearsals for more intimate and prestigious evening performances at the court.

There is evidence that some of Shakespeare’s earliest plays, which contain tributes to the Stanleys, were first staged at Prescot or Knowsley hall. If so, William Shakespeare would almost certainly have supervised the performances and may even have acted in them. They included “Richard III” and “Titus Andronicus” by Strange’s Men, and “The Taming of the Shrew” and “Love’s Labour’s Lost”, which were written to flatter his patron. Later, he would write “A Midsummer Night’s Dream”, which was first performed at the wedding of the sixth Earl of Derby to Elizabeth de Vere in front of Queen Elizabeth. Last summer, there was a professional and accomplished performance of “A Midsummer Night’s Dream” in Prescot, partly in the parish church of St Mary’s and partly in the churchyard. It was given by a local company of performers and I had the privilege of attending.

In “Love’s Labour’s Lost”, which is set in a deer park, King Ferdinand’s ambition to make his court “the wonder of the world” is likely to have been based on the real plans of Ferdinando Stanley. It was said that, had he lived longer, he would have been the leading English contender for the throne. Shakespeare almost certainly wrote his early plays while under the powerful patronage of these powerful Lancastrian families. Evidence from archival records is supported by references in the plays.

Let me turn to the proposal for a Shakespeare theatre of the north. The aim is to create a unique, internationally renowned educational facility to encompass a commemorative theatre, to provide a key link between national, regional and local cultural and educational policy, and to contribute to the economic regeneration of an area that has deep connections with one of the nation’s greatest cultural icons. The Shakespeare North trust plans to commemorate the significance of Prescot’s history by creating a playhouse built to designs drawn in 1629 by Inigo Jones for the Cockpit theatre. Inigo Jones was one of the greatest English architects and theatre designers of his day and designed the perfect stage on which to present the plays of his time, the most celebrated of which were Shakespeare’s.

The project has the capacity to create a Shakespearian triangle with Stratford and London. As such, the Playhouse in Prescot will be unique as the only replica of this indoor Jacobean court theatre in the world, and the site of the only actor training programme in Shakespearean performance in the UK. It will be a leading public theatre with a student programme at its core and a purpose to realise one of the UK’s premier cultural assets. It will be home to Shakespeare’s language, lyrics and performance potential.

At this point, it is worth summarising what we are trying to do with some words from, appropriately, “A Midsummer Night’s Dream”:

“Turns them to shapes and gives to airy nothing
A local habitation and a name.”

I contend that that name is the new Playhouse in Prescot.

An overall programme of education and community engagement would be integrated with the work of the Playhouse so that all aspects cohere around the philosophy and aims of Shakespeare North. That will allow individuals to participate at many levels linked to college work either through discrete courses, workshops and activities, or in a developmental series of activities through the stages of people’s lives. In particular, the activities involving early years and school-aged children are designed to provide a strong platform for the years of compulsory education and beyond.

There are a number of strands to the project’s work and themes, including the seven ages of man. In particular, there will be postgraduate education in the form of a master’s degree programme in Shakespearean performance and practice; an exploration of language and lyrics linked with formal education providers; informal education and community engagement; priority for groups in
[Mr George Howarth]
collaboration with existing local government and voluntary sector initiatives for special focused-needs groups in which applied drama work will offer a range of relevant and productive frameworks; a music and memory programme of work for elderly members; a plan to increase the skills base and employment prospects of local residents through a range of skills training and volunteering opportunities; a base for the Shakespeare schools festival performances in the north-west; and finally, the Knowsley international Shakespeare festival, which we propose in conjunction with the project.

The trust’s fundraising strategy to secure the cost of the scheme, which is likely to be in the region of £19 million—this is not special pleading—is likely to be the basis of a lottery bid. However, if the Chancellor happens to find a spare £19 million in his budget, we would be grateful to receive it towards the capital costs. The business plan indicates that the development would achieve sustainability in a relatively short period and would not need to rely on regular revenue funding.

Shakespeare North has been established to work in partnership and improve the attainment of education and skills needed for long-term local and regional resilience and to help to create a place where people aspire to live, visit, work and do business. I am not asking the Minister for anything in particular, but I would be grateful for some indication of the Government’s general support for the programme, without any specific, tangible support at this stage, although, as I said, that would always be gratefully received.

I conclude with a request to the Minister by way of some words from “Hamlet”:

“Speak the speech, I pray you, as I pronounced it to you, trippingly on the tongue. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively. But if you mouth it as many of our players do, I had as lief the town crier spoke my lines. Nor do not trip the tongue endively.

We look forward to the Minister’s gentle response.

Sir Edward Leigh (in the Chair): Minister—in Shakespearean English, please!

11.10 am

The Minister for Culture and the Digital Economy
(Mr Edward Vaizey): Sir Edward, to give you your appropriate title, may I say what a great honour it is to appear under your chairmanship? I thank the right hon. Member for Knowsley (Mr Howarth) for calling this important debate. To respond to his eloquence, I should gratefully receive.

At a public presentation involving 200 local residents at Prescot parish church early in December, the trustees described the fifth and sixth Earls of Derby as the Simon Cowell and Cameron Mackintosh of their day. Prescot is a very old, distinguished, former industrial town. To have Shakespeare performed in that town was unique; it was the only such place outside London. The fifth earl, Ferdinando Stanley, sponsored his own theatre company, Lord Strange’s Men, who performed William Shakespeare’s plays at Knowsley Hall and at the original theatre. Many of the playwright’s characters are named for the Stanley family. In 1593, Prescot became home to Lord Strange’s Men, who performed William Shakespeare’s plays at Knowsley Hall and at the original theatre. Many of the playwright’s characters are named for the Stanley family. In 1593, Prescot became home to the first and most important freestanding theatre outside London. Although no pictures of the Prescot playhouse remain, it is believed to have been a cockpit theatre much like those designed by the famed Tudor architect Inigo Jones. It stood at the end of Eccleston Street, a quaint shopping street in the market town, where the flat iron building stands now. The chief importance of the venue was in bringing drama to ordinary working-class people, making theatre accessible to everyone—something of which the earls could have been extremely proud.

I will leave it there, as my throat is cracking, but I urge the Minister to empty his pockets and purses, and whatever he can find should go towards this project.
There are many local philanthropists, including Lord Derby, I understand, who will help to make it happen, and a little from the Government would go a long way.

Mr Vaizey: I hear what the hon. Lady says and I commend her for making those remarks, given the sore throat that she clearly has. I will obviously put the names that she read out as supporters of the project alongside those of Sir Paul McCartney, Cherie Blair, David Alton, Clive Owen, Trudie Styler and many others. Of course there is also the chairmanship of the Shakespeare North board. Peter Scott is the chair, but Professor Kathy Dacre has been mentioned, and many others have given so much of their time to make this project happen. As the hon. Lady remarked, at one point the project was shortlisted for a lottery bid, but it was unsuccessful. We can put a girdle about the earth in 40 minutes, but projects such as this take some time.

What is really exciting about the project is that it speaks to my own personal passion, which is to put culture and heritage at the heart of our communities. The project combines both. It includes a heritage element. It recreates the historic link that Knowsley and Prescot have with our greatest playwright. It provides a heritage centre by recreating the Elizabethan theatre and bringing alive the plays of Shakespeare. However, it is also an extremely contemporary cultural project, which reaches out to the widest community possible—to actors themselves in terms of training, to young people and to everyone as a community resource. That is one of the other reasons why I am so supportive of the project—because education and community engagement are central to the proposals. There is a proposal for an international university college, with a strong link to Liverpool John Moores University. That is a theme that I want to bring out more. The role that universities now play in culture and heritage is too often unacknowledged, but I hope to bring it to the fore over the next few months.

Of course the project will depend to a certain extent on philanthropic support. Many people who have ties with Knowsley, not least some of the people whom we have mentioned in the debate, will provide support, and I reiterate my thanks to them.

The hope is to create a Shakespearean triangle between Knowsley in the north-west, Stratford-on-Avon in the midlands and of course Shakespeare’s Globe in London. It is an ambitious target, but it could be an incredibly important asset for the heritage and tourism industry in this country, as well as increasing employment and aspiration in the constituencies of the right hon. Gentleman and the hon. Lady. As I have already pointed out, Shakespeare is possibly England’s most famous son and his stature across the globe is unrivalled. As an example of what Shakespeare North can achieve, Shakespeare’s Globe in London still receives some 350,000 visitors every year; Stratford-on-Avon had 150,000 overseas visitors in 2014, which represents an increase; and some 400,000 people visit Shakespeare’s birthplace every year. Those visitors to places such as Stratford-on-Avon generate millions of pounds for the local area, and it is hoped that if the project is successful, Knowsley’s links to Shakespeare will be of similar benefit to the local area.

I have hinted at the fact that I am passionate about themes such as place making, education and putting culture and heritage at the heart of a place. Next year, we will publish a White Paper on arts and culture, in which we may reference the project in Knowsley, because we want to talk about place making and education. Having a new performing Elizabethan theatre and arts hub would certainly put Knowsley even more firmly on the map. I was delighted to hear that the local council is strongly behind the project, as are the people of Knowsley, who understand the opportunity that it will bring to create new jobs and growth in the area.

The proposal aims to make the project in Knowsley part of the northern powerhouse, which is, as I am sure all hon. Members are aware, a major priority for the Government. That was demonstrated in this year’s spending review, which included investment in the Factory in Manchester and the Great Exhibition of the North. If the theatre in Knowsley gets off the ground, it will be close to areas that are replete with rich cultural heritage. Liverpool is a former European capital of culture and the home of National Museums Liverpool, as well as Tate Liverpool and the Everyman theatre. I was delighted to go to Liverpool the other day to host a round table for our White Paper and to see the continued commitment and enthusiasm in Merseyside for the arts. The devolution deal is part of our work to hand back power and responsibility to the regions, and it is important that Liverpool’s arts and culture form part of that deal.

It is important to have this debate now, because next year, which marks 400 years since his death, will be a year in which we celebrate Shakespeare’s life. We will commemorate his works in a variety of ways. One of those will be “Shakespeare Lives”, a major programme of events and activities to celebrate Shakespeare’s life, which has the ambition of reaching 500 million people all over the world. The programme will be an invitation to the world to join in the festivities by participating in a unique online collaboration, and experiencing the work of Shakespeare directly on stage, through film, in exhibitions and in schools. The programme will run throughout 2016, exploring Shakespeare as a living writer who still speaks for people and nations, and it will feature activities across English, education and the arts to explore the story of how a playwright from England came to be enjoyed all over the globe. The British Council is working on the project, alongside the Foreign Office, the UK Trade & Investment and, of course, my Department.

Here in the UK, Shakespeare 400 is a consortium of leading cultural, creative and educational organisations co-ordinated by King’s College London that will work together to mark the 400th anniversary through a connected series of public performances, programmes, exhibitions and creative activities inside and outside the capital to celebrate Shakespeare’s legacy. The BBC will also play a major role. Its contribution will include a live broadcast from Stratford with the Royal Shakespeare Company, hosted by David Tennant, and new adaptations of Shakespeare’s plays. In addition, the BBC’s Shakespeare archive resource will provide schools, colleges and universities across the UK with access to hundreds of hours of BBC television and radio broadcasts of Shakespeare’s plays, as well as his sonnets and documentaries about him.

The RSC will mark the anniversary with a far-reaching national and international programme of productions, including “A Midsummer Night’s Dream: A Play for the Nation” which will be co-produced with 14 amateur companies across the UK. It is important to recognise the amazing work that the RSC does with children and through its live screenings. The Birmingham Royal Ballet
[Mr Vaizey]

will create a new full-length ballet of “The Tempest” under its director David Bintley, and the London Philharmonic Orchestra will also celebrate Shakespeare’s legacy.

There could not be a better time to raise the prospect of a new northern hub for Shakespeare in Knowsley and Prescot. All the organisations that I have mentioned have the support of Arts Council England, and I am sure that all hon. Members will welcome the generous settlement we secured from the Chancellor a few weeks ago. He made it clear that the arts are one of the best investments the Government can make, and that we will continue to support arts and culture across the country. I am delighted that Knowsley Council feels the same as we do. Incidentally, we will also ensure continued free access to our national galleries and museums.

I understand the continuing concerns about local authority funding, but I point out that other sources of income, such as business rates and income tax, can put local government in a strong position to support local arts and culture. That is why Knowsley Council’s strong support for the project is very welcome, and I hope that its passion for the project will be communicated to other councils across the region.

It only remains for me to thank the right hon. Member for Knowsley for calling the debate and the hon. Member for St Helens South and Whiston for speaking so eloquently. The Government are very supportive of the project, and we will continue to work with the right hon. Gentleman in any way we can to bring it to fruition.

Sir Edward Leigh (in the Chair): Alas, poor Howarth, he cannot sum up, under the rules. I have asked whether he can, but—just say a quick word; go on.

Mr Howarth: I will just make two quick points. First, although the Minister’s comments about local government funding and the recent comprehensive spending review are welcome, Knowsley will find it difficult to take advantage of those opportunities, simply because the tax base is not there to allow it to do so.

Secondly, the Minister quite rightly indicated the tourist potential of the Liverpool city region and his ambitions, which I share, for our city region. I simply point out that Prescot is proud of the fact that it predated Liverpool. Although we very much associate with Liverpool and, equally, with St Helens, we feel that there is something unique and special about Prescot.

I am grateful for the general support that the Minister has offered, and I hope that we can collaborate with the Shakespeare North trust and others over the coming months to try to bring this ambitious, but exciting, opportunity into reality.

Mr Vaizey: I thank the right hon. Gentleman for his intervention, and I take note of the points that he makes. Local co-operation is important, but a little local rivalry is also welcome. I hope that Prescot will continue to press its case for being the most venerable town in the area. I reiterate that next year offers a unique opportunity to raise the profile of the project, given the huge focus that will come to bear on William Shakespeare’s life.

Question put and agreed to.

11.27 am
Sitting suspended.

Marriage Registration Certificates

[Mr Graham Brady in the Chair]

Mr Graham Brady (in the Chair): Good afternoon.

Before we begin, it might be helpful if Members know that we can continue until 4 o’clock, but we are expecting a Division in the House at 3.45 pm.

2.30 pm

Mrs Caroline Spelman (Meriden) (Con): I beg to move,

That this House has considered marriage registration certificates.

Mr Brady. The latest intelligence that I heard is that we might have a vote at 2.45 pm, but of course we are on a running three-line Whip, so we will just have to see.

I am happy to have secured a Westminster Hall debate on this important subject. Since 1837—the beginning of Queen Victoria’s reign—marriage certificates in England and Wales have included the names of the spouses’ fathers, but not their mothers. I know that I am not alone in finding this state of affairs unacceptable in our modern society. Indeed, the Prime Minister said as much in August 2014.

The issue has attracted calls for reform from many Members: the hon. Member for Brighton, Pavilion (Caroline Lucas) has tabled two early-day motions on the subject, each of which attracted 100 signatures; a petition on change.org was signed by more than 70,000 members of the public; and the hon. Member for Neath (Christina Rees) has introduced a private Member’s Bill in an attempt to secure the inclusion of mothers’ names on marriage certificates. I believe that the Second Reading of that Bill is scheduled for 22 January, and it underlines the point that this is clearly an issue that concerns Members from across the House and requires urgent attention and reform.

The Church of England recently held an internal consultation exercise of archdeacons and legal officials to gauge the views of the clergy about changing the way we do marriage registration. It received an overwhelmingly positive response. It cannot be that difficult to change the format of marriage certificates so that the mothers’ details can be captured, can it?

I understand that the problem lies with the practicalities of the current system of marriage registration, which has not changed since 1837. Marriages are registered in register books, which are held in churches and other religious premises as well as in register offices. There are around 84,000 open register books in more than 30,000 churches and religious buildings. Marriage certificates are simply an exact copy of the marriage register entry, so under the current registration system changing the content of the marriage certificate would mean first changing the content of the register books. In order to do that, all 84,000 books currently in circulation would need to be replaced, at a cost of around £3 million.

Christina Rees (Neath) (Lab): I am well aware that that is one of the sticking points, but as the right hon. Lady will be aware, there is a space next to where the details are recorded, which could be used to record the mother’s details without the need to replace all the books.
Mrs Spelman: I quite understand the hon. Lady’s point, but as she will see in the course of my speech, there is an opportunity to step forward, right into the 21st century, in the way that we register marriages, which will secure the mother’s name on the register. If she will bear with me, I think she will see that some other benefits could flow from a practically different way of registering marriages.

If we ended up having to replace the books, few would disagree that it would not be a good use of that sum of money. There is another, more efficient way that marriages could be registered, which is to adopt a system very similar to that which already exists in England and Wales for the registration of civil partnerships and which is already in use for the registration of marriages and civil partnerships in Scotland and Northern Ireland.

Under the alternative system, known as the schedule system, marriages are registered in a single electronic register instead of in marriage register books. Changes to the form of the register entry can be made easily without the need to replace all the register books. Instead of signing a register book at the ceremony, the newlyweds sign a document that is then returned to the register office to be entered in the existing electronic register so that a marriage certificate can be issued.

Having all marriages registered online would create a central database without the need for any further administrative processes, but changing the way we register marriages requires a change to primary legislation. Depending how this debate goes, it is my intention to introduce a marriage registration Bill, which may look remarkably like the one that the hon. Member for Hampstead and Kilburn (Tulip Siddiq), who is here today, secured a promise from the Prime Minister last Wednesday that she will do so through Government legislation. The right hon. Lady mentioned. I understand that the Riot (Damages) Act 1886, and some Members here were present at Prime Minister’s questions—I hope that the hon. Member for Hampstead and Kilburn (Tulip Siddiq) might have been present at Prime Minister’s questions—I think it was the week before last—when her hon. Friend the Member for Neath proposes to introduce. I would be very happy to make copies of that as soon as possible. There is a great desire across the House to find the best possible vehicle to make the change.

Dr Rupa Huq (Ealing Central and Acton) (Lab): I congratulate the right hon. Lady on bringing the important subject to the House. On Friday, we debated the Riot (Damages) Act 1886, and some Members here were present. That Act has not been changed since 1886, which is quite recent compared with the legislation that the right hon. Lady mentioned. I understand that the Home Secretary, James Brokenshire, said in October that there would be a timetable in due course. Does the right hon. Lady have any insider information as to whether there has been any progress on that?

Mr Graham Brady (in the Chair): Just before the right hon. Lady continues, may I remind Members not to use the names of other Members of the House?

Dr Huq: Sorry, I could not remember his constituency.

Mrs Spelman: Nor can I, off the top of my head. The hon. Member for Ealing Central and Acton (Dr Huq) might have been present at Prime Minister’s questions—I think it was the week before last—when her hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq), who is here today, secured a promise from the Prime Minister that if we cannot succeed in getting marriage registration certificates changed through private Members’ legislation, the Government will do so through Government legislation. Maybe like the Riot (Damages) Act, which the hon. Member for Ealing Central and Acton described—clearly I missed the action on Friday—this subject is an example of something that is really good to come from the Floor of the House of Commons. It is something that we feel strongly about and it is an example of a good opportunity for private Members’ legislation.

My draft Bill would contain powers to amend the Marriage Act 1949 by regulation, subject to the affirmative resolution procedure, to make provision concerning the registration of marriages in England and Wales. The Bill would not make mention of marriage certificates or the inclusion of mothers’ names for an important reason: the Bill would be an enabling measure. If enacted, the actual content of the marriage register, and therefore marriage certificates, which are a copy of the entry, would need to be prescribed in regulations made by the Registrar General with the approval of the Secretary of State.

Simply updating the marriage entry to include the mother’s name in addition to the father’s would not go far enough in today’s fast-changing society. Already, some families do not have a legally recognised mother and father, but instead have a mother and a second female parent, or, as in surrogacy cases, two legally recognised parents. In fact, there have always been cases where the current form of the register failed to accommodate properly, including where a child had been brought up by a guardian and might not know his or her father. As family composition continues to change, the marriage register must be capable of adapting.

Julian Knight (Solihull) (Con): I congratulate my right hon. Friend on securing this important debate. I just want to clarify something. I completely get the point about the need for electronic progress. An electronic certificate is an interesting idea and perhaps one that would allow us to take a more modern approach, reflecting current social mores. However, would it mean that when people get married and signed the register in the side antechamber, the mother’s name would still not appear in that book?

Mrs Spelman: No, I can reassure my hon. Friend on that. The mothers’ names will appear. I can tell hon. Members that, personally, there is no stronger motivation for me than to ensure that the mothers’ names can appear on the marriage certificate. Unfortunately, my mother is long gone, but when it comes to the marriages—hopefully—of my children in due course, I shall take particular satisfaction if allowed, as a mother, to appear on the certificate. I expect that every other mum in the room feels exactly the same.

Valerie Vaz (Walsall South) (Lab): The right hon. Lady is making an interesting point. That, in fact, happened to me. My father died when I was a teenager and I could not put my mother’s name on the marriage certificate. I had to have a deceased parent on it, which is slightly strange. It seems that the Bill of my hon. Friend the Member for Neath (Christina Rees) is already on the table and we could be debating it, so could the points made by the right hon. Member for Meriden (Mrs Spelman) not be included as amendments when it is in Committee?
Mrs Spelman: That is certainly one way of doing it. I will need to look closely at the Bill tabled by the hon. Member for Neath. I would be more than happy for us to work together. It would be good if all of us who have sought to bring about the change support it on the Floor of the House. That is our endeavour, and it is what we should seek to achieve.

Wayne David (Caerphilly) (Lab): I recognise and commend the right hon. Lady’s desire for the proposal to be made on the Floor of the House, but she must accept that in purely practical terms it would be far better if the Government gave a clear lead.

Mrs Spelman: I am not convinced. This subject lends itself to private Members’ legislation, as do a number of private Members’ Bills that come through the House, otherwise why would we bother with the private Members’ ballot? This is a really good subject for a private Member’s Bill, and legislating with the Whip on is a fall-back position. As the Prime Minister has said, if private Members cannot secure the measure in this Session, the Government will do so in the next Session.

Jenny Chapman (Darlington) (Lab): I do not want to burst the right hon. Lady’s bubble, because she has far more experience of this place than I do, but I have served on the Procedure Committee for six years. The Committee has conducted a thorough inquiry into private Members’ Bills and, unfortunately, my bubble was burst when I discovered that not one private Member’s Bill that was not a hand-out Bill has become law since, I think, 1962.

Mrs Spelman: That is not quite true. In my 18 years here, private Members’ Bills have become law, but I agree that good private Members’ legislation is too often blocked for one reason or another. We should look to Mr Speaker, who always says that he is a champion of the Back Benchers, and ask the hard question, “Which Back Benchers?”

One purpose of today’s debate is to draw out the concerns and other things that might be barriers to legislating to make this change—I suspect that everyone in this room is broadly aligned on achieving the change. We may not have the people who might be disposed to block the measure, for whatever reason, but I have made sure that all Members of the House are aware that we are holding this debate today. Members have an opportunity to raise their objections so that we can tease them out and smooth the way for this measure to become law.

Valerie Vaz: The right hon. Lady is being very patient in giving way. Again, I put it to her that an actual Bill is being drafted by specialists in the House. That Bill covers all the points and has cross-party support, and it would be a wasted opportunity not to have this debate in Committee.

Mrs Spelman: I secured this debate so that I could run through my concerns in advance of thinking about what form a draft Bill should take to address those concerns. It may be that, after our debate in Westminster Hall today, we look at one made earlier and take the view that, actually, it is the best vehicle. This debate is a precursor to supporting private Members’ legislation and, in my capacity as the Second Church Estates Commissioner, I am trying to raise concerns brought out in the Church of England consultation, which is another dimension to the debate. If the hon. Lady and other Members bear with me, I will highlight some of the points raised in the consultation.

Having waited two centuries to change the register entry, it is important that we do not introduce inflexible measures that would require further primary legislative change in the relatively near future. We should not be over-specific in a Bill, but should make the changes through regulations—I made that point earlier. Will the Minister confirm that, in prescribing the marriage entry in future, consideration will be given to accommodating all family situations?

It might help if I outline some of the more detailed existing steps involved in registering a marriage and the changes I would make through regulations if I were to introduce a private Member’s Bill. The regulations, which would amend the Marriage Act 1949, would of course be made under the affirmative procedure, so they would be debated on the Floor of both Houses.

Couples wishing to marry in England and Wales may follow either civil or ecclesiastical preliminaries, which is a jargonistic word for things such as the reading of banns. Some consultees in the Church of England expressed concern that ecclesiastical preliminaries might be abolished, but in my view they should definitely not be abolished. I do not think there is any proposal that the reading of banns should be abolished. Ecclesiastical preliminaries are available to those wishing to marry in the Church of England or the Church in Wales, which would not change. Couples would still be able to have their banns called or to obtain a common or special licence in exactly the same way as they can now. Clergy would continue to certify a marriage by their signature—clergy sought particular assurance from me on that point.

The only change to marriages following the ecclesiastical preliminaries is that, before the ceremony, the member of the clergy who is to solemnise the marriage would be responsible for ensuring that a document, called a “marriage document,” is completed and contains all the details required to be entered in the marriage register. The marriage document would still be signed. After the marriage had been solemnised, the newlyweds and their two witnesses would sign the marriage document, just as they currently sign the register. Indeed, the couple may be photographed at the signing of the marriage document in what is, after all, the classic wedding photo.

The couple would be responsible for ensuring that the signed document was returned to the register office within three days to be registered, and a marriage certificate could then be issued. The couple would not have to return the document to the register office personally, as they will hopefully be on their honeymoon; they could post the document or ask someone else to return it. In Scotland, it is traditionally the duty of the best man to return the signed document on the couple’s behalf—we might say that there is no such thing as a free speech.

Civil preliminaries to marriage are available to everyone, including couples wishing to marry in the Church of England or the Church in Wales and those intending to marry in a civil ceremony according to other religious rites. At present, each party to a proposed marriage gives notice of marriage to the superintendent registrar in the district in which they have resided for at least the past seven days. After a waiting period of 28 days, and
provided that there is no impediment to the marriage, the superintendent registrar to whom notice was given will issue each party with a certificate for marriage that must be taken to the marriage and authorises the marriage to proceed. The waiting period of 28 days can be extended to 70 days for certain couples subject to immigration control.

Under the proposed new system, instead of two certificates for marriage, a couple would be issued with a single document called a “marriage schedule,” which would act as the authority for the marriage to proceed and would contain all the information required to be registered. As for marriages following ecclesiastical preliminaries, the schedule would be signed by the couple after the ceremony and returned to the register office to be registered. The proposed changes would not affect the point at which a couple are married, which happens once a couple have said the appropriate marriage declarations in their marriage ceremony. As now, the validity of a marriage does not depend on the marriage being registered, although it would be a legal requirement to register it.

I am sure that any couple would want to register their marriage and obtain a certificate, and the experience in Scotland has been exactly that. The changes would mean that churches and other religious buildings registered for marriage would not hold open marriage register books and would not need to issue marriage certificates. However, the clergy of the Church of England would still be required to maintain records of marriages solemnised in church, and other religious groups may wish to maintain their own records, too. Indeed, during the consultation in the Church of England, the clergy particularly emphasised the pastoral importance of keeping a record of marriages so that relatives can visit and see the record for themselves. There is great interest in genealogy and family history, as we know from many television programmes. Marriage provides an important opportunity for the clergy to speak with family members about personal things, and keeping a record of it is important to family life.

As well as facilitating change to the register entry, the proposed changes would have other significant benefits. First, they would greatly increase the security of marriage registers—that addresses the books issue somewhat—as, at present, register books and blank certificate stocks are held in some 30,000 religious premises in England and Wales, where, sadly, they may be stolen, with obvious security implications. Under the proposed scheme, certificates would only be issued from register offices, and the register itself would be securely held electronically.

Secondly, the administrative burdens of registering marriages would be greatly reduced. Under the current regime, all those responsible for registering marriages, including members of the clergy and persons authorised on behalf of religious groups, are required to submit copies of all the marriages they register to the superintendent registrar of the district for onward transmission to the Registrar General. That is so the Registrar General can maintain a central index and register of all marriages that have taken place in England and Wales. It is an early 19th-century process and is cumbersome in the modern age. Under the proposed new system, there would simply be no need for the returns to be made.

Finally, the proposed system is expected to generate significant cost savings not only for central Government but for local authorities, which have responsibility for registrars and superintendent registrars, and for religious groups. Overall, the system is expected to generate savings of approximately £30 million over 10 years, although, as I said, that is not the principal reason for making the change.

I hope that hon. Members will agree that replacing the existing marriage register books to add the mother’s name would be an efficient way to resolve the present inequality, righting a wrong that has been allowed to continue for too long. The introduction of the new registration processes would create a modern, cost-efficient, secure and adaptable system while remedying an historic inequality. I hope that hon. Members will welcome the proposals.

2.50 pm

Christina Rees (Neath) (Lab): I am delighted that the right hon. Member for Meriden (Mrs Spelman) has secured this debate. As has been pointed out, I presented a private Member’s Bill on 4 November to change the marriage certificate in England and Wales, and notwithstanding the now-abandoned rule against anticipation, I am pleased to have the opportunity to speak on this important matter.

I presented the Bill on 4 November, so I assume that all those here will have had ample time to read it. It is not a long Bill, and its beauty is in its simplicity; it makes necessary changes without overcomplicating the situation. The Bill would amend the Marriage Act 1949 and the Civil Partnership Act 2004 to make provision for the recording of the name and occupation of the mother of each party to a marriage or civil partnership for registration purposes, and to require such information to be displayed on marriage certificates and civil partnership certificates and for connected purposes in England and Wales. It would cement those requirements in primary legislation, which is important.

Valerie Vaz: My hon. Friend is making an important point about the Bill that she introduced. Does she agree that it is a matter for the Government to discuss the details of the Bill, just as elements of my 10-minute rule Bill have been accepted into primary legislation? Points made by the Second Church Estates Commissioner, the right hon. Member for Meriden (Mrs Spelman), could also be incorporated, either in discussions with the Government or certainly after Second Reading.

Christina Rees: I agree totally. It can be discussed and agreed in due course, because there is widespread support in this debate for the measures. The sooner we get on with it, the better. The reason why we want to put the change into primary legislation is that, as a regulation—as it is in respect of civil partnerships—it could be changed at any time. We need to cement the regulation relating to civil partnerships as well.

As the right hon. Member for Meriden said, the Bill is the result of a long campaign. A petition in January 2014 on change.org in January 2014 collected more than 70,000 signatures. A campaign on Twitter followed with the hashtag #MothersOnMarriageCerts, which had heavy coverage from the BBC, the Telegraph’s Wonder Women journalists and the New Statesman, which is a varied segment of the press to be supporting such a change. In August 2014, campaigners pressed the Prime Minister on the issue, and he agreed that it was high time the system was updated.
Dr Huq

He said that he would ask the Home Office how it could be addressed.

Dr Huq: I apologise for my keenness to intervene. My hon. Friend mentioned the Prime Minister. I think that he said at the time that marriage certificates do not reflect modern Britain. Given that he declared recently at Prime Minister’s questions that he is now a feminist, is that not an example of how he seems to say one thing and do another? There has been zero progress on this important subject since August 2014.

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Christina Rees: He said that he would ask the Home Office how it could be addressed.
I have discussed this issue at length with one of my constituents, who has been in a relationship for a considerable time; in fact, we are all eagerly awaiting her engagement as well. She pointed out that she is estranged from her father, who subjected her and her siblings to sexual abuse over a number of years, and has not seen him since she was 10. As a result, she would not want his name to be included on her own marriage certificate.

I looked into this matter and I understand from guidance from the General Register Office and from my own diocese in Oxford that

“If either party does not wish to put their father’s details in the Register or they do not know who their father is, you should not put ‘unknown’ or leave the column blank. You should put a horizontal line through both columns to show that no information was given.”

Although that would reflect in some ways my constituent’s wishes, it would also mean that there would be no mention of her mother, who understandably had to act as both mother and father to her during the very difficult circumstances of her upbringing. I feel strongly that a marriage certificate should recognise such a scenario.

Christina Rees: There is a rare exception by which a mother’s details can be included; it is if she has been authorised by a court as the sole adopter. Then a couple can make a special request to have her details put on the register and in the certificate. The other way that it can be done is via a loophole, whereby the mothers’ names can be included if the mothers are witnesses, but that is the only other way I can see round this problem.

Victoria Prentis: I thank the hon. Lady for that intervention. Sadly, this matter involving my constituent never came before a court, so it is not possible to resolve it in that way. It is now important that we move forward to reflect the fact that families do not look how we once thought they always would.

Julian Knight: My hon. Friend is making a very powerful speech and I was greatly interested in her significant point about survivors of abuse and their involvement in this situation. In that regard, it is not, frankly, just a bit of a farce that we have to look for loopholes in order to recognise women on a marriage certificate? Would she like to reflect on that?

Victoria Prentis: I could not agree more. Personally, however, I am not sure whether including the mother’s name on a certificate goes far enough. In the speech that I referred to earlier, the Prime Minister also set out his plans to make adoption by same-sex couples more straightforward. That is important because increasingly we are seeing same-sex couples with children who will eventually want to get married themselves. In such circumstances, they will not have a “father’s name” and a “mother’s name” to note on the certificate, but might have two fathers or two mothers.

I wonder whether this is the moment to go one step further and provide two fields on certificates for “Parent 1” and “Parent 2”, or whatever terminology we see fit to use, after consultation. It seems to me that that would cover most scenarios. I would be interested to hear from the Minister what consideration has been given to such a suggestion.

Of course, any change is a step in the right direction. It must be possible, given that the mother’s name, surname and occupation are already included on a civil partnership schedule, to include those details on wedding certificates. I simply add that, given it has taken us this long to get this far, I hope that we will not have to wait a similar length of time before we recognise different forms of parental relationship.

3.5 pm

Tulip Siddiq (Hampstead and Kilburn) (Lab): It is a pleasure to serve under you, Mr Brady.

The arguments for changing marriage certificates have already been well articulated by several Members today and I thank the Second Church Estates Commissioner, the right hon. Member for Meriden (Mrs Spelman), for securing such an important debate. She joins other Members who have gone before us in trying to make changes, in this place and in their own way, for gender equality.

For many of us, the reason for wanting to rectify the situation is deeply personal. I was fortunate enough to be brought up in a home with two loving parents, who had different impacts on me in different ways. Although my politics has been formed by my life in England, a lot of my cultural background and history has been shaped by my mother’s experience of being a political asylum seeker who came to this country in the 1970s and settled in the constituency that I now represent here in Westminster.

Strangely enough, I actually got married here in Parliament, with my mother next to me, and yet I could not put her name on my marriage certificate. That was a great shame: in the most democratic institution in the world, I still could not put my mother’s name on the marriage certificate.

Putting the gender issue aside, families such as mine—families with complex histories or histories that we want to be reflected on what is the most important day of our lives, other than being elected of course—want to put the mother’s name on the marriage certificate. We want to account, in official documents, for the way we travelled to this country.

Wayne David: This issue has a long history, but there can be absolutely no doubt about where public opinion is on it. I simply cite the example from back in 2002, when the then Labour Government issued a White Paper and there was a consultation. One of the things that came across clearly back then was the overwhelming support among ordinary members of the public for the change that we are discussing. Does my hon. Friend agree that what was true then is even truer now?

Tulip Siddiq: I absolutely agree.

I have also found that men and women who are interested in family history often find it very difficult to trace it through a family line and official documentation. It is about time that situation changed.

However, my main reason for raising this issue in Prime Minister’s questions is the sheer number of my constituents from Hampstead and Kilburn who have written to me about it. In particular, I will highlight the case of a single mother who wrote to me recently. She was brought up by her mother and has had no contact whatever with her father. She told me that she was
devastated to learn that the outdated practice that we are discussing is still a requirement of marriage. She said:

“When I get married, I will be expected to put my absent father’s name and profession on my marriage certificate whilst my mother who brought me up will not be included.”

It puts a damper on this important day in someone’s life—when they are getting married—if they cannot acknowledge the person who raised them.

We must remember that our discussions today reflect the deeply held anxieties of the people we represent in our various constituencies.

**Dr Huq:** I want to draw my hon. Friend’s attention to The Daily Telegraph, which is not normally sympathetic to the Opposition—it has been known as the “Torygraph”.

Its Wonder Women section backs a campaign on this issue, and a report in the paper in October included a quote that sounds very similar to the one my hon. Friend read out. Someone who is interviewed in the report says:

“I cannot believe it that in a developed country such a primitive reality would stare me in my face in the UK. I am deeply distressed”.

**Tulip Siddiq:** Well, if the Torygraph says it, we must agree with it. I agree with my hon. Friend, who puts a lot of hours into managing her life and her son—he is 11 years old and a delight.

I should point out that my constituent’s case is not a stand-out case. As my hon. Friend pointed out earlier, there are now 3 million lone-parent families in the UK—an increase of 500,000 over the past decade. According to the Office for National Statistics, there are now 2.5 million lone-mother families, compared with 437,000 lone-father families. The number of families with single mothers is therefore significantly higher than the number of families with single fathers. Although circumstances will differ from family to family, we need to bear those figures in mind while we fight to rectify the injustice we are talking about.

When I spoke to colleagues about marriage certificates and other issues, several of them—particularly one from London—talked about the large amount of correspondence they receive about certificates in general. Although the issue I want to raise is slightly different from the subject of the debate, I want the Minister to be aware of it.

It is virtually impossible to put fathers on birth certificates if they die before the birth of their child. Such cases are for another day, but I would like the issue to be reviewed. In one case, a father died a month before his child was born, and the mother is having to go to court to put his name on the certificate. She is having to deal not only with her grief following her bereavement, but with the fact that her child’s birth certificate will not mention her partner’s name. Will the Minister meet me and my London colleague to discuss the issue and see whether the Government will launch a comprehensive review into the various injustices that seem to occur with official documentation as a whole?

We operate in a political culture where policies do see U-turns. Earlier today, I was pleased that our Justice Secretary said that the criminal courts charges will be reversed. We also have the example of tax credits. If those policies can go through U-turns, almost on a whim, is it not possible to implement a policy that has been talked about endlessly? Early-day motions have been tabled, and questions have been asked at Prime Minister’s questions and at other times on the Floor of the House. We do not want the public to think that gender equality is not among our top issues. We must make sure that this change in policy gets through.

This is not the first injustice the Government have been slow to correct. However, there is something rather surreal about the Prime Minister demanding a change, and that change still not happening.

**Mrs Spelman:** Of course we can make this party political, but is it worth it? We have waited two centuries for this change, during which time the Labour party has been in power and had ample opportunity to make a change, and my party has finally also got into power, after a long wait. Could we not just drop this party political approach? That is what annoys people about politics. I am just saying, “Come on. We can do this as private Members. Let’s do this. Let’s do it differently.”

**Tulip Siddiq:** I do not want to make things party political, but I do want to put pressure on the Government to change this policy. If putting pressure on them is the way to do that, that is what we need to do. The debate is not just about correcting a bureaucratic policy; it is another step in the fight against the gender discrimination that still blights Britain today. If it is possible to put pressure on the Prime Minister and the Minister sitting in front of me, I would like to take the opportunity to do that.

This is not party political. In the country we live in, there is still a deeply entrenched gender pay gap. There is still violence against women, and that is a major cause of death every year. Women are still disproportionately hit by cuts to local government budgets. That is the reality of the situation—it is not party politics.

**Valerie Vaz:** I suppose I should declare an interest as well, as the mother of a 21-year-old daughter. However, to pick up the point about party politics, I should add that the civil service is independent. As my hon. Friend the Member for Caerphilly (Wayne David) said, there was a White Paper somewhere in the bowels of the civil service, and change was about to be made to the Regulatory Reform Act 2001. However, the Bill introduced by my hon. Friend the Member for Neath (Christina Rees) is now on the table, and it has cross-party support. Therefore, this debate did not have to happen—the machinery, the process and the legislation are already there.

**Tulip Siddiq:** I agree with my hon. Friend. As I said at the beginning, I am grateful to the right hon. Member for Meriden for calling the debate, because this is an important issue. I am pleased that men and women from different parties are here today, which reflects how passionately we feel about this issue.

Finally, I have a few points. This issue may seem simple when compared with other issues.

**Mrs Spelman:** To be clear, there is nothing in the Bill introduced by the hon. Member for Neath (Christina Rees) about the practicalities—certainly from the clergy’s
point of view—and the electronic registration process. I was just trying to put the practitioners’ view, and that is why I am not suggesting that we simply take the hon. Lady’s Bill off the shelf. There is also the wrinkle that the Bill is very specific, with its reference to the mother. If we do things by regulation, as I suggested, we can deal with all the subsequent changes in family composition. I was genuinely trying to put those points across in holding the debate.

Tulip Siddiq: I will not speak about the Bill introduced by my hon. Friend the Member for Neath (Christina Rees), but I am happy to let her intervene if she wants to.

Christina Rees: The point is that regulation can be changed at any time; if these things are put in primary legislation, they cannot be. As I said, I welcome discussion, and we can change my Bill in Committee. The Bill will have its Second Reading on 22 January, and it addresses the main points. I think we should move forward with that.

Tulip Siddiq: I thank my hon. Friend.

I will just make a few final points. It is worth noting that countries such as Thailand, Bangladesh, Spain and France have already changed their laws so that mothers can be included on marriage certificates. Mothers’ names are already included on certificates in Scotland and Northern Ireland, which brings home the injustice for all of us. I want to make sure that changing the policy on this issue forms part of the patchwork of equality I hope all of us will champion in Parliament.

If my daughter gets married—she has the choice of whether to get married—she can have just her father on her marriage certificate if she wants, or she can have her mother on it if she wants. However, I want the option to be there, because if she cannot have her mother on her marriage certificate, she will have to write to her MP—which is me.

3.18 pm

Julian Knight (Solihull) (Con): It is a great pleasure, as ever, to serve under your chairmanship, Mr Brady. Let me congratulate my right hon. Friend the Member for Meriden (Mrs Spelman) again on bringing forward this subject for debate and on the expertise she has shown as the Second Church Estates Commissioner.

My right hon. Friend is my neighbour, but there is another lady in my life I would like to pay tribute to: my mother. My mother brought me up as a lone parent—my father left when I was very young. She often worked two or three jobs to keep a roof over our heads and to ensure that I was clean and ready for school. Despite all the hours she worked, she always made sacrifices in that regard. My politics were formed very much by my mother’s hard work and self-reliance. She is a great example in my life.

When I was married last year—rather late in the day—I had the great pleasure of my mother being there as a witness. She had a fantastic hat, whose dimensions were such that I imagine it could be seen from space. It was a great sadness to me that her name could not appear on the marriage certificate. I was completely unaware of such an issue and was involved in politics, but in local campaigning and not in the minutiae of legalistic matters that I am involved in today. Until I arrived at the wedding I was completely unaware of the situation, and although obviously I did not make a fuss or a big deal out of it, I just thought it was a ridiculous anomaly that the person who had played the greatest role in my life should not, on my special day, have her name appended to the record of the event.

Christina Rees: I had a similar experience when I got married many years ago. My father died when I was a young teenager and my mother brought me up. The father of my husband-to-be had also died many years before. The two mothers came to the ceremony but their names could not be on the certificate. That was when I realised it was a great injustice. I agree with what the hon. Gentleman says about someone being confronted with that on the happiest day of their life.

Julian Knight: That shows the importance of the Bill that the hon. Lady has introduced. We bring a lot of our own experiences to this place, and from that negative thing she has made something very positive. I welcome the private Member’s Bill, and perhaps the hon. Lady and my right hon. Friend the Member for Meriden, in her capacity as Second Church Estates Commissioner and with her tremendous expertise, can come together to discuss and make progress with the matter. My right hon. Friend, with the Church, speaks with compassion about this matter.

We have been here before, with the 2002 White Paper. I believe that the idea was to make the change without primary legislation, and that it was decided that it could not happen by what I believe would have been a statutory instrument—I am still getting used to the terms. It was very unfortunate that that never came about. It would have been good to pass legislation then, although it would still have been happening many years later than it should have. Regardless of who is in power and of whether there is any party political aspect to the matter, I ask hon. Members to put those things behind us and focus on the issue now.

I welcome the review. My hon. Friend the Minister for Immigration has been discussing the matter and I look forward to hearing the response to the debate from the Minister who is present today. My hon. Friend the Member for Banbury (Victoria Prentis) made a significant point about survivors of abuse, and I have a constituent who is in a similar position. She is in a serious relationship and looking towards marriage, but in her background is an abusive father and there are issues about what that person’s place is in her life. We need to be sensible of that issue—and the idea that we can get rid of it with two broad strokes of the pen across the paper is ridiculous.

We must work together across the parties, with expertise. Let us have the change that would, frankly, get us into the 21st century and, with civil partnerships and the recognition of same-sex relationships and marriage, move things forward into the 21st century.

Mr Graham Brady (in the Chair): We have about 35 minutes, which should be plenty of time, I hope, for three Front-Bench winding-up speeches and a moment or two for the right hon. Member for Meriden to respond.

3.24 pm

Anne McLaughlin (Glasgow North East) (SNP): It was Scotland’s national bard, Robert Burns, who wrote: “While Europe’s eye is fix’d on mighty things, The fate of Empires and the fall of Kings”—
[Anne McLaughlin]

there is more of it, and I could give Members all of it if they want, but I will not. [HON. MEMBERS: “Go on!”] I will just get to the good bit—or the interesting bit; it is all good:

“Amid this mighty fuss just let me mention,
The Rights of Woman merit some attention.”

I am delighted to offer my wholehearted support to those looking for gender equality on marriage certificates. I commend those in the House and outside it who have campaigned on the issue for many years now, and I congratulate the right hon. Member for Meriden (Mrs Spelman) on leading the debate.

I did not feel that the hon. Member for Hampstead and Kilburn (Tulip Siddiq) was being particularly party political. There is a general acceptance in the Chamber that the situation we are debating has existed for 178 years, in which time there have been Governments of different hues. Everyone has played a part in that, and we are all now playing a part in doing something about it.

In Scotland, as has been mentioned, there is space for both parents to sign the wedding certificate. That has been the case since registrations began in 1855. In fact, the certificates also list the occupations of both parents and allow for the possibility of same-sex parents. All of that is sensible and is a reminder that Scotland, with a distinct Church and legal system in the years after the treaty of Union, also had distinctive features with regard to marriage. It was customary in earlier times, as is becoming increasingly fashionable in the 21st century across the UK, for Scots brides to retain their original surname—I hate the term “maiden name”—instead of taking their husband’s. I am not claiming that in Scotland we are always ahead of the times—most of the time we are; I simply make the point that we would do well to remember that customs and their attendant paperwork are not set in stone. The current certificates are simply a poor reflection on our Victorian forebears.

Why, then, am I, a Scottish Member, speaking today? Clearly there is nothing to stop my constituents getting married and registering that marriage in England, and many of them do. More importantly, the issue is about equality of status for men and women, and that is of course a universal issue. It is clear to all right-thinking people that the recording of paternal names but not maternal ones on marriage certificates is an anachronism that has survived far too long. At best it speaks of the patently sexist Victorian view of the man as the head of the household, and at worst it treats women as little more than property to be transferred from one household to another. Then again, if someone who states publicly that the best place for a woman is on her back can be shortlisted for BBC sports personality of the year, perhaps we have not moved on quite as much as we should like to think since Victorian times.

I confess that when I saw the debate coming up I wondered whether it really merited a full 90 minutes—simply because it is about something that should go without saying—but I was wrong and I think it does deserve the time. The issue may seem relatively minor to some people, but it says something about attitudes to women. The fact that this practice is still going on is insulting and hurtful. It is another example of women being written out of history. We are invisible. We exist, but we are not important enough to be remembered or acknowledged. Historians and genealogists support what the right hon. Member for Meriden is calling for today. They tell us that it has historically been harder to track down female bloodlines because of this anachronism.

It is bad enough that women who achieve great things on a large scale are not as well acknowledged or remembered as men who do the same—or not, as the case may be. I was delighted to read yesterday that at long last the funding has been secured to erect a statue in memory of a hero of mine, Mary Seacole, the self-taught Jamaican-born nurse of Scots Creole descent who set up the British Hotel, where she nursed thousands of wounded soldiers in the Crimean war. That has been a long time coming and it is bad enough that it took so long, but there are thousands of women—some would call them ordinary women—whose achievements have affected fewer people but who have been the lifeline for their families or their communities. Those are the women who sacrifice everything to support their husbands’ careers, and the mothers who put aside all selfish thoughts to concentrate on building a secure life for their children. We have heard many Members referring to those things today.

Jenny Chapman: On behalf of ordinary, average, not brilliant, fantastic mothers everywhere, I want to say that sometimes our children love us too and might want us on their marriage certificates, along with their fathers.

Anne McLaughlin: That is exactly the point I was coming on to. The idea that mothers who bring up the doctors, plumbers, teachers and joiners of the future, and the community campaigners who give hope to their neighbours by refusing to stop caring about their neighbourhoods, are treated like they never existed when it comes to their children marrying is not acceptable. Women are not less important than men; they are equally important. An anachronism it might be, but it is time to sort it out, and we have agreement across the House.

As has been mentioned, in August last year the Prime Minister said:

“it’s high time the system was updated”,

and in January of this year the Immigration Minister said:

“We are continuing to develop the options that will allow mothers’ names to be recorded on marriage certificates as soon as practicable.”

We have heard some explanation today as to why it is taking so long, but I still gently ask: how difficult can it be?

We are all aware of the emotional and financial investment that people put into their wedding days. Weddings are full of symbolism, and are a public statement of commitment, but what does the symbolism of such blatant inequality say about our society? I remember my dad talking about giving me away—incessantly talking about giving me away. My disinterest in marriage was frustrating to him, but it allowed him to regularly tell people how he would be happy to give me away to whoever wanted to take me. I laughed, obviously—I had no choice—and I always knew that, for his sake, I should I ever get in and get married, I would allow him to give me away. In the back of my mind, though, I always felt uncomfortable with the suggestion that I was his—or anyone’s—property.
Mrs Spelman: My sister reminded me on Sunday that as early as the 1960s Church of England ministers saw the light and began to allow a mother to give her daughter's hand in marriage if the father was not there. There are human ways, therefore, of addressing the patriarchal tendency to see the act as a man's privilege.

Anne McLaughlin: Interestingly enough, my father passed away a number of years ago and it fell to my mother to remind me that my sister had allowed her to give her away. I suppose my point is that no one is anyone else's property, but there should be equality if someone is someone else's property and they have to be given away. I do not feel comfortable with it at all, but it is simply a tradition and one that many are happy to go along with. Not allowing the mother's name and occupation to appear on the marriage certificates of her children is a different matter, and I cannot understand why it has to be so complicated.

I again congratulate the right hon. Member for Meriden on securing the debate and I look forward to hearing from the Minister. I hope that he will do what I believe the hon. Member for Hampstead and Kilburn suggested, and just get on with it.

3.32 pm

Sarah Champion (Rotherham) (Lab): It is a pleasure to serve under your chairmanship for the first time, Mr Brady.

I, too, start by congratulating the right hon. Member for Meriden (Mrs Spelman) on securing this important debate, and I take heart at her repeated emphasis of the fact that she wants to work collaboratively. I agree with her. The debate has shown that there is cross-party agreement and support, but we need to consider how to make the legislation reflect the intention. I urge the right hon. Lady to work collaboratively with my hon. Friend the Member for Neath (Christina Rees) because we have the prime opportunity of the Second Reading of her Bill coming up on 22 January.

It was interesting that the right hon. Member for Meriden elaborated on the practitioner's view and on some of the practical problems. I appreciate that she was looking to move the debate forward from the gender point, but as that is where we are at the moment I will stick with it as the theme.

The current system of marriage registration asks for the names and occupations of the fathers of the bride and groom, but not those of the mothers and, as my hon. Friend the Member for Caerphilly (Wayne David) stated, it has been Labour policy to end that unacceptable inequality since 2002. The then Labour Government released a White Paper proposing wide-ranging reforms to marriage registration, including the adding of mothers' names to certificates. That is still our position today, and I want to set out why it is so important that the reform is finally implemented.

Inequality in marriage certificate details is a 19th-century anachronism, as our marriage registration is still based on the 1836 marriage registry system. That is a slightly different date to the one that the right hon. Member for Meriden gave, but I take heed. It goes without saying that marriage today is very different from what it was then—whether it was 1836 or 1837. I think we can all agree that society has changed for the better: women are no longer forced to hand over their property to their husbands; divorce is no longer the exclusive preserve of men; and women are no longer forced to surrender their right to consent, or not consent, to sex with their partners. In short, the past 200 years has seen great emancipation for married women and some of the grossest gender inequalities within marriage have been eliminated.

Ultimately, the current system of marriage certification is a symbol of another unseemly aspect of the 19th-century idea of marriage. Marriage then was considered to be a transactional, and indeed a financial, relationship between the father of the bride and the father of the groom. That is why, historically, the fathers' names appear on the certificate. That is as outdated as the dowry. Thankfully, we no longer see marriage in transactional terms, although, as the hon. Member for Glasgow North East (Anne McLaughlin) said, the language of fathers giving their daughters away is still around. Marriage in the 21st century is a choice that both partners freely make to spend their lives together, with both partners equal in the relationship, and it is important that our marriage certificates reflect what we now think marriage is about, rather than the misogynistic morality of the 19th century.

I ask the Minister to consider a specific issue that highlights some of the problems we have. Unfortunately, the current marriage certification system can encourage the use of the divisive and judgmental language of Victorian morality. On the Government's Passport Office website, in the section explaining the details of various legal documents, there is an annotated picture of a standard marriage certificate. The box about the father states:

“These details are vital for checking you have the right certificate. No name would suggest illegitimacy.”

It is not appropriate for a Government publication to describe a family without a father as illegitimate, and I hope that the Minister will look at that.

A person's wedding day is one of the most important days of their life, and sharing the moment with their entire family is one of the things that makes it so special. A lot of brides and grooms are surprised, and disappointed, when they find out that the marriage certificate they sign, at what can be a really special moment in a wedding, does not include their mothers' details. I pay tribute to my hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq), the hon. Member for Solihull (Julian Knight) and my hon. Friend the Member for Neath who beautifully and powerfully spoke about how the blocking of the most important person in their life—their mum—on their big day affected them. I also pay tribute to the mums, for all they have done—and to their hats. We have to work together to get rid of the inequality.

The situation is particularly hard for brides and grooms who have primarily been brought up by single mums. Their guardians and most important loved ones are arbitrarily excluded from an important moment of the wedding, and the signing of the certificate can act as a reminder of absent fathers—some Members have spoken of the kind of father people do not want to remember on their big day—and that just cannot be right.

When I was researching my speech, I came across a moving testimony that made exactly that point. A young woman who signed a petition to Parliament on the issue wrote on the petition website:
If the Government do not offer serious support, it will be just another issue on which they are willing to talk about supporting equality, but are not willing to take the necessary action to bring it about. Unfortunately, thus far all we have seen is delay and warm words from the Home Office. All the people who feel excluded by the current marriage registration process deserve better than that, and I hope the Minister will give them reassurance.

3.42 pm

The Parliamentary Under-Secretary of State for Refugees (Richard Harrington): It is an honour to serve under your chairmanship, Mr Brady. I may be competing with the Division bell shortly, but I leave such matters to your judgment. I congratulate my right hon. Friend the Member for Meriden (Mrs Spelman) on securing this debate, but I will get to the point. Many Members have raised good points, and everyone is right: the Prime Minister made a commitment in his speech to the Relationships Alliance summit. It is obvious to anyone that it is high time that the system was reformed, and reformed quickly. I do not think there is any dispute about that. The system was established the year that Queen Victoria came to power. It was also the year that Rowland Hill decided that we might be able to fold up paper and put letters inside and post them. It is now 2015 and it is absurd that the system has not changed.

The hon. Member for Darlington (Jenny Chapman) made a point about there being no private Members’ Bills, apart from Government ones, that had become precedent in this field with the Marriage Act 1994, which started as a private Member’s Bill. It allowed homes and hotels to be used for marriages.

Jenny Chapman: I am delighted to hear what the Minister is saying. It is news to me. Does he mean that we can assume that the Government will give a fair wind to any of the private Members’ Bills before the House on this topic? Will they give them Committee time and not use any of the techniques well known to the Minister to prevent the Bills from becoming Acts?

Richard Harrington: As the hon. Lady will know, I cannot speak for every private Member’s Bill. The 1994 Act was brought forward by Gyles Brandreth, then a very well known MP. I had better make progress.

There is no question but that the Government want to see the issue remedied. The question is whether the private Member’s Bill of the hon. Member for Neath (Christina Rees) can be, as many have suggested in this Chamber and elsewhere, the piece of legislation that is needed. I point out that many Members here seem to have children of marriageable age who are currently unmarried: I have two boys aged 24 and 21. I am pleased to say that the hon. Member for Walsall South (Valerie Vaz) is a good personal friend of mine, and I think we should discuss the matter outwith the Chamber.

Getting back to the important point, can the private Member’s Bill be adapted? I would very much like to say yes. The Bill requires the Secretary of State to

[Sarah Champion]

“I have just got engaged, and having been brought up by a single mum I am devastated to learn that this outdated practice is still a requirement of marriage. When I get married, I will be expected to put my absent father’s name and profession on my marriage certificate whilst my mother who brought me up will not be included.”

The current system is letting down that young woman badly. As has been said, the issue affects millions of people, as one in four children are now brought up by single parents.

Changing marriage certificates should not be a difficult reform to achieve. As the hon. Member for Banbury (Victoria Prentis) pointed out, the mother’s name, surname and occupation are already included on civil partnership certification, and on marriage certificates in Northern Ireland and Scotland. The reform to marriage certification in England and Wales is long overdue.

In August 2014 the Prime Minister promised to address the matter about the certificates:

“At the moment, they require details of the couples’ fathers, but not their mothers. This clearly doesn’t reflect modern Britain - and it’s high time the system was updated.”

I could not agree more with what the Prime Minister said then—18 months ago—but it is now more a year later, and we are still waiting. The Immigration Minister—I googled him; he is the right hon. Member for Old Bexley and Sidcup (James Brokenshire)—stated in January that the Government are “continuing to develop the options that will allow mothers’ names to be recorded on marriage certificates as soon as practicable.”

I hope the Minister puts me in the right place on this, but it appears that no progress has been made over the course of the year, which is disappointing to say the least.

In the absence of Government action, it has fallen on Back Benchers to take the initiative. Early-day motion 446 was tabled in September this year by the hon. Member for Brighton, Pavilion (Caroline Lucas), and it expressed many of the sentiments that we have heard today. Members from all major parties have signed the motion. I pay tribute to my hon. Friend the Member for Neath (Christina Rees) who currently has a private Member’s Bill before Parliament that would deal with the issue legislatively. Members from across the House have supported that Bill. Second Reading is scheduled for 22 January 2016, and I hope the Bill will move forward to Committee. It will certainly have the full support of Opposition Front Benchers.

As important as Back-Bench initiatives are, we all know they need Government support and backing if they are to bring about the necessary change in the law. My hon. Friend’s Bill will need proper parliamentary time to make progress, and I urge the Minister to facilitate that. He has indicated that implementing changes to marriage registration is also likely to require a new IT system, as we rely on a paper-based model. If the Government seriously back reform, the Home Office needs to show that it is willing to provide those resources, or at least to consider whether changes can be made to the paper-based system without having to implement a new IT system. Also, the Government have access to experts in legal drafting, who should support Back Benchers with any technical issues that need to be cleared up.
consult and then to make regulations setting out the marriage register entry, including the mother’s and father’s name, but it does not reform the whole registration process. It would simply require the replacement of tens of thousands of books at a cost of £3 million. The Bill does not take account of different family circumstances, where there may not be a mother and father. Members have mentioned many particular cases relating to that. It also does not give flexibility for the future. After we have amended the law, the matter may not be again for another 100 or 200 years, so we have to get things right.

Christina Rees: Will the Minister work with me to make the private Member’s Bill cover the things he mentions better? Can we work together to move it forward on 22 January?

Richard Harrington: I cannot pledge to work with the hon. Lady on the Bill, because I am not convinced that it is the right way to deal with the matter, although many of the points and sentiments in it are right. What we need—I assure her that this will be progressed quickly—is a vehicle that will transform the whole system of marriage registration for the digital age, so that all the points and everything that is changing in society can be taken into consideration. I assure her that that is not in any way meant to be disrespectful to what she is trying to do. I am not against any of the sentiments or saying that anything within the Bill is wrong, but we need a comprehensive solution. I assure her that this is not Government waffle. We have to deal with the matter once and for all, quickly and properly. I would like to be able to say that her Bill is the vehicle for that, but I do not believe that it could be. A combination of the hon. Lady, my right hon. Friend the Member for Meriden and some of our discussions could get to a vehicle that could deal with things quickly—I have every reason to believe that.

I would like to say that it makes sense to have a simple amendment of the current marriage register. Like so many of the things that we get involved in—I find this when speaking to constituents—we think that the matter is simple and that we know the solution, but this matter is much more complex than that. We do not want to have to change the system again and again. We want a comprehensive solution with a framework for the modern digital economy, where—we hope that the system will be transformed in this way—people will get a certificate quickly with all the relevant details and where there will be no need for replacement certificate stock to be sent to thousands of different churches and other institutions.

Also, the solution should minimise the public protection risk of marriage registers being held in some 30,000 different religious buildings. Every year criminal gangs steal registers and certificate stock for all sorts of different purposes, and it is time that the system was modernised once and for all. It would cost up to £3 million simply to replace the materials. A simple solution of just filling in the empty box was suggested, but that would lead to all sorts of mistakes and inaccuracies. While the suggestion is perfectly well-intentioned, I do not think it is very practical.

As the shadow Minister mentioned, we have to make the necessary IT changes with the correct resources. It is not a question of trying to save money with the new system, although once it was set up, it would probably save a lot of money and be much more efficient over the decades. Costs would be incurred. It is not just about making the system more cost-effective, although it will be over the longer term.

I want to mention some of the contributions made by various Members. The hon. Member for Rotherham (Sarah Champion) made a point that, although not specific to the debate, surprised me. She asked me to look into the subject of illegitimacy on the Passport Office website. I will do that and I will respond as quickly as I can. I was astounded to hear what she said. There have been so many good contributions, although I disagree with what the hon. Member for Hampstead and Kilburn (Tulip Siddiq) said about the Prime Minister’s feminism, because he is very much a feminist. However, the point that she made about the deceased father on the birth certificate is valid and I will write to her on that subject when I have had a chance to look into it.

My hon. Friend the Member for Banbury (Victoria Prentis) talked about a constituent and what form the marriage certificate should take, but it is not a simple matter. At the moment, our officials at the Home Office are working with key stakeholders to ensure that the needs of all different types of families are met. It is not simply a case of making a one-off change to include the mother. The matter affects different types of families, and the change needs to be done properly.

I smiled when the hon. Member for Glasgow North East (Anne McLaughlin) mentioned Seacole, the Scottish lady, and explained her background. A big chunk of the Home Office is named after Mary Seacole. I do not know whether the hon. Lady has visited, but she is welcome to come and look at the plaque. Of course, she is right. We are not talking about the contributions of women to society, because that is taken as read and is obvious. The concept of property in Victorian times would be laughable if it were not so serious, because it blighted women’s development for centuries. If we explain that to our kids, they simply cannot understand such concepts. I have shown children and visitors from my constituency the pictures in the Committee rooms of men—all men—in Parliament, but they cannot imagine such a situation. I can only say that what the hon. Lady said is absolutely right.

The serious point to make is that the Government are not simply playing with the issue in order to kick it into the long grass and say, “Well, it is one of those things.” It is very serious. It is absolutely absurd that the law has not been changed before. It is absurd, whether under a Conservative, coalition or Labour Government, that it has taken from the 1830s to today to even look at the matter. I know that people like the tradition of the marriage certificate. I have one, as have many people in this room, but we should keep the best bits of tradition and amend accordingly.

I ask for the brief patience of hon. Members. The issues are sometimes personal to us and our constituents, as highlighted in the debate, but I ask for brief patience because the Government are determined to get this right.

3.53 pm

Mrs Spelman: I believe we have an imminent vote, so I will be quick. The hon. Member for Glasgow North East (Anne McLaughlin) asked a poignant question:
did the debate merit 90 minutes? Given that we are right up against the clock, I think the answer is a resounding yes. At the very least, most women and girls have absolutely no idea that they are discriminated against until it is too late. It is a handful who write to us, plus we have the poignant cases that we as Members of Parliament have come across and the very telling personal stories of colleagues present for whom the moment has gone. Our mothers have not been able to put their names on our marriage certificates. That grieves us, but in their memory and for ever we want to change that. That is the message that comes out of this debate.

The only difference between the approach that I propose and the approach in the Bill produced by the hon. Member for Neath (Christina Rees)—I do not underestimate the amount of work that goes into producing a private Member’s Bill, having tried to do so myself three times—is that she is focused on the narrow point about putting the mother on the certificate. Sometimes that is the right approach to change legislation, because it has more chance of succeeding, but my approach has the practitioners’ thoughts standing behind it: are there other things we could do at the same time to ensure that in perpetuity we have a change that does not discriminate against anybody in society in terms of their rightful place on a marriage certificate in the future?

As the Second Church Estates Commissioner, it behoves me to point out that whatever change we make to the law must work for people of all faiths and none in our society. That is incredibly important. It has to be properly thought through. That is why I maintain we should try very hard to make sure we keep this cross-party approach and, in that spirit, I am more than happy to continue working with the hon. Member for Neath and her colleagues on this issue. Together we can put right such inequality, but we are impatient. The Minister begs a signal in areas where I would expect to receive a strong signal.”

Electronic Communications Code

As an employee of the Carphone Warehouse in Goole I’m on the front of finding many customers who struggle to get a decent signal in areas where I would expect to receive a strong signal.”

Mike from the Isle of Axholme said:

“O2 coverage in Epworth has been terrible lately, with no signal for hours on end.”

Sue, also from the Isle of Axholme, said:

“I would just like reception in Fockerby and Garthorpe without a walk in the garden!”

Another of my constituents, Jim from Wrawby, pointed out that in the absence of the roll-out of superfast broadband in his area—it has been generally very good in north Lincolnshire—he has to rely on mobile wireless broadband.

Significant issues remain. At the back end of last year, I secured a debate on this subject following a survey I conducted among 6,500 of my constituents, many of whom responded. Seventy per cent of respondents reported significant issues with access to mobile phone services. That is an ongoing problem throughout east Yorkshire and north Lincolnshire.

I do not want to be wholly negative, because some positive things have happened. We have seen big improvements in mobile phone coverage in parts of my constituency, but there is no doubt that there is a lot more to be done. I have met the providers on numerous occasions and they have all promised me that they are going to make improvements, but progress seems to be very slow indeed.

Consistent mobile phone coverage is essential in the modern world. For small businesses to succeed and for families and friends to stay connected, they must be able to rely on the mobile phone coverage to which they subscribe. The issue is very much one of people getting what they are paying for.

Ian C. Lucas (Wrexham) (Lab): I am grateful to the hon. Gentleman for securing this debate, and I agree entirely on that last point. It appears that individual companies do not give sufficient information about what people will receive in their area. For example, people in Wrexham are not given specific enough information about the quality of service they will receive.
Andrew Percy: The hon. Gentleman is absolutely right, although in fairness the mobile coverage checker that has recently been introduced should help people to zone in on where they are and check their coverage. Nevertheless, a lot of constituents in my patch tell me that according to the coverage maps their coverage should be good, but they are literally having to hang out of the bathroom window with a finger in one ear trying to get a signal. That is not acceptable.

The issue is not only about the signal at home. People travel and move around, as we would all expect them to. My constituents are sick and tired of losing their signal. Instead of going to the party conference—in my view, no one should ever attend a party conference—I went to Canada. Over the November recess, I drove from Regina in Saskatchewan to Calvary in Alberta, crossing the badlands of southern Alberta, and there is nothing in between. I lost my 4G signal for all of five or 10 minutes of a six and a half to seven-hour journey. I cannot get on to the M18-M62 interchange in Goole without losing my signal, or use the east coast main line every week without the signal dropping in and out. It is unbelievable that in a country as vast as Canada I was able to get 4G access the whole length of that journey; I have little chance of that at home.

Chris Davies (Brecon and Radnorshire) (Con): I thank the hon. Member for securing this debate. It is great to hear about his trip to Canada, but in my constituency of Brecon and Radnorshire we unfortunately do not have those vast expanses between places—we have vast mountains instead. That means we have terrible problems with our mobile phone signals. I have a couple of ideas that I would like to put to the Minister in my next intervention, if I may.

Andrew Percy: I think that was an intervention to ask permission for another intervention, which I am sure the Minister will be happy to accept. In our area we have the opposite: most of my constituency is quite flat, but generally quite lumpy in some places, yet the signal is ridiculous. The Isle of Axholme is a prime example. It is largely as flat as a pancake, but the signal in places such as Fockerby and Epworth is absolutely terrible.

In the year or so since I last secured a debate on this subject, there has been some progress, which I want to acknowledge. The £5 billion investment deal that the Government signed with the mobile operators has made some improvements. It will guarantee voice and text coverage from each operator across 90% of the geographic area of the UK by 2017, although we still need more action on hotspots, of which there are two in my constituency. Full coverage from all four mobile operators should increase from about 69% to 85% by 2017.

There have, therefore, been some improvements, but although 99% of premises can receive a 2G signal, Ofcom has found that the proportion of the entire UK landmass that is able to receive a signal from all four operators has remained at 55% since last year. Nevertheless, I welcome the Government’s announcement in the comprehensive spending review of £550 million to make the 700 MHz spectrum available over the next five years.

The most recent update on coverage was in Ofcom’s “Connected Nations 2015” report, which found that almost 46% of the country now has 4G coverage from all major operators. It would be unfair of me to say that some of the improvements have not affected my constituency, because they have, but we still have significant issues with progress on this matter. I welcome some of the other moves. Voice over wi-fi is a really important way of helping people at home, although in many parts of the country the roll-out of superfast broadband has been disappointing. I exempt from that the north Lincolnshire part of my constituency, where the roll-out has been incredible, but the roll-out in the East Riding of Yorkshire part can best be described as hopeless—I think my hon. Friend the Member for Beverley and Holderness (Graham Stuart) will agree. It is all right having voice over wi-fi, but people often do not have access to that at home.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): In many respects, would it not almost be better in some areas to have no coverage or complete coverage, rather than good coverage in one area and bad coverage in another? It is creating a social and economic divide that seems to be getting wider rather than narrower. The Prime Minister’s welcome comments about universal broadband really ought to have been about universal minimum standards throughout the whole of the UK and for mobile phones as well.

Andrew Percy: My hon. Friend makes a valid and important point. I completely agree: the arguments that apply to access to superfast broadband also apply to mobile phone coverage. The two are now indistinguishable. People do the same things on their mobile networks as they do over broadband. They use both for the same thing, whether that is work or keeping in contact with friends and family. Of course, many people now do not have a landline; they simply rely on their mobile.

With your permission, Mr Davies, I want to leave a couple of minutes for my hon. Friend the Member for Beverley and Holderness to comment. I have some questions about the electronic communications code, on which the Government consulted earlier in the year. The networks have expressed concerns that the code has not been meaningfully updated since it was introduced in 1984, and the Law Commission called it “complex and confusing”. According to the mobile providers, reforming the code is the single most important step that the Government can take to reduce the costs of network extension and improve mobile coverage. Before this debate, the operators told me that they can build a new site and put in new kit in about three months, but, because of the complexities of the code, it takes a year to 18 months to complete that work.

I hope that there will be a response to the consultation, but I have a couple of questions for the Minister now. On fair site payments, we need to end the practice of landowners being able to demand ransom rents because the lack of alternative sites locally means a lack of competition. That is a particular problem for rural roll-out.

Julian Sturdy (York Outer) (Con): Is it not correct that rents on rural phone masts are much lower than those on urban phone masts?

Andrew Percy: I suspect that the situation changes from site to site. The problem with many of the rural masts is getting access at particular times of the year, perhaps because the harvest is on. With landowners in
rural areas, it can be more complicated and difficult to get access. The average punter expects an outage in the network to be fixed within four hours. At the moment, it takes about 48 hours, and sometimes a lot longer, for the companies to negotiate access.

We want the fair site payment, and we want the sharing and upgrading of sites to be reflected in the new code. Under the current code, mobile operators have to renegotiate rental terms when they wish to make a change, such as to deploy new technology or reduce the number of masts. That is patently ridiculous.

We need quicker access to sites. It is nonsense that it takes 48 hours to gain access. There is a problem with the EE signal in Burton-upon-Stather at the moment, and the landowner has held up access for weeks. It is partly due to the harvest, so there may be legitimate reasons, but it is clearly not good enough that the companies are unable to access the sites when there is an outage. In fairness to the operators, it means that they cannot deliver the service they wish to deliver.

We want better dispute resolution in the new code. There is a disconnect between the main networks and the independent mast operators on the issue of whether they should be covered by the code. I do not plan to get involved in that dispute; it is one for the Minister. [Interruption.] He is nodding away—I can see that he already has the solution.

This is an important issue for my constituents. There have been improvements, but we want the roll-out and the improvements that the networks have promised to happen much more quickly. With your permission, Mr Davies, I will hand over to my colleague.

4.11 pm

Graham Stuart (Beverley and Holderness) (Con): It is a pleasure to serve under your chairmanship, Mr Davies, and to follow my doughty colleague, my hon. Friend the Member for Brig, Goole and Acomb (Andrew Percy), who secured this important debate. He has been relentless, as he often is—not just conversationally, but in championing issues on behalf of his constituents. What may be a fault in one area of life is very much a benefit in another. It is fantastic that he has taken up this issue with such energy.

Over the summer recess, I wrote to the chief executives of all the major mobile operators to press them on what they are doing to ensure that mobile coverage for my constituents improves. The Government’s agreement on the provision of 90% coverage is fantastic, but the feeling is always that if the percentage is less than 100% it is my constituents and those in rural areas who will miss out. In subsequent replies and meetings, I was pleased to hear about the significant progress and the investment that is going in to meet the 2017 target. We want it to go ahead as quickly as possible, as my hon. Friend said, so that people who are trying to live their normal life, call their girlfriend, do a business deal, run a small business or fulfil the normal obligations of life are able to do so as easily in rural areas as elsewhere in the country. At the moment, they cannot, which is what this debate is all about; it has got a very human dimension to it.

My hon. Friend made the key points, but what can be done to ensure we get this done as quickly and cheaply as possible? Every imposition on those companies will feed through into our constituents’ bills. We want to deliver a fantastic and effective mobile phone system as cheaply as possible and without imposing unnecessary burdens and regulations on those businesses, which is why the electronic communications code needs to be reformed. The Minister, who was nodding earlier—not because he was being put to sleep by my hon. Friend, but because he agreed with him—must make sure that happens.

I represent a rural constituency, so many of my constituents own land. Like my hon. Friend the Member for York Outer (Julian Sturdy), some are farmers who want to ensure that they get a fair return for any disruptions. There are reasons why the Government might create frameworks that impinge on the exploitation of land by its owners for the maximum return—such is the importance of this utility to our constituents. There are also regulatory issues that are driven not by the landowners but by the rules.

Will the Minister comment on raising the permitted development height for mobile phone masts? Having taller masts is a cost-effective way for operators to increase their coverage without installing and maintaining new masts. There might be a visual impact, and my constituents would be sensitive to that. Vodafone told me that, because of our planning restrictions, its 3G masts in the UK are about 10 metres shorter than its masts in the rest of the EU. It is asking for the permitted development height to be increased from 15 metres to 25 metres so it does not have to go through expensive and protracted planning procedures to get what it needs. Increasing the mast height would have the big effect of increasing the coverage area of each mast by 90%, so although the masts would be taller we would have fewer of them. There is a balance to be struck, and I would be interested to hear the Minister’s thoughts about how best to strike it.

Chris Davies: Will my hon. Friend give way?

Graham Stuart: I had better not.

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): Oh, go on!

Graham Stuart: I am led, as ever, by my hon. Friend the Member.

Chris Davies: Although I fully agree with my hon. Friend about the size of masts, big is not always beautiful—that is the philosophy of my life, and the Minister’s, too, I am sure. Small cell boxes can be used in small, rural areas. I would like the Minister to pay attention to the fact that, whether someone is installing a large mast or a small cell box, they still face the same planning restrictions. Perhaps that could be looked at.

Graham Stuart: My hon. Friend is absolutely right. Under the code, mobile operators have to pay about £8,366 per year to rent a site, whereas a pylon costs £283. As well as dramatically high rents, additional payments are levied by landowners in return for access to make repairs, whether or not it impinges on them. Disputes over those charges leave some consumers experiencing network outages for an overly long time. I will not labour that point, but I am interested to hear from the Minister how to strike that balance.
As my hon. Friend the Member for Brigg and Goole said, mobile telephony is a basic utility. We have had frameworks in the past to ensure we keep the cost of delivering that basic utility as low as possible to encourage operators to deliver the service as widely and effectively as possible. That is true for other utilities, and it should be true for mobile telephony. I look forward to hearing from the Minister, who will doubtless give a brilliant response to all those points.

4.17 pm

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): It is an absolute pleasure to serve under your chairmanship, Mr Davies. I hope that I live up to the billing given to me by my hon. Friend. Friend the Member for Beverley and Holderness (Graham Stuart). I thank my hon. Friend the Member for Brigg and Goole (Andrew Percy) for securing this important debate, and I welcome the contributions of my many hon. Friends on this important issue. His speech came through loud and clear. It was not dropped at any stage, it was not interrupted and the message reached me without any form of interference, electronic or otherwise.

Earlier this morning, I was reflecting with a colleague about the fact that I seem to spend my life bumping into people who tell me about their holiday experience. They appear to get 1,000 gigabits per second on their mobile phone or computer, wherever they go on holiday. My hon. Friend did not disappoint with his Canadian experience. Far be it for me to compare Canada with the UK, but we are comparing a road trip across a vast expanse of land in a country the size of America that has a population of 30 million—it is one of the least densely populated countries in the world—where land costs are low and planning is easy, with an extremely busy motorway junction in the north of England in one of the most successful economies in the world. I would say that one is perhaps comparing apples with oranges. I also sympathise with my hon. Friend. Friend’s experience on a train, but I remind him that a train is a Faraday cage to the difficulties that people have with calls.

I say to my hon. Friend—and, indeed, to all my hon. Friends who appear regularly in broadband debates—that I have been working on the issue for quite a long time, and I intend to work on it for many more years to come, to deliver for them the kind of connectivity that they would expect. In return, I hope that when they rise to their feet in future debates, they acknowledge some of the progress that we have made. In Brigg and Goole, for example, 25,500 premises that would not have been able to have a broadband connection can now connect to superfast broadband should they so wish, thanks to this Government’s highly successful broadband roll-out scheme.

James Cartlidge (South Suffolk) (Con): Will the Minister give way on constituency progress?

Mr Vaizey: If my hon. Friend has a positive point, I will give way.

James Cartlidge: We had three masts in South Suffolk under the mobile infrastructure project and the experience was mixed. I am not directly blaming the Minister, and the problem was with local communities in many respects. I am interested in what will be done to encourage investment, given that the publicly subsidised project had mixed results. Does my hon. Friend see changes to the electronic communications code as one way of bringing more investment into rural areas through the private sector?

Mr Vaizey: I will take that as a positive point, because it helps me to make some of the arguments that I want to make. I remind hon. Members that mobile operators are private companies making private investment. Indeed, they contributed some £2 billion to the Treasury’s coffers in the last 4G auction, and we now have the fastest roll-out and take-up of 4G in the world. They are to be applauded for their achievements. It is also true, however, that the Government can help.

A recent report by the International Telecommunication Union saw the UK rise from 10th place in 2010 to fourth place in 2015 in terms of connectivity, much of which was driven by mobile coverage. I should also point out that one thing we never take into account when considering mobile coverage is how cheap mobile contracts are in this country compared with many other places. We also do not take into account that the modern smartphone is actually not that great at receiving telephone calls, due to its short antenna, which contributes to the difficulties that people have with calls.

The key thing that the Government can do is to work with mobile operators to increase coverage. We are here celebrating the first anniversary of a landmark agreement on mobile operators’ licence obligations brokered by my right hon. Friend the Member for Bromsgrove (Sajid Javid), then Culture Secretary, now Business Secretary. One operator has a licence obligation to achieve 98% indoor coverage by the end of 2017, but that is 98% of premises, which does not equate to 98% of the landmass. We therefore changed the licence conditions so that, by the end of 2017, all four operators will achieve 90% coverage of the landmass.

That will make a massive difference to coverage, particularly in constituencies with a rural expanse, where people drive between villages in a relatively rural area, such as the constituency of my hon. Friend the Member for Brigg and Goole. This is an important, landmark agreement. About 6% of the East Riding of Yorkshire and 1.2% of Lincolnshire have been affected by notspots. As a result of the agreement, we will eliminate notspots altogether. Just 0.2% of north Lincolnshire and less than 1% of the East Riding of Yorkshire will have partial notspots, which is when just one mobile operator provides coverage. Therefore, 99% of East Yorkshire and almost 100% of north Lincolnshire should have coverage from all four operators. That will make an important difference.

Nigel Huddleston (Mid Worcestershire) (Con): Will the Minister give way?

Mr Vaizey: If my hon. Friend has a positive point, I will give way.

Nigel Huddleston: I think this could be positive. I agree with the Minister that massive progress has been made on notspot coverage, but will he confirm how those notspots are being recorded and reported? There
is some confusion about accuracy. The Government are making progress, but can he confirm how the reporting is done?

Mr Vaizey: We work with Ofcom to record what we regard as a hotspot or partial hotspot. We have an agreed signal strength with the operators, and we have had a robust debate about whether it should be -83 dBm or -98 dBm, but Ofcom provides the imprimatur, as it were, of what we regard as a hotspot or a partial hotspot.

That brings me neatly on to the mobile infrastructure project, with which we have had some difficulties. Not enough Ministers acknowledge when projects have problems and difficulties, but I freely acknowledge such difficulties because the MIP was pioneering and we can learn from some of its failures. One thing we discovered when we announced the project was how difficult it is to measure a hotspot, because the efficacy of radio waves can differ depending on climatic conditions or how many people happen to be using their mobile phone at the time. It has been a huge learning experience.

The other learning experience has been working with planning authorities. I am pleased to say that we have erected some 15 masts and hope that, by the programme's end next March, we may have got as far as 75, but I freely acknowledge that we have not got as far as we wanted. I have also been slightly astonished that organisations such as the National Trust have pointed blank refused to have masts on their land and planning authorities have turned down applications for masts despite local communities wanting them. Some members of local communities have even put concrete blocks in front of the generators provided for mobile masts. We have had some astonishing examples, where one part of the local community has actively tried to stop a mobile mast when the rest of the community wants it. My message to my hon. Friend is that we could have a phase 2 in which we take all the light of broadband while protecting the rights of landowners. We will be bringing forward proposals next year to achieve those reforms.

I say in every debate, whether it is about mobile or fixed broadband, that we are conducting an engineering project. I sometimes compare it to Crossrail. When I am jammed on the tube with my nose against a stranger's armpit, I do wish that Crossrail would open earlier so that the tube was emptier, but because I can physically see that tunnel, I know that it will not open until 2018. However, I am looking forward to using the new Tottenham Court Road station on Thursday, on my way to say farewell to Neil MacGregor, the brilliant head of the British Museum, who is retiring. This is an engineering project, and we will complete the roll-out of phases 1 and 2 of broadband over the next two years, achieving 95% superfast broadband coverage for the entire United Kingdom, which is an astonishing achievement.

We will also see the fulfilment of our agreement with the operators for 98% indoor premises coverage and 90% geographic coverage, and we will do that by supporting them with the electronic communications code. I also want to revisit the MIP, because we have made such astonishing progress in the past 12 months that we could have a phase 2 in which we take all the learnings from our mixed initial programme and take them forward to make meaningful progress. The electronic communications code, the licence changes, a potential further MIP and taller masts should all make the difference that my hon. Friend the Member for Brigg and Goole is looking for.

Motion lapsed (Standing Order No. 10(6)).
Lead Shot Ammunition

4.30 pm

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): I beg to move,

That this House has considered lead shot ammunition.

It is a pleasure to serve under your chairmanship, Mr Davies, in my first Westminster Hall debate.

An important petition is posted on the Parliament website and thousands of people from across the country have signed it, including eight in my constituency. The language is fiery and impassioned and the argument is clear: it points to an issue that concerns the House and has done for 100 years. I refer to the petition to keep all lead ammunition. About 20,000 people have signed the call to keep using lead in their guns:

“Lead ammunition has been used for hunting and shooting since the first guns were manufactured over three centuries ago. Never has there been a recorded death through lead ingestion.”

I take the matter seriously. I have constituents who hunt and shoot, as do other Members—in particular, those who represent rural areas—and I recognise that sport shooting is a tradition and part of people’s way of life. Done sustainably, it can make a real contribution to the local economy and to the countryside. It is right to consider the future of the sport.

There is also another, quieter petition on the Parliament website in support of banning the use of lead ammunition in favour of non-toxic alternatives. Fewer people have signed it—about 3,000 to date—but that is the petition I commend to the Minister and to the House.

The case for using non-toxic ammunition is clear. Non-toxic alternatives to lead are effective, affordable and safer for wildlife and people. We have known the dangers of lead poisoning for thousands of years. The phrase “crazy as a painter” was coined centuries ago to express the awful effects that lead-packed paint had on people’s minds.

Carolyn Harris (Swansea East) (Lab): I have already given you my apologies, Mr Davies, but I might have to leave early. Does my hon. Friend agree that given that the known negative health effects of lead are well established and that, to minimise risk, lead has been removed from paint and petrol, it seems a tad ironic that lead remains in the shot used for killing birds that might be for human consumption?

Gerald Jones: I wholeheartedly agree. I hope to set out in the course of my contribution why that is such an important point.

Some people have even explained the fall of the Roman empire as having been caused by the Romans’ use of lead in pipes and cosmetics. More recently, the World Health Organisation, the Food Standards Agency and the Oxford Lead Symposium have all highlighted the toxicity of lead. Its negative human health impacts are scientifically established, even at the lowest levels of exposure, and lead poisoning is also a big problem for wildlife.

Much of the lead shot misses its target and builds up on the ground. It is then eaten by birds, which gobble up grit to grind up their food. The lead shot is dissolved in the digestive system and absorbed into the birds’ bloodstream. Scientists at the Wildfowl and Wetlands Trust have estimated that 50,000 to 100,000 wildfowl die of lead poisoning every year in the UK, along with many more game birds and birds of prey. Members might ask, “Where are all these dead birds?” but lead is known as the “invisible killer” because the poisoning is slow and distributed.

Carolyn Harris: I am sure my hon. Friend was as shocked as I was to discover that the existing regulations have a poor rate of compliance. In 2013 the Department for Environment, Food and Rural Affairs commissioned a study that showed that 70% of ducks sampled had been killed with lead shot. The study was repeated in 2014 and showed that compliance had not improved, with an increased number of 77% of ducks sampled being shot illegally with lead.

Gerald Jones: I thank my hon. Friend for making that point, which illustrates how the existing arrangements are unsatisfactory and in some cases ineffective, which is why they need to be updated.

Birds die gradually from lead poisoning, but die they do. The WWT found that one in four migratory swans seen at post mortem had died of lead poisoning. Other leading conservation organisations such as the Royal Society for the Protection of Birds and the Wildlife Trusts have also highlighted lead poisoning as a major issue for UK wildlife. Yet we continue to spray about 5,000 tonnes of lead out over the countryside each year.

Why have more people signed the petition to keep lead? I could argue that it is a classic case of small interest groups rallying around to defend their privileges. I could blame the shooters for looking after their own interests to the detriment of wildlife and the general public. People are rarely vocal about long-term environmental consequences, or about widespread public benefits. By contrast, it is easy to portray the proposal to ban lead as an attack on country life, prompting a rush to oppose any change—but this is no attack on the countryside. The irony is that it is surely rural communities who would benefit most from a change in the law to phase out the use of lead ammunition.

Some people will point out that most of the lead that the public consume comes from vegetables. That is true, but people who eat game meat are far more exposed. It is not only the shooters themselves; we must also consider their families and the increasing number of people who eat game. Many game birds sold for human consumption have lead concentrations far exceeding European Union maximum levels for meat from cows, sheep, pigs and poultry. No maximum levels have been set for game.

Simply removing lead shot from the meat does not solve the problem, because particles of lead too small to be seen often break off or dissolve and are left in the meat.

John Howell (Henley) (Con): I am struggling to understand why the hon. Gentleman thinks that the existing regulations are not sufficient to deal with the problem. Would he back more detailed environmental studies to work out what the real effect on the community is?

Gerald Jones: During the remainder of my contribution I hope to address the point made by the hon. Gentleman.
Simply removing lead shot, as I said, does not solve the problem, because traces of lead can be left in the meat. In the UK, as many as 12,500 children under eight eat game once a week in the shooting community alone. In children, less than one meal of wild-shot game a week could result in blood lead levels associated with a decrease in IQ.

Mr Charles Walker (Broxbourne) (Con): As the hon. Gentleman said, the shooting of birds with lead shot has been going on for many centuries. Where is the public health crisis to which he alludes? It would be news to many colleagues, because we have not had people coming to our surgeries or writing to us with any experience of a problem with eating lead-shot birds, whether personally or in their families.

Gerald Jones: It is not a case of the vast majority of members of the public speaking out on an issue such as this, but the studies are out there. I have outlined some in my contribution and will outline more.

The Food Standards Agency has also highlighted the risks to pregnant women. Of course, no one has died of lead poisoning from eating game, but nor would any serious scientist dispute that lead is a poisonous metal. The Secretary of State for Environment, Food and Rural Affairs has set up a new Great British Food unit and game is increasingly being sold as a healthy, local option. What better way to improve that brand than to ensure that the meat we eat is safe and lead-free?

Progressive countryside organisations such as the Sustainable Food Trust are backing the call to phase out lead as part of a modern countryside economy. Non-toxic alternatives are better for the image of the shoot, the economy of the countryside and the health of the shooters themselves.

Mr Charles Walker: In advance of the debate I talked to a number of clay pigeon shooting grounds in and around my constituency, and their problem with steel shot is that it ricochets. If lead shot is banned, all those shooting grounds will be put out of business—not just in and around my constituency, but across all Members’ constituencies. Has the hon. Gentleman thought about how that could be tackled?

Gerald Jones: The hon. Gentleman makes a good point, but there are alternatives that could be looked at. We are asking for this matter to be properly looked at and investigated, with a timescale to phase out lead.

As I said, there are good alternatives to lead on the market such as tungsten, bismuth and steel, which the hon. Gentleman mentioned. Many shooters in the UK will say that alternatives to lead are not as effective and argue that wounded birds are a welfare issue. Of course, that takes absolutely no account of the welfare of thousands of birds that suffer from lead poisoning. What is more, such evidence is entirely anecdotal.

Ballistics studies and blind trials have shown that alternatives such as steel are just as effective as lead. In terms of prices, steel is now competitive with lead and although other alternatives such as tungsten are more costly, they still represent a fraction of the overall cost of shooting. Some guns will need retrofitting, which is a process that can cost £50, and a few may not be compatible with lead at all, but surely those costs are small compared with the benefits of cleaning up the industry.

In Denmark, a ban on lead shot was introduced 20 years ago and the hunting and shooting sector has not been affected. What should be done here in the UK? The time for voluntary initiatives is surely over. The use of lead shot over and near wetlands is already restricted by law. Shooting groups have repeatedly encouraged members to respect the law, yet 45% of shooters admit that they have not complied with it and, as my hon. Friend the Member for Swansea East (Carolyn Harris) mentioned, three quarters of ducks sampled in 2013 had been killed with lead shot. What is more, we know that the problem is not restricted to wetlands. Many vulnerable species feed on lead all across the countryside. Quite simply, the law as it stands is insufficient and ineffective, so the Government must take sensible steps.

The UK is party to the convention on the conservation of migratory species, which last year agreed guidelines calling for the replacement of lead with non-toxic alternatives in countries where migratory species are at risk from poisoning. Back in 2010, DEFRA set up the Lead Ammunition Group to identify risks and solutions. Its chair, John Swift, submitted the group’s work and his report to DEFRA on 3 June 2015. Its results were definitive: “regulations restricting the use of lead shot in wetlands and for shooting wildfowl are apparently not achieving their aim and are insufficient for dealing with the wider risks.”

The science and the politics are clear and the time for reflection is over. Thirty years ago, the Royal Commission on Environmental Pollution advised the Government that they should legislate to ban any further use of lead shot where it is irretrievably dispersed in the environment.

The question of lead ammunition is not a debate that could or should be decided by petition. It is a question for the House, DEFRA and the Department of Health. Back in 1983, Willie Hamilton MP summed it up in a debate on lead in petrol:

“Whatever the technical arguments may be and however much it is said that lead can be produced in the body by other means, that is no reason for saying that we should leave everything alone and not tackle the problem. We must tackle this problem and it can be solved and eliminated”.—[Official Report, 21 January 1983; Vol. 35, c. 632.]

The same is true today. We can quibble over exact numbers and fuss about the precise costs of steel shot, but the basic message is clear.

We have banned lead from pipes, petrol and paint, but it still ends up on our plates. We have tried to protect wildlife by restricting the use of lead over wetlands, but the rules are too partial and too easily ignored. The Government have evidence from the Lead Ammunition Group and power in the Environmental Protection Act 1990, so I hope that, in the public interest, the Minister will show that the Government have the sense to act on the science and commit to phase out lead shot ammunition.
end. I will therefore be going to the Front Benches no later than 5.10 pm. Four Members are seeking to catch my eye, which gives them about six minutes each. I will not set a formal time limit, but I hope that people will be mindful of each other’s opportunities and will look to speak for about six minutes each.

4.45 pm

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): May I draw the House’s attention to my entry in the Register of Members’ Financial Interests and also to the fact that I am probably the only Member who has been shot by a lead cartridge? It was about 35 years ago and I still carry 20 lead pellets in my left knee as testimony to that—colleagues will judge whether that has affected my physical state or indeed my mental state.

This is not a new discussion. When I was chairman of the shoot summit nearly 10 years ago we discussed it and came to the view 10:1 that the evidence was lacking—to some extent it is still lacking—that the risk of lead was either significant or unmanageable, or that the alternatives, as mentioned by the hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones), posed less of a risk. That was in the context of both food consumption and environmental concerns. That fell into the hands of the Lead Ammunition Group, which was set up by DEFRA.

Alex Cunningham (Stockton North) (Lab): If toxicity is not a problem, why does the Food Standards Agency advise frequent eaters of lead-shot game to reduce their consumption for health reasons?

Simon Hart: I am grateful for that intervention. I have not yet said, and I am not sure that I will say, that there is no toxicity issue at all. Perhaps if the hon. Gentleman will hear me and other colleagues out, he may get the answer he requires.

The Lead Ammunition Group was set up to come to a unanimous view on steps forward for the Secretary of State. However, it has failed to do that. Nearly half of its members resigned, which meant that its final report was submitted without input from those valuable sources. The report, which was based on evidence that was and remains disputed, reached conclusions outside the terms of reference set by the Secretary of State in the first place. Therefore, when coming to conclusions about what all of this means, I hope that the Minister will recognise that, for whatever reason, the Lead Ammunition Group has failed in its objectives.

Food concerns were mentioned by the hon. Member for Stockton North (Alex Cunningham). The advice given so far does not need any alteration. That is key, because if we look at it in the context of other food scares and consumption habits, there is no evidence to suggest that the danger posed by lead is any greater than that of any other food substance that we might arguably eat to excess. That is the point: we can point to any number of foodstuffs and say, “If you ate this foodstuff to excess, you might come across a health problem.” The advice given is quite contextualised, which has not been the case in the debate.

The contribution I want to make to the debate is to give a word of caution about the Lead Ammunition Group’s findings. They are not definitive; they are disputed and the evidence it relied on is hotly debated. Finally, if the problem was as great as one or two Members suggest, it would have emerged as a health scare long before now. We therefore need to treat what we are hearing with caution, assuming that it is evidence. It is nothing new.

Mr Charles Walker: I am listening closely to my hon. Friend. Will he address my concern that steel shot ricochets, which will cause the closure of many shooting grounds, and that tungsten, bismuth and Hevi-shot cost five to seven times as much as lead? That would be a significant part of most people’s shooting budget.

Simon Hart: My hon. Friend makes a good point. We have to consider all these things in the round. It is no doubt very easy to find reasons to argue in favour of a general phase-out of lead, but unless we have applied the same rigorous test to the alternatives—whether it is about the cost, humaneness or toxicity—there is no reason to believe we will go from a bad place to a better one, so I take his points entirely on board.

I hope the Minister will be robust in making a careful examination of this so-called report, because it does not meet the terms of reference that his own Department set.

4.50 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak about this issue, and I thank the hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) for securing the debate. Unfortunately, I do not hold the same opinion as him; I want to make that clear at the outset. I want to raise important issues that I feel need to be put on the record.

There are potential risks of lead shot ammunition—I admit that, and the hon. Member for Carmarthen West and South Pembrokeshire (Simon Hart) referred to them—but it is always possible to manage, control and reduce them to negligible levels through the enforcement of existing regulations and careful monitoring. I have shot wildfowl and wild birds and eaten them regularly since the age of 18—that is not yesterday—and it has not done me any harm that I am aware of. The bird I like most is probably the wood pigeon, and I look forward to wood pigeon meat on any occasion.

Restrictions on the use of lead shot are already in place across the UK, and I will comment on restrictions in the four regions. Some environmental groups are campaigning for further restrictions or a total ban on lead ammunition. They argue that lead shot poses such a serious and unmanageable risk to the environment and human health that new legislation is required. Scaremongering about lead has become a useful way to attack game and sport shooting for people who are fundamentally opposed to shooting in general. With great respect to the hon. Member for Merthyr Tydfil and Rhymney, some people are simply using this issue to attack shooting, so we need rationalism in the debate.

Shooting is hugely important to the rural economy and of great benefit in terms of wildlife management and conservation. Unscientific restrictions could have serious implications for the gun trade, the rural economy and the natural environment. Without lead, many shooting activities could be substantially curtailed. The vast majority of the evidence presented to decision makers in support of further restrictions on lead ammunition has failed to pass rigorous academic scrutiny. The Countryside Alliance...
believes that those attempts are unjust and unfair, and highlight the way in which science can be used and manipulated to suit a political agenda. I declare an interest: I have been a member of the Countryside Alliance for a great many years.

In truth, the true impact of lead ammunition has yet to be scientifically proven, and any current findings are not as significant as some opponents claim. I accept that lead is toxic, and we should take all opportunities to continue monitoring its potential impacts on the environment and human health. If it is proven that lead ammunition poses a significant and unmanageable risk, we should consider mitigation measures, further regulations and phase-outs in that order before any ban is taken forward. At present, however, there is insufficient evidence to justify changes to the existing regulations, and any attempts to do so are in no way based upon science or evidence we have at this time.

The majority of the evidence used to justify increased restrictions or a complete ban on lead shot ammunition is outdated and heavily reliant on research undertaken in other countries. No studies have been carried out in the UK on blood lead levels and the impact of lead shot ammunition, so that is something the Department might wish to do before proposing any legislation on this issue.

In England, there are already some controls. The use of lead shot has been prohibited for all wildfowl, with further restrictions below the high-water mark of ordinary spring tides and over sites of special scientific interest. In Scotland, there are similar controls on the use of lead in wetland for shooting activity, with wetlands being based on the Ramsar definition. In Wales, there are some restrictions on the use of lead shot for wildfowl, with further restrictions below the high-water mark of ordinary spring tides and specific SSSIs. The constituency that I represent—Strangford—is renowned for its wildfowl shooting across the whole of the United Kingdom of Great Britain and Northern Ireland. In Northern Ireland, we have the same prohibition of the use of lead shot in any area of wetland for any shooting activity. For the purpose of the regulations, wetlands are based on the Ramsar definition, as in Scotland.

It is clear we already have appropriate legislation to mitigate the negative impacts of lead shot use, so why are we seeking to add more laws and red tape? We cannot ignore the value of shooting activities. Some 600,000 people in the UK shoot live quarry, clay pigeons or targets every year, and shooting is worth £2 billion to GDP and supporting the equivalent of 74,000 full-time jobs. Members of the shooting community spend £250 million a year on conservation. Most importantly, they actively manage 2 million hectares for conservation as a result of shooting. Lead shot ammunition has long been used due to its superior ballistic qualities, as my hon. Friend the Member for Broxbourne (Mr Walker) said, and I am disappointed by calls to ban it. The Royal Society for the Protection of Birds and the Wildfowl and Wetlands Trust’s calls for such a ban seem to derive from the Oxford Lead Symposium’s report and the Lead Ammunition Group’s submission to DEFRA, which I understand is still being considered by the Government. I will not say too much about that group—the hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) already referred to it—but it had two arguments against lead shot ammunition: in game meat, it damages human health, and it poisons birds exposed to it in the environment. I would like to deal briefly with both arguments.

With regard to the assertion that lead shot damages human health, there has been significant scaremongering without a full review of the facts. Lead is found in all food types at a variety of levels. The threat from game meat specifically is extremely small. The European Food Safety Authority has stated that lead from game meat represents 0.1% of average total dietary lead exposure—significantly less than other groups such as beer and substitutes, which expose the average European consumer to 62% more lead than game meat. When game meat is consumed in high quantities, the threat of lead poisoning naturally increases. However, only 0.1% of the British adult population consumes game meat at higher levels than the Food Standards Agency’s guidance. The FSA’s guidance on lead is the same as for other food groups such as oily fish and tuna. Indeed, further evidence shows that removing damaged tissue from lead shot game meat can reduce its overall lead content by 95%. That is the current advice in Sweden.

The group’s second argument is that lead shot ammunition damages the environment. There are claims that between 50,000 and 100,000 birds die of lead poisoning each year, although there is no evidence of any population-level impact on species. It is accepted,
however, that lead has potential environmental risks—for example, due to the way certain water birds feed, some species are susceptible to ingesting lead if it is left within their feeding area. However, there are international agreements and UK legislation to protect areas where those migratory and water birds exist. I agree with the hon. Member for Merthyr Tydfil and Rhyymney that our compliance levels with that legislation are not good enough and that we should all condemn those who shoot duck with lead shot in prohibited areas.

The report used by campaigners against lead shot ammunition—the one that comes up with the 50,000 to 100,000 figure for birds—was produced by the Oxford Lead Symposium. However, it uses data from research that was carried out between 1960 and 1983, before the current restrictions on lead shot were introduced, so it is clearly not a rigorous piece of academic work.

In conclusion, I see no reason to support a ban on lead shot ammunition. There is no clear alternative, as those that do exist are either more dangerous to human and environmental health or significantly more expensive. The claims that lead shot is damaging to human and environmental health are exaggerated and based on inaccurate data, and do not take into account the restrictions that already exist on shooting with lead shot in protected areas.

Finally, the impact would be significant on the current contribution that the shooting community makes to the UK economy and conservation management, which I outlined at the beginning of my speech and which is very significant in rural areas. I hope that Members across the House realise that a move to ban lead shot would be counter-productive and would not produce the significant human or environmental health benefits that the hon. Gentleman claims.

5.1 pm

Rishi Sunak (Richmond (Yorks)) (Con): When most people think about shooting, the picture that they have in their heads is often all too clear: they imagine old-fashioned men in old-fashioned outfits, with old-fashioned accents. However, I stand in this Chamber today as the representative of a rural community for whom shooting is not a quirk of history, or something from another century; for my constituents, it is an industry that creates real businesses, real jobs, and real investment in our landscape. It is an integral part of our community.

Today, we are here specifically to consider lead shot ammunition. I would like to make three simple observations. First, to echo the comments of previous speakers, there is limited evidence of the need for further environmental regulation of lead shot. Secondly, as it relates to humans, game meat is a tiny source of our lead consumption. Lead is no doubt a toxic element, but, as we have heard, it can be found in all types of food at a variety of levels. The comprehensive study conducted by the European Food Standards Agency concluded that lead from game meat is a tiny source of our lead consumption. Game meat in moderate quantities has no effect on blood lead levels.

Lastly, shooting is vital to the economic and environmental well-being of our countryside. Shooting and conservation go hand in hand. We are often told about the importance of rainforests—well, heather moorland is even rarer than rainforest and, as a result of conserving and nurturing that moorland for grouse shooting, 75% of the world’s heather moorland is found right here in the UK. On walks around my north Yorkshire constituency, I have witnessed at first hand the unique biodiversity that the moorlands hold. From seeing beautiful curlews to scampering voles, I am sure you would agree, Mr Davies, that our moorlands are not only a Yorkshire treasure, but a national treasure. No less than the Royal Society for the Protection of Birds has said that “management for grouse shooting” has “created and shaped the moors as we know them today.”

As well as helping to preserve our nation’s landscape, shooting is also a key driver of our rural economy. As we have heard, it supports hundreds of thousands of jobs and contributes over £2 billion annually to the economy. In my area, however, it is still more relevant. Everyone knows the difficult time that farmers are going through at the moment. Prices are low, so when we talk about the economic benefits of shooting, it is important to consider who we are talking about. In my constituency, it is very often the farmers’ families who go beating at weekends to top up their incomes so that they can make ends meet during what is a very difficult time. For them right now, the shooting industry is an economic lifeline.

No one in this country is more passionate about preserving rural Britain than the people who live there. It is rural communities who, day in, day out, balance the welfare of our animals, the beauty of our landscape and the security of our food supply. It is clear to me that any changes to the use of lead shot ammunition would damage that balance.
Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies, and to be acting as picker-up for this debate.

The hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) certainly has not just walked up to the issue; he has done a lot of research. In his speech, he made the case that we should see more non-toxic ammo and said that there are indeed traces of lead in food. He talked about the risks to pregnant women, saying that alternatives are available. In his view, time is up for lead shot and he put the ball firmly in DEFRA and the Department of Health’s court.

The hon. Gentleman also flushed out a number of interventions, which went side by side, in terms of for and against. We heard that lead is banned in petrol, so why should it not also be removed from shot? However, we also heard that more detailed environmental studies are required and about the rebound problems from using alternatives such as steel shot. The hon. Member for Carmarthen West and South Pembrokeshire (Simon Hart) talked about the danger from lead and meat being no greater than any other foodstuff eaten to excess. He said that this would have emerged as a food crisis, had there been any serious issue. The hon. Member for Strangford (Jim Shannon) talked about this being scaremongering from those opposed to shooting in general and he discussed the implications for the rural environment. If it was proved that there was a problem, he believed that there should first be mitigation and then some further regulation, and that it should then be phased out.

The hon. Gentleman also mentioned the different regulations in the nations of the UK. This issue is of course devolved, and the regulations are separate in England, Wales, Northern Ireland and Scotland. In Scotland, the Environmental Protection (Restriction on Use of Lead Shot) (Scotland) (No.2) Regulations 2004—while that is quite a handful to say—prohibit the use of lead shot in wetlands. The regulations are taken very seriously and seek to meet the highest standards to protect wildlife. However, it is fair to say that the Scottish Government will consider all the evidence and the conclusions of DEFRA’s Lead Ammunition Group on that matter. What is undisputed is that, as we have heard from around the Chamber today, lead is clearly a poison and more research must be carried out to get to a definitive position on the health risks.

The hon. Member for The Cotswolds (Geoffrey Clifton-Brown) talked about the importance to the economy, and he was backed up by the hon. Member for Richmond (Yorks) (Rishi Sunak), who talked about the fact that this industry is worth £2 billion to the UK. The hon. Member for The Cotswolds said that lead shot research had been exaggerated by the Oxford Lead Symposium. It is important to reflect on the fact that, according to the Oxford University research in 2015, around 100,000 birds are killed by lead poisoning and discarded lead ammunition. According to the report, consuming game with traces of lead ammunition affects human health too. Lord Krebs, emeritus professor of zoology of the University of Oxford and a former chair of the UK Food Standards Agency, said there was an overwhelming body of evidence that lead in hunting is a risk to both humans and wildlife.

Finally, the hon. Member for Richmond (Yorks) mentioned the effect of wildfowl migrating, which would cause difficulty with research. He said that the average person consumes up to 60% more lead from drinking beer and that eating game has no more effect than any other foodstuff. We have had an interesting debate on some of the challenges facing the Minister in taking this forward. We have to ensure that we have detailed research on the effects. I hope he will work closely with DEFRA to make sure that that research satisfies those who are for and those who are against the position on lead shot.

Alex Cunningham (Stockton North) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate my hon. Friend the Member for Merthyr Tydfil and Rhymney (Gerald Jones) on securing the debate on this important matter. It not only relates to the health of wildlife and the environment, but has ongoing ramifications for humans if it is not dealt with. I am grateful to the hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry)—it is one of my favourite parts of my homeland and I very much enjoy spending time there—for his comprehensive summary of the debate so far.

My hon. Friend the Member for Merthyr Tydfil and Rhymney was, of course, right to mention our long-standing recognition of lead’s toxicity and to highlight the plethora of bodies that have issued warnings on this matter. I look forward to hearing the Minister’s assessment of that advice in due course. Unlike other trace metals, lead plays no physiological function in the human body. Instead, it acts as a neurotoxin. Even at low levels of exposure, the damage that lead triggers can be significant: impairment of the developing brain and nervous system, increased incidence of hypertension and stroke, and weakening of the immune system. Worryingly, some of these impacts appear to be irreversible.

We have heard some emotive points this afternoon from all parts of the House. Indeed, I was fascinated to hear my hon. Friend give the etymology of “crazy as a painter”—the origin was lost on me before now—and anecdotal explanations for the fall of the Roman empire. The risks from lead poisoning must be taken seriously and the importance of a strong evidence base in assessing them cannot be overstated. The evidence is clear that there is no safe level of exposure, which is why the World Health Organisation has been clear that all forms of lead are toxic, and food safety agencies across Europe have highlighted the risk to health of eating game shot with lead ammunition.

Under food regulations, there are limits on the amount of lead in lamb, pork, beef and other products, but they do not apply to game. Is it not time to bring it into line? Lead is without doubt one of the best-studied contaminants in the world and there is overwhelming scientific evidence demonstrating its toxicity to multiple physiological systems in humans and other vertebrate animals.

Mr Charles Walker: The hon. Gentleman said that there is no safe level of tolerance for lead, but we have heard this afternoon that lead is present in many foods that we all consume, and in alcohol and beer, so clearly there must be some level of tolerance or we would all be dropping down in the streets.
Alex Cunningham: Just because there is a level of tolerance does not mean that it is not dangerous. Somebody may smoke over a lifetime and then suffer deterioration or a specific condition, and that can apply in this case too.

The International Agency for Research on Cancer has classified inorganic lead as being “probably carcinogenic to humans”, while no safe blood lead level in children has been identified below which negative health effects cannot be detected. In March 2013, a group of 31 eminent scientists signed a consensus statement on the health risks from lead-based ammunition in the environment. Based on “overwhelming evidence” and “convincing data”, and alongside the availability and suitability of non-lead alternatives, they recommended the eventual elimination of lead-based ammunition and its replacement with non-toxic alternatives.

Just last month, the Oxford Lead Symposium published research further confirming what we already broadly knew about lead and the risks to humans, wildlife and the natural environment. The Lead Ammunition Group, which the Government set up, submitted its draft report this summer and I would welcome confirmation from the Minister of the date this evidence was received along with a timeframe for the release of its findings and recommendations.

Geoffrey Clifton-Brown: Can the hon. Gentleman point to any evidence of any premature deaths caused by lead poisoning? Indeed, on the contrary: I have known many people who have eaten game regularly and lived to a ripe old age.

Alex Cunningham: The hon. Gentleman makes a great point: I cannot provide that particular piece of evidence, but what I am told by health organisations and others is that ingestion of lead over a period can be quite dangerous. As others have said, as a responsible society that recognises the inherent dangers, we have already taken action and regulated to cut lead from petrol, paint and water pipes, so most exposure to lead comes from diet. We need debates such as this. It might be that we just say, “Okay, we need to further explore the issues,” but it appears from the organisations that I have been speaking to that we need to act now.

I encourage the Minister to outline his assessment of the compliance problem over wetlands. Given the demonstrable disregard for current restrictions, I would welcome his acknowledgment that a complete phase-out is a proportionate means to secure legal compliance. Why have the ban if we are not going to do anything about it, and if there were no danger to wildlife and, ultimately, people?

I draw attention to resolution 11.15 of the convention on the conservation of migratory species of wild animals, which was adopted last year and calls for lead ammunition to be phased out by 2017 in countries where there is significant risk of poisoning to migratory birds. Let us not forget that, on top of that, the Royal Commission on Environmental Pollution concluded a little over 30 years ago that “the Government should legislate to ban any further use of lead shot and fishing weights in circumstances where they are irretrievably dispersed in the environment”.

We have already heard this afternoon that lead-based ammunition continues to be one of the greatest sources of lead in our environment. As much as 6,000 tonnes of shot is discharged every year and at least 2,000 tonnes of shot used for game and pest shooting is irretrievable. I would therefore be pleased to hear whether the Minister agrees with me that, in the light of the evidence on the numbers of wildfowl killed each year, there is a significant risk of poisoning to migratory birds from lead ammunition in the UK. While other nations, including Denmark and the Netherlands, are actively dealing with the matter, the UK seems content to look backwards and turn a blind eye to those who flout the current regulations.

To avoid the real risks that exist, we need positive actions to close the existing regulatory gaps, rather than passivity. It is high time that we stopped ducking the issue. It is high time that we stopped ducking the issue and only one secondary prosecution for non-compliance with the regulations. That is a law that is not working in this land, so we need a change.

Simon Hart: The hon. Gentleman is quoting evidence, but the crucial point is that if he wishes the Government to introduce new restrictions, he must surely come up with evidence indicating that people who consume game in this country have contracted some illness or died prematurely as a result—not in another country; we are talking about UK consumption habits. Unless he can come up with that evidence, he is doing nothing more than making mischief.

Alex Cunningham: I am certainly not mischief making. I support the countryside and everything else. As I said to the hon. Member for The Cotswolds (Geoffrey Clifton-Brown), I cannot point to anyone who has died as a direct result of lead consumption; the point is that various organisations are saying that lead is a danger in diet. We need debates such as this. It might be that we just say, “Okay, we need to further explore the issues,” but it appears from the organisations that I have been speaking to that we need to act now.

I encourage the Minister to outline his assessment of the compliance problem over wetlands. Given the demonstrable disregard for current restrictions, I would welcome his acknowledgment that a complete phase-out is a proportionate means to secure legal compliance. Why have the ban if we are not going to do anything about it, and if there were no danger to wildlife and, ultimately, people?

I draw attention to resolution 11.15 of the convention on the conservation of migratory species of wild animals, which was adopted last year and calls for lead ammunition to be phased out by 2017 in countries where there is significant risk of poisoning to migratory birds. Let us not forget that, on top of that, the Royal Commission on Environmental Pollution concluded a little over 30 years ago that “the Government should legislate to ban any further use of lead shot and fishing weights in circumstances where they are irretrievably dispersed in the environment”.

We have already heard this afternoon that lead-based ammunition continues to be one of the greatest sources of lead in our environment. As much as 6,000 tonnes of shot is discharged every year and at least 2,000 tonnes of shot used for game and pest shooting is irretrievable. I would therefore be pleased to hear whether the Minister agrees with me that, in the light of the evidence on the numbers of wildfowl killed each year, there is a significant risk of poisoning to migratory birds from lead ammunition in the UK. While other nations, including Denmark and the Netherlands, are actively dealing with the matter, the UK seems content to look backwards and turn a blind eye to those who flout the current regulations.

To avoid the real risks that exist, we need positive actions to close the existing regulatory gaps, rather than passivity. It is high time that we stopped ducking the problem and took a common-sense approach to regulating lead ammunition. With softer restrictions on the use of lead ammunition having been widely flouted, the time has come to embrace the growing body of evidence and for all lead shot and bullets to be replaced with non-toxic alternatives. Like so many other hon. Members taking part in the debate—
Philip Davies (in the Chair): Order. May I say to the hon. Gentleman that the time has also come for him to conclude his remarks?

Alex Cunningham: I am on my last paragraph, Mr Davies. Like so many other hon. Members taking part in the debate, I urge the Minister to join me in supporting the call for the UK to meet our international commitments and phase out lead ammunition by 2017.

5.20 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): Let me begin by congratulating the hon. Member for Merthyr Tydfil and Rhymney (Gerald Jones) on securing the debate. He showed the passion that he feels on this issue in his opening remarks. As we all know, lead is a noxious substance with potentially fatal impacts. This is therefore an issue that it is right for the House to address.

I pass on the apologies of the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), who has responsibility for this issue. Hon. Members will have noticed that he has been otherwise engaged in Cumbria in the past couple of days in his role as floods Minister. I am therefore responding to the debate on his behalf.

Government practice is to obtain and use the best possible evidence when taking decisions. That is why, almost six years ago, our predecessors chose to set up the Lead Ammunition Group, commonly known as the LAG—and I think one thing we can all agree on is that there was a time lag in that group’s concluding its work. The LAG began work in 2010. Although a creation of Government, it was deliberately set up as an entirely independent group, formed of experts who would approach the evidence from their various perspectives and provide clear advice on whether and what risks might be posed by lead ammunition and how they could be managed. The potential risks that it was asked to assess related both to wildlife, which is a DEFRA responsibility, and to human health, which is the responsibility of the Food Standards Agency. I hope that hon. Members will find it helpful if I set out the subsequent history.

First, the LAG was established in 2010 for an initial 12-month period, after which progress was to be reviewed. However, its final report was not presented to Ministers until June this year. The shadow Minister, the hon. Member for Stockton North (Alex Cunningham), asked when it was presented. That was on 3 June. Secondly, by the time the LAG reported, only five of its 10 members remained in place. The remainder had resigned, with four of those submitting a different set of recommendations.

We are therefore in a position in which we have no expert consensus about the impact of lead ammunition on wildlife or on human health. Nevertheless, we must start from where we are, so it is important that we look at the report that the LAG produced and the material that it contains. Even if that report has the support of only half its members, it is nevertheless a substantial document that represents several years’ worth of work. We must therefore consider it carefully, which is exactly what the Under-Secretary and my right hon. Friend the Secretary of State have been doing since DEFRA received the report in June.

Subsequently, as a number of hon. Members pointed out, there has been the minority report from those who resigned and the report arising from the Oxford Lead Symposium, which was organised by opponents of lead ammunition. I realise that hon. Members and others outside the House are anxious to have our response to the LAG report, but it is important that we take the time to get this right and weigh up all the other comments, views and evidence that have been submitted to us. The time that it has taken to review that evidence reflects the fact that it is a serious debate and that my ministerial colleagues are looking at the issue closely.

Let me remind the House of the action that Government have already taken. Lead shot has been prohibited for wildfowling since 1999 by the Environmental Protection (Restriction on Use of Lead Shot) (England) Regulations 1999. Those regulations introduced a double restriction. First, lead shot cannot be used, on any game, in certain areas—namely, over the foreshore or over a list of named sites of special scientific interest. Secondly, lead shot cannot be used anywhere for shooting certain species—namely, ducks, geese, coot and moorhen. In passing, I will mention that the general supply of lead weights for angling was ended in 1986.

The 1999 restrictions reflected the resolution made that year through the African-Eurasian waterbird agreement, to which the UK is a party. It was agreed that members would work to phase out the use of lead ammunition over wetlands, reflecting the clear evidence that waterbirds can and do scoop up spent lead when feeding and suffer health consequences from doing so. We delivered on the resolution through our regulations of the same year.

There is of course nothing to stop those who shoot from choosing, of their own volition, to use alternative forms of ammunition. Although no other material has exactly the same combination of malleability and density as lead, a number of alternatives have been available, and used in the field, for some time. Those include steel and tungsten for shotgun cartridges and, for bullets for rifles, copper and copper alloys. Use of an alternative is compulsory for wildfowling, but the alternatives can also be used more widely. I understand that some shooters have made the switch, although others have not.

George Eustice: I was going to come on to that. The hon. Gentleman highlighted a DEFRA study that did show—he is correct—that the level of non-compliance was up to 70% in certain areas. I will simply say this: it is the law. As my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) pointed out, we can all condemn those who are using lead shot where they should not be, against the law, and it is a matter for the police to enforce those existing regulations. Where the law is being broken, it must be enforced, and we are keen to work with stakeholders and others to ensure that we raise awareness of the 1999 regulations—the regulations that already exist. The key point made by a number of hon. Members was that the starting point should be to enforce the regulations that we have, rather than jumping to introduce new regulations.

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My hon. Friend the Member for Broxbourne (Mr Walker) made a very important point about the impact on clay pigeon shooting and the danger of steel ricocheting. The hon. Member for Strangford (Jim Shannon) and my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak) mentioned that some countries—notably, Norway—had introduced a ban and then reversed it. I understand that in that case, it was for the somewhat surprising reason that steel bullets were getting embedded in trees and that was affecting the machinery of timber merchants. That shows that all sorts of unintended consequences can come from these things. My hon. Friends the Members for The Cotswolds and for Richmond (Yorks) highlighted their view that some of the data used in the reports were out of date, particularly in relation to the Oxford symposium, and predated the 1999 regulations. I think that is probably a fair point, although other hon. Members have made an equally strong argument that the 1999 regulations are not being enforced as effectively as they could be at the moment; that is also very valid.

In conclusion, I agree with what my hon. Friend the Member for Carmarthen West and South Pembrokeshire (Simon Hart) said: this is a very important issue. The contributions in the debate show how complex it is and how strongly felt views are on both sides. That is why the Under-Secretary and the Secretary of State are right to take their time to weigh up all the evidence carefully before submitting their response to the LAG report.

5.29 pm

Gerald Jones: I thank hon. Members for their contributions in this important debate. I mentioned during my speech that this is not an attack on the countryside. It is not about shooting or the rural economy; for me, it is very much a health issue. Risks have been identified by health organisations, and even small risks deserve to be considered and removed, because there is a detrimental effect on birds and, as we have heard, potentially on humans through the food chain. That needs to be considered and action taken.

Question put and agreed to.

Resolved,

That this House has considered lead shot ammunition.

5.29 pm

Sitting adjourned.
Mr Henry Bellingham (North West Norfolk) (Con): I beg to move.

That this House has considered the exotic pets trade.

I pay tribute to a number of organisations that have been active on this agenda: the Born Free Foundation, the Royal Society for the Prevention of Cruelty to Animals, the Blue Cross and the British Veterinary Association. The other day I was fortunate enough to attend with a number of colleagues an excellent drop-in event in the House organised by Born Free as it launched its campaign to raise awareness of the problem of the trade in exotic pets. It also came up with some recommendations. I have several questions to ask. Is there a problem with the trade and the keeping of exotic pets? Is the current law adequate? What can be done?

An exotic pet is a rare or unusual animal that is generally thought of as a wild species and is not typically kept as a pet in a domestic context. According to the animal welfare charity OneKind, 1,000 different species of mammals, birds, invertebrates, reptiles and amphibians, and more than 150 different fish species, are kept as pets. There are many examples that colleagues will know about, including boa constrictors, numerous amphibians, primates, anacondas and African pygmy hedgehogs. The list goes on and on.

The Pet Food Manufacturers Association estimates that the exotic pet population in the UK, including fish, now totals 42 million, which is absolutely staggering; the number of reptiles and amphibians alone kept in this country is now anywhere between 2 million and 7 million. A lot of the huge increase in the numbers has been brought about by the phenomenon of internet sales, which I will come on to in a moment. First, I want to consider welfare concerns. Exotic animals have not undergone the same process of domestication that dogs, cats and many other conventional pets have.

Dame Angela Watkinson (Hornchurch and Upminster) (Con): I am most grateful to my hon. Friend for allowing me to intervene so early in his remarks. Does he agree that a lot of people purchase exotic pets without proper research and with no understanding of their complex needs, and that those pets are then abandoned because people cannot cope with them?

Mr Bellingham: One of the problems is that the potential buyers’ expectations are often completely unrealistic. They often buy small animals that become very big animals.

Rebecca Pow (Taunton Deane) (Con): There has been a staggering 24% increase in the number of abandoned pets in the past five years. Does my hon. Friend think that might be related to the buying of exotic pets online, because people subsequently find that they are unsuitable for their homes and do not know how to look after them?

Mr Bellingham: I am very grateful to my hon. Friend for that point. I am going to talk about abandoned pets in a moment, because that is one of the really big problems; I am also going to talk about biodiversity.

Two examples were brought to my attention by Born Free. A badly neglected African pygmy hedgehog was disposed like rubbish in a wet cardboard box somewhere in London and had to be rescued and taken to an animal hospital. There is also the case of the two bearded dragons found abandoned in a London cemetery. What often happens is that the pets—they are perhaps given for Christmas, and the children are very excited —become difficult to manage and are, inexcusably, abandoned. I ask the Minister what more can be done to ensure that officials in local authorities and other organisations are properly trained to deal with abandoned pets.

The welfare concerns need to be examined in more detail. We have to remember that the needs of such pets are challenging. Some of their needs are linked to certain environmental conditions that can be difficult to replicate in a domestic environment. Many animals need larger enclosures, a carefully controlled environment and specific levels of heat, light and ultraviolet light; otherwise, they might become ill. They also need to be allowed to exhibit natural behaviours such as burrowing, climbing and basking. Often, if they are not able to follow those natural instincts, they become aggressive and might even pick up diseases.

Mrs Sheryll Murray (South East Cornwall) (Con): Does my hon. Friend agree that some species, such as primates, have specific dietary requirements and can develop diseases such as diabetes and bone conditions if they are not fed the correct diet?

Mr Bellingham: I am grateful to my hon. Friend, who is very knowledgeable about primates; I understand that there is a reserve for abandoned primates in her constituency. I agree with her 100%. I will talk about primates, which often have small bodies but large brains, in a moment; they are, by definition, highly intelligent animals.

There has been a big increase in the number of complaints about welfare issues regarding exotic pets.

Rebecca Pow: I, too, went to the launch that my hon. Friend attended. We were told that some of the animals can pass on diseases to human beings—it is called zoonosis. That is a real danger, and it has all happened since the legislation was introduced in the 1950s. Everything has changed, and we are not covered for it. The situation presents something of a danger.

Mr Bellingham: My hon. Friend is absolutely right. Some 70 pet-linked human diseases have been identified by various medical organisations, which is obviously a serious worry that I hope the Minister will comment on in his winding-up speech.

The ease of availability is closely linked to welfare concerns. Those of us who have children know that if someone goes to a pet shop such as Pets At Home—my son, who is now 16, used to go there to buy goldfish,
hamsters and other things—they are given a great deal of advice about what to do. On occasion, my son was not allowed to go away with a goldfish or a hamster because the staff were not convinced that we had the right facilities at home. It is concerning that only 5% of the trade in puppies—I know that they are not exotic, but this is an indication of how the trade that goes through pet shops has declined—is now channelled through licensed pet shops.

If someone goes into a pet shop they can get all the advice they could possibly want, but buying on the internet is a very different matter. The Born Free Foundation carried out a survey called “One Click Away”, which looked at nearly 2,000 adverts from six different websites over a number of months. At any one moment, across those six websites, the total number of adverts selling exotic animals was thought to be about 25,000. The majority—about 52%—of the adverts were for reptiles, but 21% were for primates, many of which, as my hon. Friend the Member for South East Cornwall (Mrs Murray) pointed out, are not suitable for a home environment. And so it goes on.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Gentleman on securing this important debate on a subject that has not received the attention it deserves. He has come to a crucial part of his discourse. He is talking about internet transactions, which are escalating exponentially. Does he agree that we need to track down the sources from which people can very quickly—one click away—get primates and other exotic animals with very little information about how to look after them if and when they are successful in purchasing them?

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Most pet shops, particularly stores such as Pets at Home, really pride themselves on finding out all the details of where pets originate from. For pets traded on the internet, however, there are no such constraints—it is basically a complete free-for-all. The 1951 Act regulates and controls licensed premises, but there are no controls for those who set up online as individuals trading perhaps one or two animals. If they do it on a regular basis, they can be asked to go through the licensing process, but that does not happen often.

Rebecca Pow: What my hon. Friend is saying is very interesting and I thank him for giving way again. Many big stores such as Pets at Home have wonderful systems in place for licensing pets and giving advice, but many smaller ones have a different array of licences, so there is no evenness across the table. That needs to be looked at, as I think the hon. Member for Penistone and Stocksbridge (Angela Smith), who is also on the Environment, Food and Rural Affairs Committee, would probably agree.

Mr Bellingham: My hon. Friend makes an excellent point.

We have the Animal Welfare Act 2006 and the Dangerous Wild Animals Act 1976, which deal with a small percentage of the total number of animals that we are discussing. There is also the Wildlife and Countryside Act 1981, which gives protection to some native species that might once have been considered for keeping as exotic pets and prohibits the release of exotic species into the wild. The UK is also part of the Bern convention on the conservation of European wildlife and natural habitats and other similar EU statutes. A legislative framework is therefore in place, but are the Acts and conventions being properly implemented and adhered to? Will the Minister urgently review and update the Pet Animals Act 1951, which completely predates the large-scale sale of animals over the internet?

I understand that the Department for Environment, Food and Rural Affairs has announced a review of all animal licensing to take place next year, so will the Minister consider the 1951 Act and the other legislation as part of that process? This is a big opportunity for the Government to get a grip on the matter, to seize the initiative and to get on the front foot and show that DEFRA, the lead Department, will work with other Departments to try to make a difference, because the law is out of date. I am certainly not part of the nanny-state tendency and do not want excessive regulation, but there is an argument for updating and making the existing legislation fit for purpose. I also ask the Minister to look at the training and capacity of local authority licensing officers to check whether they have the right processes in place.

We will be hearing from the spokesperson for the Scottish National party, the hon. Member for Kilmarnock and Loudoun (Alan Brown), but will the Minister work with the devolved Administrations to ensure an overall look at the issue throughout the UK? If the same review that is to take place under DEFRA also took place in Scotland, Northern Ireland and Wales, that would be helpful.

There is cross-party support for and the momentum to get behind a DEFRA initiative, but it has to be the right initiative. We have seen a steady increase in the trade in exotic pets and a real decline in the standards of welfare in a minority of cases—the vast majority of pet and exotic pet owners look after their pets well and have high standards, but many do not. Given all the problems that flow from poor welfare, pet abandonment and everything to do with biodiversity and the impacts on habitats and human health, the time has come for the Government to act—and they would have the House’s support.

9.51 am

Angela Smith (Penistone and Stocksbridge) (Lab): As always, Mr Owen, it is a pleasure to serve under your chairmanship. May I apologise in advance for being slightly under the weather and say that I might not be as energetic or as enthusiastic as normal?

I congratulate the hon. Member for North West Norfolk (Mr Bellingham) on securing the debate. His knowledge of the topic is impressive and he gave us a tour de force this morning. He set out clearly the scale and nature of the trade in exotic pets. As he pointed out, more than 1,000 species of animal are involved in the pet trade, with the evidence suggesting that more than 50% of pet shops sell exotic species of some sort, with 25% selling exotic amphibians, 25% selling exotic birds, mainly parrots, and 17% selling exotic mammals, such as raccoons and hedgehogs, as has been pointed out. Even worse, some 42% of pet shops sell exotic reptiles such as alligators, cobras, chameleons or endangered tortoises. It is also estimated, however, that a staggering 20% of calls to the Royal Society for the Prevention of Cruelty to Animals about reptiles are made because they are no longer wanted by their owner.

I want to provide some local context. In South Yorkshire we have 66 licensed pet shops. Recent research by Blue Cross and the Born Free Foundation shows that 25% of them sell reptiles of some sort, with many not even displaying information on what kind is being sold—which underlines perfectly the point made earlier. That is an important point, because if a shop does not know the species, it will not know how the pet should be looked after and will certainly not be able to tell the customer how to care for it.

Thirty per cent of pet shops in South Yorkshire also sell exotic birds, usually labelled simply as “parrots”. Even worse, one in five of the shops in South Yorkshire sells exotic mammals of some sort, with one even selling meerkats. Under no circumstances should meerkats ever be kept as pets, but that example typifies one of the major drivers at play in the trade, which is the role of fad and fashion in governing the decision to buy. To be frank, those individuals who want a meerkat should stick to collecting the stuffed toys on offer from Compare the Market and steer clear of the real thing.

What, in turn, drives buyers’ trends in the pet market? I suggest that one of the drivers is that people far too often see exotics as cute and cuddly. Most people, however, do not have the knowledge of the specialist requirements attached to looking after such animals, and the animals suffer as a result.

Dame Angela Watkinson: Does the hon. Lady agree that any revised legislative framework should place responsibility not only on people selling pets, but on people buying them? People should be responsible enough to find out what an animal needs before they take it on.
Angela Smith: I have a lot of sympathy with the hon. Lady’s point, and I will say something about the role of education later in my speech.

We need to remember that many animals could be suffering from the trade, far more than we estimate. We are uncertain about the scale of the trade, so it is not even easy to estimate the degree of the problem.

Another concern highlighted by research is how little some local authorities are aware of the issue. One authority in South Yorkshire stated that it had no pet shops licensed to sell exotics, yet Blue Cross and Born Free found at least three pet shops in its area selling exotic birds, amphibians and reptiles. Under-resourced local authorities clearly face a considerable challenge when enforcing legislation on exotic pets.

Licensed pet shops are only the tip of the iceberg—a point powerfully made by the hon. Member for North West Norfolk. In South Yorkshire, as in other areas, the online trade is the growing forum for selling a wide variety of exotic pets, often unlicensed and illegally. For example, one advertisement was seen to be selling cornflakes.

[Interruption.] I mean corn snakes—sorry, I said I wasn’t feeling well. Other ads were for royal pythons and, believe it or not, for a marmoset. Perhaps most shockingly, one advert in South Yorkshire was offering for sale two African grey parrots, exotic birds from the Congo region of central Africa that are designated as vulnerable by the IUCN—the International Union for Conservation of Nature—and should only be kept in captivity by experts and never as pets.

This debate is important and highlights an important and growing issue. If the Minister could address a few points in his response, that would be appreciated. First, does he agree that the Dangerous Wild Animals Act 1976 should be extended to cover pet shops? A seller of an exotic animal needing a licence would then have to state such a requirement to any buyer. Second, will he consider—this is the principal point made by the hon. Member for North West Norfolk—conducting a full review of the exotic pet trade, similar to the one promised by the Scottish Government? I know that a general review of animal licensing is on the way, but that aspect of the trade needs to be looked at carefully. Public safety ramifications that go beyond the Animal Welfare Act need to be looked at as well and given a bit of separate attention.

Fourthly, as I have highlighted, local authorities do not have the time, resources or guidance necessary to curb the sale of exotic animals. This is a problem that goes all the way across the licensing of animals for breeding and sale, including dogs and cats. Does the Minister agree, therefore, that local authorities should be given the resources to properly license and inspect pet shops to ensure compliance with existing legislation?

Fifthly, does he agree—this is another point made earlier—that more needs to be done to educate the public about the husbandry needs of such animals, which can be difficult and expensive to satisfy in a home environment?

Mr Gregory Campbell: On more being done to educate wider society, does the hon. Lady agree that part of the problem is the novelty factor, which parents often inculcate in their children? They do not want to have just a goldfish, dog or cat; they want an increasingly outrageously exotic animal as a pet, which might be discarded in a matter of weeks.

Angela Smith: I totally agree, and that is the point I made about the role of fad and fashion. I made the point about meerkats and tried to deal with it light-heartedly, but it is a serious point. Meerkats are not animals that can be kept easily in a home environment, but we see a growing trend for that kind of pet ownership, which is totally unacceptable. On a personal level—this is not a party political line—I think it is unacceptable that a wide range of exotic animals sold in pet shops should be sold to be kept in domestic environments. I do not understand why anyone would want to keep a pet snake or a pet spider.

Rebecca Pow: I want to back up what the hon. Lady is saying. Something like half of all pets sold through pet shops are venomous snakes, alligators and crocodiles. That is frightening, so I urge the Minister to look at the law.

Angela Smith: I totally agree. I am pleased that a review of legislation on the licensing of the breeding and sale of animals is on the way, but that aspect of the trade needs to be looked at carefully. Public safety ramifications that go beyond the Animal Welfare Act need to be looked at as well and given a bit of separate attention.

Pet shops sell exotic animals to meet a demand and because of the high profits to be had by so doing. There is nothing wrong with making money, but we must be careful and make sure that animal welfare is not compromised in the process of making a living. In many cases, animals may not be dangerous or endangered. It is not illegal to own exotic pets, but even if it is not illegal, in some cases the trade drives habitat destruction and the extinction of animals in the wild. That cannot be right or good for the species involved, nor is it possible to meet the welfare needs of exotic pets in a domestic environment.

I thank Blue Cross and Born Free for their campaigning work, which has been invaluable and should be commended. I for one appreciate all they do in highlighting this and many other animal welfare issues. I know that the Minister is a reasonable man and he is very competent, so I look forward to a full and thorough response to the points raised in the debate.

10.2 am

Sir David Amess (Southend West) (Con): It is a pleasure to serve under your chairmanship, Mr Owen. I congratulate my hon. Friend the Member for North Thanet (Sir Roger Gale) on securing the debate. He is on urgent Council of Europe business this morning, but I will tell him that my hon. Friend the Member for North West Norfolk (Mr Bellingham) ably moved the motion in his place.

I do not mean to chastise my hon. Friend, but throughout my time in Parliament I have consistently raised issues concerning animal welfare. Therefore, if anyone has any time to spare, they will see in Hansard that everything that has been said this morning I have said before.
Indeed, in 2002, together with Ann Widdecombe—I am still a Member of this place; Ann Widdecombe is appearing in pantomime in Windsor and doing a good job, but she is here with me in spirit—I introduced a Bill to protect endangered species. Indeed, we got Brigitte Bardot involved in the campaign, but even that did not do any good.

I therefore say to the Minister that there is no point in having debates where we feel good at the end but nothing happens. I want a slightly better answer from him in terms of how his civil servants brief him, than the one I got from my hon. Friend the Member for Newbury (Richard Benyon), who was the Minister in 2012 and doing a splendid job. I am very much in favour of Ministers saying, “Yes, we can do this,” and standing up to the advice they are given.

None of these issues is original. The dramatic change is the power of the internet. We have all just fought general election campaigns, where we go canvassing. When I knocked on one door, I saw a cat with spots and thought, “My goodness—now they are keeping leopards.”

Over the years, the Amess household has kept all sorts of animals—we have drawn the line at giraffes because we do not have ceilings high enough for them—but my hon. Friend the Member for South East Cornwall (Mrs Murray) will be aware that, in September, I inaugurated the Westminster responsible pet ownership competition. The point of that was that owning a pet is a big responsibility. I understand how the hon. Member for Penistone and Stocksbridge (Angela Smith) feels on this issue.

We all know that small animals are cute. Puppies are cute and a little alligator, 6 inches long, looks cute, but then it grows. The level of irresponsibility of the people buying these pets is absolutely ridiculous. That is why, over the years and with other colleagues who have been consistently interested in animal welfare issues, I have tried to change things.

Dame Angela Watkinson: My hon. Friend will know better than anyone that the capacity of rehoming centres is at its limits, so the problem of exotic pet abandonment must be limited through legislation. Otherwise, it will continue and we will reach crisis point.

Sir David Amess: My hon. Friend is entirely right. My hon. Friend the Member for South East Cornwall and I recently returned from a trip to Cyprus, where my hon. Friend the Member for Enfield, Southgate (Mr Burrows) and I were presented with two common tortoises called Fama and Gusta. However, because of certain issues, those two tortoises, which we wanted to rescue, are still on the beautiful island of Cyprus and, under the arrangements in place, we would have had to get a mortgage out on the Palace of Westminster to bring them back. I have contacted the Minister for Tourism in Cyprus to see if some kind carrier could do us a favour, so that at least my hon. Friend could have a happy Christmas with his family by rescuing the two tortoises.

I have proposed and supported many early-day motions concerning animal welfare legislation. Indeed, the Protection against Cruel Tethering Act 1988, which was in my name, was on the statute book. I have tried to do something about the Pet Animals Act 1951, dogs Acts and other matters.

Recently, Southend Cats Protection came to my surgery and drew my attention to exotic cats. I was informed that over recent years ownership of new, exotic cats has become popular, including bengals, savannahs and chausie ocicats, which have become widely available on the internet—I say to my hon. Friend the Member for North West Norfolk that the power of the internet has changed things—and while many come from registered, reputable breeders, many others put profit before the animal’s welfare and, on the cat’s looks, sell them, with no checks made, to unsuspecting buyers who are unaware of the high maintenance involved.

Those breeds are demanding and require much human interaction. They need a lot of daily exercise and a large territory, including places for vertical climbing. I assume they do not just go up curtains—perhaps they try to walk on the ceiling. They often like to play with water, so they must be in their element at the moment. They have a high prey drive and, while many will get on well with dogs, they are often cat-aggressive and will actively seek out neighbouring cats to hurt to maintain their territory. My constituent explained how the cats can become destructive through boredom and can respond aggressively to being disciplined or handled. There are common reasons for those cats to be relinquished and, as my hon. Friend the Member for Hornchurch and Upminster (Dame Angela Watkinson) said, rescue charities are increasingly being asked to take them. Given the traits of these cats, however, charities cannot accept them, because they cannot meet their needs. These cats are very expensive to maintain.

Over the years, I have kept many birds—of the feathered variety. Many people keep birds—budgerigars, canaries and a number of common parrots—in captivity as companion animals, and I am very comfortable with that. However, the majority of birds imported through Heathrow airport come from places such as South Africa, South America, Singapore and the Czech Republic. It is absolutely ridiculous to bring back humming birds, given the cruelty involved in netting them. A large range of species, including macaws, lovebirds, toucans and birds of prey, are kept. The number of species is estimated to approach 1,000. Many of those species are now kept in the UK, and that is very cruel—these birds are taken out of their natural habitat, and they are not well looked after in captivity.

The RSPCA does a splendid job—I might be slightly critical of its ever-changing management, but its ordinary members do a splendid job. However, it certainly supports my concerns about the keeping of exotic birds. It recently reported that 80 dead exotic birds were found at the bottom of a cage they shared with a boa constrictor—a boa constrictor for goodness’ sake! Many of the other birds in the cage were on the verge of death. Of the 80 dead birds, two were zebra finches—I know they are fairly common—and one was a bronze-wingedmannkin, which had died as a result of head trauma after attempting to escape from the snake. The snake was curled up in the water bowl, so the birds were traumatised because they could not get anything to drink. During the inspection, budgerigars were also found to be suffering from skin complaints and a mite infestation.

I have touched on the ten-minute rule Bill I sought to introduce in 2002. In 2012, I asked the then Minister what plans he had to amend legislation such as the Pet Animals Act 1951. I think the civil service told
him to say there was no requirement to change the legislation, but that is ridiculous—that is not a good enough answer. In 1983, when I was first elected to this place, and David Mellor was the lead Home Office minister on this issue, we served on a Committee looking at a Bill—the first such Bill since 1911—to amend animal legislation. Furthermore, given what my hon. Friend the Member for North West Norfolk said about the power of the internet in this regard, we need to get up to speed.

I welcome the debate, but it should not just be a talking shop; we should change the legislation and make sure that any new legislation is actually enforced. It is Christmas, with the nativity and all of that, and this should be a happy season for not just human beings, but animals as well.

Several hon. Members rose—

Albert Owen (in the Chair): Order. Before I call Dr Lisa Cameron, I should remind those who are indicating that they want to speak that I will call the Front-Bench spokesmen at 10.30 am.

10.13 am

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is an absolute delight to serve under your chairmanship, Mr Owen. I congratulate the hon. Member for North Thanet (Sir Roger Gale) on securing the debate. I also congratulate the hon. Member for North West Norfolk (Mr Bellingham) on his detailed and thorough speech.

It appears that exotic pets have been a feature in the UK since as early as the 13th century, with records from the time reportedly documenting that reptiles were kept in the Tower of London menagerie. However, over recent years the popularity of exotic pets has grown, and the range of species kept as pets has significantly increased. Animal charities have reported that the variety of exotic pets available outnumbersthat of more traditional domesticated species, such as cats and dogs. Approximately 1,000 species of mammals, birds, invertebrates, reptiles and amphibians, and hundreds of fish species, are involved in the pet trade. The RSPCA has also highlighted the fact that trends in purchases of exotic pets are often associated with current crazes. For example, the increased demand for terrapins arose out of the popularity of the “Teenage Mutant Ninja Turtles”.

Many animal charities and professional bodies, such as the British Veterinary Association, have highlighted a number of concerns regarding the ownership of, and trade in, exotic pets. That has led to calls at EU level for new approaches. In Scotland, the Cabinet Secretary for Rural Affairs, Food and Environment, Richard Lochhead, has committed to a review of the trade in, and importation of, exotic animals for the pet trade in Scotland.

A key concern about the exotic pet trade relates to the animals’ welfare. These animals can be difficult to look after, and they can live for a long time and need extra, specialist care. Although many exotic pet owners are very experienced, knowledgeable and skilled in providing appropriate habitats and attending to their pets’ needs, animal charities highlight the fact that the increased availability of these animals on the internet and in pet shops means it is now easy for inexperienced people with little knowledge of an animal’s specific needs to purchase one as a pet.

In fact, the “One Click Away” investigation by Blue Cross and the Born Free Foundation found that, when these animals are purchased on the internet, the seller often provides little or no welfare information at the point of sale. It is also reported that high-quality care information can be hard to find. That impacts on the animals’ welfare and can lead to serious health concerns or even death. The specialist care required by these animals also means that vets often do not have the skills to deal with them when they become ill.

The easy availability of exotic pets to inexperienced owners can result in animals being given up or abandoned when they become difficult to look after, and there have been several such cases in Scotland. In one case, bearded dragons were discovered in supermarket toilets; in another case, a snake found its way into a legal office in Clydebank. Animal charities such as the Blue Cross and the RSPCA report that they are receiving an increased number of exotic pets into their care. However, that creates issues, as those organisations do not have adequate facilities to deal with exotic animals’ specialist needs at the scale that is now required.

Concerns have been raised about the lack of responsible sourcing in relation to these animals, and issues have been highlighted regarding the trade in reptiles and amphibians from the wild. The British Veterinary Association and the British Veterinary Zoological Society have reported that sourcing these animals from the wild can lead to a decline in their population; negative impacts on the ecosystem; stress for the animals as a result of being captured; poor acclimatisation; and high numbers of animal deaths due to the processes used during transportation.

Once in the UK, exotic animals also pose a potential threat to native species, habitats and the public if they escape or are deliberately released by their owners. It is reported that a number of exotic reptiles and amphibians have become established in other countries as invasive species, which has had significant impacts on native species and ecosystems. In addition, trade in wild-caught amphibians has spread diseases around the world, with devastating effects on amphibian populations. It is also highlighted that exotic pets can carry diseases that can be passed to humans.

Among the wide variety of exotic species for sale online, the “One Click Away” study found a number of potentially dangerous or venomous animals. When I worked in community mental health services, I went to the houses of a number of patients who were deemed to lack capacity and who required daily support, and I found that they had purchased snakes, lizards or various other animals, without any apparent knowledge of or understanding of the specialist care these animals required or the capacity to provide it. Our team therefore had to remove many exotic animals when patients were detained back into hospital. I am speaking from personal experience in urging the Minister to consider legislating on licensing.

Many owners of exotic pets are experienced, knowledgeable and skilled, as I have said, providing their pets with appropriate habitats and attending to their needs. There are groups of exotic pet enthusiasts and owners, such as the Reptile and Exotic Pet Trade...
Association and the Ornamental Aquatic Trade Association, which are concerned about the impact that reviews of the legislation could have on their hobby. They appear to be opposed to the introduction of bans. For those owners, the welfare of exotic animals is a paramount consideration. I accept that they are skilled in keeping exotic animals as pets.

It has been argued by members of the reptile industry that policies on the pet trade should be based on clear, robust science, and not on speculation, assumptions or prejudices; they have queried the reliability and quality of some research and views quoted by animal welfare groups and professional bodies. However, they have also quoted contradictory research such as undergraduate dissertations where there is not clarity as to the outcome, and where the views appear to be slanted or one-sided. Much more research—quantitative as well as qualitative—is needed, and the area in question would be a good starting point.

The legislation on the trade and importation of exotic animals as pets is currently being reviewed by the Scottish Government. It has been suggested that the UK Government’s recent announcement that they will review all animal licensing provides a good opportunity to consider issues relating to exotic pets in the UK, and I urge the Minister to take that forward. In doing so, it may be useful to consult relevant animal welfare groups, professional bodies and owner groups to ensure that all issues are fully considered. It is important that the legislative framework should be fit for purpose and capable of providing the best protection to the animals that are being bred, traded, imported and kept in the UK.

I have some concerns about public safety, particularly in relation to venomous snakes or other dangerous exotic pets that may be left, or lost down toilets. There are potential public safety issues, so it is essential that the existing Act be implemented. However, new legislation should also deal directly with the online sale of exotic pets, pet advertising and business registration and licensing. The Pet Animals Act 1951 should be reviewed. It was not configured to reflect increased interest in keeping exotic pets domestically. Extension or amendment of the Dangerous Wild Animals Act 1976 should also be considered. Owners of exotic pets should meet licensing criteria, which could be species-specific; work should be done on that.

I urge colleagues in the Scottish Government to ensure that their review is undertaken, and that stipulated guidelines will be enforced as a result. We want animal welfare provision across the UK. I would not like a situation in which legislation was implemented in one part of the UK but not in another, so that people who might not have animals’ best interests at heart would take them across the border.

10.24 am

Mrs Sheryll Murray (South East Cornwall) (Con): I thank the Backbench Business Committee and my hon. Friend the Member for North West Norfolk (Mr Bellingham) in particular for securing the debate. I have heard many good contributions on various topics, including from the hon. Member for Penistone and Stocksbridge (Angela Smith) and my hon. Friend the Member for Southend West (Sir David Amess). I do not want to repeat what they have said, so I will concentrate on the subject of primates.

In 2010 I adopted a monkey named Donkey from the Wild Futures monkey sanctuary near Looe in my constituency. Donkey lives in the monkey sanctuary with other Barbary macaques like him. Unfortunately, he spent the start of his life as a circus performer after being taken from his family in the wild, in Morocco. He has very poor social skills and is underdeveloped for his age. Luckily for Donkey, charities such as Wild Futures exist to rehome animals like him that are not fit for domestic life.

In January 2012 I introduced a Bill to the House under the ten-minute rule, to prohibit the keeping of primates as pets in the United Kingdom. In my speech, I told the stories of three different monkeys, Joey, King Julian and Mikey, who between them had suffered fractures, hypothermia and disabilities owing to lack of sunlight and nutrition. Wild Futures monkey sanctuary is currently appealing for funds to build a rescue facility for marmosets, with the hope of building a £60,000 facility that will include indoor and outdoor enclosures large enough to accommodate marmosets in social groups. The charity has recently brought two marmosets to the establishment. One of them, Speedy, was left in a small empty birdcage while his owner worked overseas. He had a scrap of cloth to sleep on and his only diet was banana custard, which led to him developing hyperglycaemia.

The Royal Society for the Prevention of Cruelty to Animals estimates that between 2,500 and 7,500 primates are kept as pets in the UK. Others suggest the number could be as high as 20,000. Because of the lack of registered breeders it is very difficult to come up with an exact figure. Sales of exotic animals on the internet are unregulated. Monkeys are being sold without any information on how to care for them and often with no information on the exact species. A person buying a pet without seeing it first is almost sure to put it up for sale or leave it abandoned. That is a huge strain on charities such as the Born Free Foundation and Blue Cross, which treat animals and species that some vets may never see, let alone treat. Veterinary help for monkeys is very hard to come by. They are more complex in their needs than domesticated animals such as cats and dogs, and require specialists. Often, the owners find the process too expensive or the monkeys do not make it to the arrival of the specialist—if a specialist is available.

Wild Futures monkey sanctuary currently houses 39 monkeys, most of which were purchased as exotic pets, but the number is growing constantly. Monkeys are quickly becoming a fashion accessory and we should not stand for that. I support the Born Free Foundation and Blue Cross in their call for a review of the Pet Animals Act 1951, but the legislation must take account of internet sales. I hope that the Act will be looked at during next year’s review by the Department for Environment, Food and Rural Affairs of all mammal licensing.

The Minister visited Wild Futures with me in the summer and he knows that the feeling there is that a ban is the answer to the problem of keeping primates as pets. The Select Committee on Environment, Food and Rural Affairs produced a report on primates as pets in the previous Parliament, and one thing that we accepted was that if people have primates as pets now, the introduction of an immediate ban could exacerbate the problem. Perhaps the Minister would kindly consider the introduction of a ban and a licensing system, with a
sunrise clause, so that someone who has been keeping a primate responsibly can continue to do so, but so that eventually we will put an end to a trade that leads to primates being kept in unsuitable conditions.

10.29 am

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Mr Owen, and to speak on behalf of the Scottish National party. I thank the hon. Member for North West Norfolk (Mr Bellingham) for securing the debate.

We know that this might not seem such a big issue for some people, given what is going on in the wider world at the moment. Indeed, on a separate animal matter, I have been contacted by a constituent who was unhappy to read that Scottish soldiers and money were being utilised to protect elephants abroad, which illustrates that there is sometimes a bit of misunderstanding. Members have spoken powerfully today about the trade of exotic animals and the issue of keeping them as pets. For me, this subject feeds directly into the whole matter of protecting the earth and its inhabitants.

There is clearly cross-party support on this issue, certainly within the Chamber. I pay tribute to the contributions from my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), the hon. Members for Penistone and Stocksbridge (Angela Smith) and for South East Cornwall (Mrs Murray), and the hon. Member for Southend West (Sir David Amess), who made it clear he has long been an advocate on this issue. I pay tribute to the work he has done over the years.

Over the years, the world has become a smaller place, given that it is much cheaper to travel now. We have much greater linkage with various countries abroad. As we have heard, the internet allows greater connectivity and what is perceived to be an understanding of the wider world. Those two issues combined have allowed the growth of the exotic pet trade. Given those circumstances, it is logical to review existing legislation and the whole exotic pet trade.

As my hon. Friend the Member for East Kilbride, Strathaven and Lesmahagow picked up on, we know that the removal of one species from the general food chain in the wild or their reduction within it has a direct impact on the environment they are native to, which leads to changes in the wider ecosystem of which those animals are a part. I recommend to hon. Members an excellent book I read over the summer, “Feral”, which illustrates very well how one animal can massively change the entire ecosystem.

We heard of the risk of transfer of disease and pathogens in general posed by the import of exotic animals, as well as the risk that those animals might be released into the wild. There is legislation that deals with the abandonment or release of non-native species, but it is none the less clear that a thriving exotic pet trade increases the risk of either accidental escapes or deliberate abandonment. Any escape risks loss of local conservation measures and obviously has a possible impact on native flora and fauna. There have certainly been plenty of examples over the years of both flora and fauna non-native invasive species biding in the UK.

Abandonment poses potential dangers for the public, depending on which animal is abandoned. I would certainly not like to have been working in the legal office in Clydebank that a snake came into. It might also have put me off my shopping if I had gone to the shop’s toilet and found a bearded dragon. Other examples of escape or abandonment highlighted by the Scottish Society for the Prevention of Cruelty to Animals include five corn snakes, a 6-foot boa constrictor and a Chinese water dragon—that is just in the past year alone.

Another spin-off of the exotic pet trade discovered in Scotland was someone breeding rats for sale to snake owners. That unscrupulous rat breeder was keeping hundreds of rats in what was effectively a rabbit hutch. The rats were discovered because they were allowed to escape—another example that illustrates the wider public health issues that derive from the exotic pet trade either directly or indirectly.

As we have heard, animal husbandry is another concern. We know that exotic pets need to be suitably looked after in terms of their living conditions and food. In terms of these purchases being one click away, people can be tempted to buy unsuitable pets without having the skills and knowledge to look after them, and they certainly might not provide the right living conditions, in terms of cages or other equipment, to give the animals the lifestyle they need. We know that unscrupulous dealers unfortunately might not provide the same specialist advice as responsible pet shops, and nor are they likely to check the suitability of prospective owners, meaning animals are sold to people who should not have them and are then not looked after. Animal welfare is a key

On a more serious matter, the main issues with keeping exotic pets are welfare and environmental concerns. While many animals might be covered under the convention on international trade in endangered species, wild fauna and flora, any exotic animals taken from the wild can impact on conservation. Human behaviour often drives people to desire to be ever more exclusive, and to do that, they crave even more exotic animals. I think it is fair to say that even the legal exotic pet trade can help to drive the illegal trade, as people seek to go one better and become more exclusive. That, of course, further endangers at-risk species.

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issue. When the prime motivation of the sale of animals is to make money, welfare might not be the No. 1 consideration, which leads to a spiral of decline in animal welfare.

In summary, we know that existing legislation can, in theory, cover many of the issues highlighted today. However, given that the Pet Animals Act in particular is more than 50 years old, as other Members have said, it is time for a review. I would like to hear the Minister’s response to that. As the hon. Member for Hornchurch and Upminster (Dame Angela Watkinson) said, we must ensure that buyers, as well as sellers, understand their responsibility.

10.38 am

Alex Cunningham (Stockton North) (Lab): It is always a pleasure to serve under your chairmanship, Mr Owen. I start by congratulating the hon. Member for North West Norfolk on opening this important debate. With the Government announcing the review of all animal licensing to take place next year, this debate is certainly timely. We have heard some interesting points, and I hope to add a little value to the debate, in which consensus has certainly broken out.

The hon. Gentleman made a strong and persuasive case that I am sure will go some way to convincing the Minister that more can, should and must be done to regulate the sale and keeping of exotic pets here in the UK. Like others, I would welcome the Minister’s confirmation that the Pet Animals Act 1951 will be included in the review, to bring the legislation into the 21st century.

As other Members have rightly highlighted, there is a growing trade in exotic animals, with traders knowing little, and buyers even less. My hon. Friend the Member for Penistone and Stocksbridge (Angela Smith) told of the huge range of exotic pets on sale in south Yorkshire, where shopkeepers have no knowledge of or information about them. That example, in itself, surely makes the case for change. The hon. Member for Southend West (Sir David Amess) mentioned a number of horror stories. He made me jealous when he told us he had worked with Brigitte Bardot, but even she could not change things as far as legislation in this area is concerned. I am sure the Minister agrees that we do not need any more glamour to achieve change.

The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) talked about the pressures that can be put on families through such things as “Teenage Mutant Ninja Turtles”, which can drive the demand for a particular species without people thinking about the animal’s needs. Children would be horrified if they realised that the pet that they are keeping is suffering, when actually, it is an illustration of their heroes. It is important that children understand a little more about that.

The hon. Member for South East Cornwall (Mrs Murray) said that the best way to have an interest in an exotic animal was by sponsoring one in a sanctuary. She also raised the issue of specialist vets not being available to deal with such animals when they become ill.

Regrettably, although the keeping of dangerous wild animals as pets is regulated by the Dangerous Wild Animals Act 1976 and the selling by pet shops of exotic animals as pets is regulated by the Pet Animals Act 1951, there are no detailed controls on the keeping of non-dangerous exotic animals as pets. Partially as a result of that regulatory uncertainty, the range of exotic animals and birds being kept as pets has expanded substantially in recent years, with increasing numbers of people choosing to buy lesser known species that are deemed more desirable, and maybe even more fashionable, which is a point that was raised earlier. Unfortunately, from a welfare perspective at least, that includes some species that are simply unsuitable for that purpose.

Reptiles are a case in point. The hon. Member for North West Norfolk told us of the Born Free and Blue Cross report, “One Click Away”, which suggested that up to 7 million reptiles and amphibians are now being kept in the UK. We also heard of a sample studied by Born Free and Blue Cross, which discovered at least 53 different species of reptile, along with 37 types of exotic bird, 28 types of exotic mammal and seven types of amphibians advertised for sale over a three-month period and across several general selling websites.

Often, however, the decisions by the buyers are made on the hoof, perhaps at the behest of a child, with little consideration for the long-term implications of owning an exotic pet for which the novelty can soon wear off. At a recent Blue Cross event, I raised the need for education, which again, was raised by my hon. Friend the Member for Penistone and Stocksbridge. I was talking about the need for children to understand in school what owning an exotic pet actually means. Children really do care and I think that if they understood a little more, perhaps the demand for exotic pets would be that little bit lower.

With many of these species having not undergone the same process of domestication as more familiar companion animals, such as dogs and cats, meeting their highly specialised welfare needs in a domestic environment can be very difficult. That is an important point. Domesticated livestock and companion animals are fundamentally different from their wild predecessors. The welfare needs of many exotic animals are extremely complicated. They often have specific requirements in terms of space, diet and environment, and very often those are difficult and expensive to meet within a home environment. The same holds true for the complex social, physical and behavioural needs of many exotic animals.

We have heard this morning that the unfortunate result is that many such impulse purchases end up being kept in poor conditions, contrary to the duties imposed by the Animal Welfare Act 2006 on owners to provide for an animal’s basic needs. I would welcome the Minister’s thoughts on how those regulations can be better enforced.

It is important to recognise that, when an exotic animal’s captive environment is unsuitable, a host of serious health problems can result, and we have heard many examples of those this morning. The 7 million reptiles that I mentioned just a moment ago, for instance, are known to suffer from a range of illnesses in captivity, including rickets, metabolic bone disease and digestive problems. With the advent—not to mention the rapid growth—of online selling, the internet has quickly become a hive of activity through which breeders, dealers and traders alike can advertise and sell a staggering array of pet animals with consummate ease.

Sadly, the ease of availability opens the door to many inexperienced owners, who can purchase exotic animals without being aware of their specific needs. That, ultimately, can feed into a cycle of maltreatment, and I look forward to hearing the Minister’s plans to ensure that this marketplace is properly and thoroughly regulated to minimise any such instances.
I am, indeed, aware that the Government have started to look at that area and have endorsed the Pet Advertising Advisory Group standards for online adverts. That move is certainly to be welcomed and represents an important step. There has been some success in improving online advertising standards among those signing up to the voluntary standards. However, critically, those standards are wholly voluntary and markedly less success has been had with the sites that are not signing up. Furthermore, compliance is, as a result, difficult to enforce.

The “One Click Away” report, which I referred to, illustrates that perfectly. By looking at a sample of almost 1,800 online classified adverts, animals considered particularly vulnerable to welfare problems in captivity, such as chameleons and iguanas, were found advertised for sale. The investigation also found that unsuitable animals, including potentially dangerous ones, were widely available for sale to the general public.

Worryingly, even primates featured on the list of species encountered. Between January 2008 and October 2012, monitoring by Born Free found 57 species of exotic mammals for sale, including 11 species of primates. The “One Click Away” report found 21 adverts selling primates, and I want to touch on that specific issue. Several animal welfare organisations are particularly concerned about that matter, and I share those worries. The RSPCA, for instance, has voiced its belief that primates are never suitable pets and tend to suffer disproportionately in a domestic environment. Blue Cross and Born Free would also support a ban on their keeping as pets.

Let us not forget that primates are highly intelligent mammals, with a range of complex needs. Many demonstrate complex language skills, use tools, show advanced learning, numerical ability and planning, as well as performing tactical social interactions. Some are also capable of human-like emotion, which adds another sensitive dimension to those considerations. However, that enhanced capacity for intelligence and awareness means that primates are also more disposed to suffer in captivity than many other animals. To maintain high welfare standards, both physical and psychological health must be safeguarded, entailing being kept in social groups in specially designed indoor and outdoor facilities, yet I understand that the RSPCA commonly finds primates kept as pets in birdcages, on their own, in people’s living rooms. Owners, worrying, lack even the basic knowledge and understanding of the species that they own. Clearly, that can have serious welfare implications and can lead to such conditions as bone diseases and diabetes, not to mention psychological symptoms such as self-mutilation, depression and hair plucking.

Speakers this morning have given the Minister much to think about, and I look forward to his explaining to us how we can achieve higher standards and better enforcement.

10.47 am

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): May I begin by drawing Members’ attention to my declaration of ministerial interest, Mr Owen? The World Parrot Trust—a fabulous charity that does work in 40 countries around the world, particularly targeting the illegal pet trade and the illegal trapping of exotic birds—is based in my constituency, and I have always supported their work.

I thank my hon. Friend the Member for North West Norfolk (Mr Bellingham) for introducing this debate on what is clearly an important topic. We have had many informed contributions to the debate.

I want to start by saying a bit about the scale of the issue. Although no precise figures are available and estimates vary, according to the Pet Food Manufacturers’ Association, about 1.3 million amphibians and reptiles are being kept as pets in the UK today. That is made up of about 400,000 lizards, 400,000 snakes, 300,000 tortoises and turtles, 100,000 frogs and toads and 100,000 newts and salamanders. There are other estimates, which some hon. Members have alluded to, that put the numbers of reptiles and amphibians in this country at up to 7 million. However, of those amphibians and reptiles, it is estimated that about 70% are made up of only six species: the bearded dragon, the crested gecko, the leopard gecko, the corn snake, the royal python and Hermann’s tortoise.

We can compare those numbers to those of more familiar pets: we have around 8.5 million cats and dogs, 40 million fish, 1 million rabbits and 1 million caged birds. Whether it is 1.3 million or 7 million, the issue is clearly important and I am aware of the many concerns that have been raised with me.

A number of hon. Members have pointed out that some of these animals can be dangerous to people and our native wildlife if not kept or controlled appropriately, and that they can carry diseases sometimes transmissible to humans.

An important element of this debate is responsible ownership. Responsible owners will take care to understand what is needed to look after their animals before they purchase them, and find out where best to source their animals and what restrictions may apply to their keeping. The veterinary profession is particularly well placed to educate owners. They see animals that might show signs that the environment or enclosure they are kept in are inappropriate. Vets can also help in educating owners about the best way of keeping their pets or rehoming them if they do not have the correct facilities. Pet shop owners also have a role in educating owners and advising on suitable pets for the buyer. Some exotic species need specialist care, as hon. Members have pointed out, and pet shop owners should ensure that such animals are sold only to those able to look after them properly.

We have made some progress. Just last week, with the assistance and support of DEFRA, the Companion Animal Sector Council—a group of organisations representing businesses and keepers—met other interested parties, including the veterinary profession and key NGOs, to discuss how to improve the sale and welfare standards of kept companion animals, including exotics. Among the recommendations from the meeting was the need to educate owners and prospective owners, as well as others, on the keeping of these animals, particularly exotic species. To help to address that, the meeting also agreed to formalise care sheets to be available on all the organisations’ websites.

Earlier this year, various trade associations and veterinary experts came together to produce new and up-to-date good practice guidelines for the welfare of privately kept reptiles and amphibians with advisory care sheets for the six most commonly kept reptile species. I will return to those care sheets and codes.
A number of hon. Members have referred to the internet, which is a vital issue. On one level, we could say that it is just a modern way of classifieds. We have always had classified ads in newspapers and we now have them online. However, the internet has made such issues far more challenging. That is why, a couple of years ago, we established a code with the Pet Advertising Advisory Group. I met the group just two weeks ago for an update on progress.

The code contains 18 requirements. There are automated checks for blacklisted words so if bad owners advertise dogs for dog fighting and so on the ads are automatically removed and banned. It requires a photo of the animal being sold. There is a three-strikes-and-you’re-out rule, and if people put up inappropriate ads they are blocked altogether from advertising on those sites. When a licence is required, they must have it and print the details in the advert. There is a ban on the sale of invertebrates and advertising them for sale through the post. Believe it or not, although it was not mentioned today, that was happening. Specific to primates, there is an outright ban on advertising them under the code.

Mr Bellingham: I am grateful to the Minister for covering that point, and the oversight of people who sell on the internet. What will he do about welfare during transportation and delivery of exotic animals that have been sold online—anconda, corn snake, and reptiles and so on—so that when they are sold and a contract is struck, transportation is safe and secure for the animal and meets high standards? What will be done to sort that out and to police it?

George Eustice: We must draw a distinction. Internet providers can deal only with the type of advert being posted and there is a ban on advertising transport through the post. A range of EU and domestic regulations are in place covering transportation and the Animal Welfare Act 2006 has a role in that.

I want to move on because of the time. The six organisations that have signed up are Epupz, Friday-Ad, Gumtree, Pets for Homes, Preloved and Vivastreet. Good progress has been made since we launched this initiative with the help of volunteers from NGOs, and 130,000 inappropriate adverts have been removed. At the meeting with some of the advertisers last week, Gumtree, for example, reported that the number of pets advertised on its website has gone down by 80% over three years. That is a significant change. When there are high-velocity sales with people advertising puppies and pets, they are automatically blocked and the advertiser’s details are forwarded to the advisory group so that other enforcement action can be taken. Both Preloved and Gumtree now send people automatic notification—Gumtree by email and Preloved on its website—with information about responsible ownership and responsible buying. Some good progress has been made.

Licensing is crucial and a number of hon. Members alluded to that. There is a need to review all animal establishment licensing. We have a hotchpotch of different laws, most of which date from the 1950s and 1960s, covering a range of options. We are working on a review of that and I hope to go to consultation imminently. Many hon. Members asked whether it will include a review of the Pet Animals Act 1951. My hon. Friend the Member for Southend West (Sir David Amess) said that he should stand up to officials. I always feel sorry for officials because they do not have voice at the Dispatch Box, so let me say that I am ably supported in this by some very talented officials behind me. The review will include that Act because although it has stood the test of time, it was designed in an era when the internet did not exist and it is important to review it to make sure it is clear. The law is already clear in that anyone trading on the internet must have a pet shop licence whether or not they have a pet shop in the high street.

The areas we want to cover include enforcement. I am keen to see whether we can make greater use of the UK accreditation scheme so that people who are registered with, for example, the Kennel Club, do not necessarily need a separate local authority licence. We should let local authorities focus on those who are outside a system at the moment. I am also keen to look at resource sharing. It would be possible, for example, for one or two local authorities to develop a specialism in exotic pets and to provide help to other local authorities. There are greater prospects for joint working.

Specifically on exotics, we are considering making it a requirement of having a licence that care sheets and information sheets are provided to owners before they are allowed to purchase pets. That would be a big step forward because, through the licensing and legislative process, there would be a requirement for that information to be given. We are also considering whether we can have a more risk-based approach.

Next year, we will review the code for primates. I had a delightful visit to Wild Futures in the constituency of my hon. Friend the Member for South East Cornwall (Mrs Murray). It does fantastic work. Our view is that it would already be a clear breach of the Animal Welfare Act 2006 for anyone to have a primate in a domestic setting. There are private keepers who can provide the needs of primates, and I am open to looking further into some of the points she made.

My final point relates to the legislation on importing and exporting. Exotic animals imported into the UK are subject to import controls to prevent the introduction of disease to this country. Imported reptiles and snakes do not need to be accompanied by a health certificate, but a certificate must be completed by the competent authority of the exporting country for exotic birds. What is crucial is that all animals imported to the UK from a third country must be presented at a border inspection post and subjected to a veterinary and documentary check by the Animal and Plant Health Agency. Additional controls for many exotic species are provided through CITES—the convention on international trade in endangered species—and include around 35,000 species.

In conclusion, we have had a very good debate. I hope that hon. Members with a clear interest in the matter will contribute to the consultation when we launch it, hopefully in the new year. The matter is vital. I am passionate about it and want to sort it out. I believe we can improve the licensing system both in the way we approach the laws of licensing and in the way they are enforced.

Question put and agreed to.

Resolved,

That this House has considered the exotic pets trade.
UK Tourism after the Paris Attacks

11 am

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): I beg to move,

That this House has considered tourism in the UK after the Paris attacks.

I am very grateful for this chance to raise an issue of huge importance to my constituency and the United Kingdom. I am delighted that my good friend the Minister will respond to the debate. Everyone in the House will wish her and her family well and all peace and happiness for the future. Her forthcoming break from the political arena will be sad for the rest of us, but an absolute joy for her. I know, because I have three children, that it will also be an awful lot of hard work. If she ever fancies a change or a breath of fresh air, I can think of no better thing for her to do than to come down to Bridgwater and West Somerset and enjoy the delights of Exmoor—it is very good for young lungs.

Encouraging tourism is what this short debate is about. The industry is vital to the UK; tourism is growing faster than any other sector in the country. It employs well over 3 million people and, according to the latest figures, it earns £130 billion a year. That is 9% of the UK’s GDP. It is possible that 10 years from now, tourism will be bringing in £300 billion-worth of dollars, euros and yen every year. However, I emphasise the word “possible”. British tourism has massively upped its game in recent times. I can speak only for Somerset, but I know that down there we offer the best these days. I admit that I was slightly apprehensive when travelling to Paris the other day. Like everyone else, I had been glued to the news and shocked by what I saw. To my relief, Paris was operating normally. There were more police on the streets, obviously, but the buzzing stylish city was there; its heart was beating strongly.

By coincidence, I spent the weekend and a lot of last week in Paris as a delegate to the international climate change conference. That long planned event involving the leaders of 147 countries was always going to be a security headache. What happened in the city on the grim night of 13 November dramatically altered the landscape. It is a massive tribute to French resilience that the climate change conference went ahead and will, I think, achieve so much.

By contrast, France has suffered badly in the aftermath of the ghastly terrorist attacks. As you know, Mr Owen, Paris is a wonderful city, but terrorism has wreaked havoc on its tourist trade. It is estimated that cancelled bookings and reduced visitor numbers have already cost the French economy about £1.5 billion. When Brussels was locked down while the police searched for the Paris terrorists, it cost that city a hefty £35 million a day in lost trade.

Fear, as we know, can be a cruel weapon. It respects no laws and undermines confidence—and, as we have seen here, it feeds on itself. Fear can all too easily stop tourists in their tracks. That is perfectly understandable: no one will want to put themselves or their family at risk when they embark on a vacation anywhere in the world. I fully appreciate that the remedy for fear is extremely hard, if not impossible, to find and is well beyond the power of any ministerial brief. We cannot expel it. We cannot legislate against it, and we cannot at the moment control it. However, we can perhaps do a little more to persuade the wider audience of potential visitors that, whatever they may have heard or read about the risks of terrorism, Britain remains open for business.

I have some relevant experience of the need to counter fear. Two years ago, a large part of my constituency began to sink under the most appalling floods for 200 years—given the events of recent days, I send my condolences to our friends in the north. The damage was horrendous. The human toll was also high: many people were forced to abandon their homes as the waters rose. It was shocking and desperately sad, so I greatly sympathise with those in Cumbria who have been similarly affected. Flooding on that scale is a nightmare. It has taken two years for those parts of Somerset to recover. It took an enormous push from Somerset’s tourism industry to persuade visitors to stay with us or book to return.

The trouble with fear is that it is easily exaggerated. People saw aerial photographs of flooded homes and assumed that the whole county was underwater. In fact, if one drove down the M5, one would hardly notice human toll was also high: many people were forced to abandon their homes as the waters rose. It was shocking and desperately sad, so I greatly sympathise with those in Cumbria who have been similarly affected. Flooding on that scale is a nightmare. It has taken two years for those parts of Somerset to recover. It took an enormous push from Somerset’s tourism industry to persuade visitors to stay with us or book to return.

The trouble with fear is that it is easily exaggerated. People saw aerial photographs of flooded homes and assumed that the whole county was underwater. In fact, if one drove down the M5, one would hardly notice anything. Most people were going to work, going to school and generally getting on with their lives. There was food in the shops and a welcome at the local pub. Somerset did not grind to a halt, and neither will Cumbria. However, we all have to work extremely hard to get that message across.

I admit that I was slightly apprehensive when travelling to Paris the other day. Like everyone else, I had been glued to the news and shocked by what I saw. To my relief, Paris was operating normally. There were more police on the streets, obviously, but the buzzing stylish city was there; its heart was beating strongly. Parisians are already learning how to come to terms with what happened, as we did some years ago. For potential visitors, that process takes much longer.

We all know that terrorism never has respected and never will respect national boundaries. America has just suffered the San Bernardino shootings, inspired by the same twisted beliefs as were behind the Paris attacks. There was also the knife attacker on the London tube a few days ago. Those events remind us all of the risks, but the bigger the atrocity, the greater the impact on tourism—that is now a genuine danger. It would be surprising if the Paris massacre had no adverse effect on American tourists in the future. I would hazard a guess that if someone who lives in Minnesota is thinking about “seeing Europe”, as Americans do, they might well pick Rome, London, Venice or Berlin, but they will probably not pick Paris at the moment.

Nigel Huddleston (Mid Worcestershire) (Con): I congratulate my hon. Friend on initiating this debate on a very important topic. Does he agree that the data and evidence on the time taken to recover from major terrorist attacks and events such as those that he mentioned in his constituency vary—there is some inconsistency? Data on the London attacks in 2005 suggest that London recovered very quickly; in fact, there was an increase in tourist numbers in 2006. Similarly, after the Madrid bombings, domestic and international tourism recovered quite quickly. Unfortunately, I am hearing evidence from UKInbound and others that—

Albert Owen (in the Chair): Order. I call Ian Liddell-Grainger.
Mr Liddell-Grainger: My hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) makes a very good point and his statistics are absolutely right. The problem is that we can not be complacent. Having been an MP for 15 years and dealt with flooding and other problems in my constituency, I know well what the effects can be. My hon. Friend was absolutely right to mention the attacks in London some years ago. They did affect the city; there was no way to get around that. However, we recovered very quickly. There was good leadership from the centre. That rippled out across London and the United Kingdom, and we were able to recover to the position where we were before. But it is right to say that that took time.

The problem with all this is that if we are complacent, we will miss the chance. We are in the middle of the Christmas period. In tourist terms—dare I say it?—spring and summer are already here, because holidays are being sold, so we must take this issue seriously. That is why it is timely that the Minister is here to respond to the debate and explain where we are going on this issue for the future. I am glad that my hon. Friend the Member for Mid Worcestershire is here and am very grateful for his input.

What should we do to protect our vital flow of visitors? Of course, there is a powerful domestic message for British holidaymakers who might be thinking of booking a foreign summer break. We should tell them to consider Britain first, to discover what we have at home and how spend—dare I say it?—pounds, not euros. A bit of national spirit would help us all.

I am pretty sure that the Minister will want to draw attention to the new Discover England fund, announced by our right hon. Friend the Chancellor of the Exchequer in the autumn statement. That is a lot of money—£40 million—and it will be deliberately targeted to back up the Government’s new five-point plan for tourism. Everyone I have spoken to in tourism is optimistic about the generous injection of money and the basic ideals of the tourism plan. If there is any anxiety, it is more about the difficulty of enabling a large and diverse industry to speak with one voice, which I think is probably what my hon. Friend the Member for Mid Worcestershire was talking about.

I notice, for example, that a collaborative body called the Tourism Industry Council has been created to improve the relationship between the industry and Government. That has to be welcome; it is a good idea, but I did not realise quite how many people are involved. There appear to be—I know that the Minister will correct me immediately if this is wrong—25 different tourist organisations represented. I say gently to the Minister that that is bigger than the Prime Minister’s Cabinet; the cost in coffee and biscuits alone must be positively frightening. So many strange-sounding organisations are involved, and the general public are probably not even aware that half of them exist.

We have probably all heard of VisitBritain and VisitEngland, the two big outfits that help to promote all our brands. I did not know, however, that there was a British Association of Leisure Parks, Piers and Attractions—I trust that that has nothing to do with Piers Morgan—but I am familiar with the Association of Leading Visitor Attractions, let alone the Tourism Society, which is not to be confused with the Tourism Alliance, UKinbound or even the British Hospitality Association.

There is an association for pretty well every different discipline. Bed and breakfast? Yes, they have one. Travel agents? They have another one. Pubs? Naturally, they are a British institution. Those organisations are all different, with different memberships, different ideas and—guess what?—different leaders. I had come across People First, a training body for the catering industry, but did you know, Mr Owen, that there is even a National Coastal Tourism Academy? We must sign up immediately.

London seems to have at least two seats on the Tourism Industry Council, held by a promotional group called London First and the Association of Professional Tourist Guides, most of whom work in London. The other specific regional representative appears to be West Dorset Leisure Holidays, a company that runs holiday parks in west Dorset. Fine—not a problem, but it is an awful lot of people. I am sure that West Dorset Leisure Holidays does its job well, but I have to wonder how it came to sit on the national Tourism Industry Council in the first place. West Dorset is a lovely place, but so is West Somerset, and for the same reasons. I am slightly biased, but I think that West Somerset is much lovelier.

My point is this. How on earth can we expect a council with so many members from so many different corners of the tourism trade to come up with coherent ideas? I know that it was the Government’s ambition to streamline the Tourism Industry Council; I accept that. I suspect that that is still a work in progress, and I am sure the Minister will wish to bring us up to date on it.

We are extremely fortunate in this country. We can offer a rich history, amazing scenery and an unrivalled welcome—and nowhere more so than in Somerset. It is no accident that tourists from faraway places have chosen to make the journey to this country in increasing numbers. Last year, 100,000 more visitors came to spend time with us. They dug deep into their pockets and helped the west country economy by more than £500,000. I hope that my hon. Friend the Minister will agree with me that the best way to ensure that our visitor numbers stay buoyant is to be buoyant. We need to talk up tourism and ensure that everyone everywhere gets the message that we are ready, willing and able—but much more importantly, we are open, so come over and enjoy.

We face a challenge over the Christmas period. The spending power of people in London—my hon. Friend the Member for Mid Worcestershire was right to mention London—is enormous. Any change at Christmas hits the retail trade, and also the autumn and spring trade. I am not a great shopper, but I have noticed that there are sales going on in London already. When that happens, it tends to mean that there are problems in the retail trade. I know that the Minister is aware of that, and I am sure that she will respond.

Albert Owen (in the Chair): Before I call the Minister, I, too, wish her all the best for the future and give season’s greetings to you all. 11.13 am

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): Thank you for those kind words, Mr Owen. As always, it is a pleasure to serve under your chairmanship. I am grateful to my hon. Friend the Member for Bridgwater and West Somerset
UK Tourism after the Paris Attacks

(Mr Liddell-Grainger) for raising this important subject and giving me a chance to update the House on the state of the tourism sector following the tragic events in Paris last month. I thank you, Mr Owen, and my hon. Friend for your kind wishes for the future.

Let me start by extending my deepest condolences to those affected by the attacks, and to the city of Paris. In France, a state of emergency has been confirmed for three months, and we understand how worrying that must be, not only for all those who live and work in the city, but for the Parisian tourism sector. We live in extremely dangerous times, but we in this country, and particularly in London, have faced such threats before. Our experience demonstrates the resilience of the nation, its workers and, of course, the tourism sector, when we stand together, as we must, to manage those threats.

After the tragedy of the London bombings 10 years ago, the capital’s attractions reported a 25% drop in visitor numbers. Just 12 months later, however, data showed that visitor numbers had bounced back and even outstripped the previous year’s figures. To pick up on the point made by my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston), I want to clarify the statistics and counsel caution. The statistics from UKinbound are anecdotal, and there will not be a proper survey until January. Although there has been a drop in the number of bookings from France, it was initially a consequence of the restrictions on travel, particularly for school groups—those restrictions were reciprocated, and our school groups did not visit France or Belgium—and those restrictions have now been lifted.

In the aftermath of 9/11, New York did not close to visitors; it reached out to them. I spoke to the Mayor of London yesterday, and he is confident—adamant, in fact—that the latest threats or incidents will not cause long-term damage to the tourism sector in our capital. As an avid shopper myself, let me reassure my hon. Friend the Member for Bridgwater and West Somerset mentioned the flooding in his constituency. I hope that he, his local authority and all the tourism organisations in his area will share their experience with our friends in Cumbria.

We will continue to work here in the UK and with our overseas networks to communicate the steps that are being taken to keep the public and visitors safe, and to promote Britain as a great destination to visit. The UK has something to offer every type of traveller, and we want more people to visit and experience our way of life. As well as supporting jobs and growth, tourism is about connecting people and forging cultural links. The Government understand the vital role of tourism, which is why we launched a five-point plan for the sector during our first 100 days in power. That plan sets out the areas that we will prioritise to help the tourism sector to grow. Tourism is an engine of growth and a key industry, which supports almost one in 10 jobs in the UK.

The Government are determined to capitalise on these new opportunities. We cannot and will not allow our industry to stagnate; it needs to show resilience and determination. The diverse membership of the council is one of its strengths. It is the chair of the council’s role to guide those disparate individuals and opinions to productive conclusions. I assure my hon. Friend that specific members of the council will be called on to address various concerns and topics. We have no intention of wasting busy people’s time when agenda items do not need specialist expertise, so we will call on members’ time in a proportionate way. An open, transparent and two-way dialogue is critical to making progress.

Across the world, the international trade in tourism has grown spectacularly over recent decades, with international tourism arrivals passing 1 billion for the first time in 2012 and set to reach 1.4 billion by 2020. The Government are determined to capitalise on these opportunities. We cannot and will not allow our industry to take a backseat to international competitors.

In my hon. Friend’s constituency, attractions such as the Walled Gardens of Cannington have the potential to attract visitors from near and far. As Tourism Minister,
I am determined to ensure that the panoramic views of Somerset that those gardens provide are not only well promoted, but accessible and fully integrated into the local economy. Indeed, the aim of the £40 million Discover England fund announced in the spending review is to make it easier for all of us to explore England’s hidden gems.

The benefits of tourism run much deeper than economics. By attracting tourists to the UK, we are able to showcase the best of our way of life—our national character as well as the splendour of our nation. Tourism enhances the quality of life of those who visit, as well as those who host. It is therefore having a central role in helping Paris to emerge from last month’s atrocities. We stand shoulder to shoulder with her, as she does with us.

Question put and agreed to.

11.21 am

Sitting suspended.

The Shrewsbury 24

[MR GEORGE HOWARTH in the Chair]

2.30 pm

Steve Rotheram (Liverpool, Walton) (Lab): I beg to move,

That this House has considered the Home Office and the case of the Shrewsbury 24.

It is a great pleasure to serve under your chairmanship, Mr Howarth. As Members will know, this is not the first occasion on which the great injustice of Shrewsbury has been brought before Parliament. I make it clear from the outset that there is no doubt that the jailing of Dessie Warren, Ricky Tomlinson and four others, and the guilty verdicts against a further 18 Shrewsbury pickets, was a great injustice. Indeed, in 2014 there was a full debate in the main Chamber in which an overwhelming majority supported the motion to release Government documents pertaining to the case. Earlier this year, due to the perspicacity of my hon. Friend the Member for Blaydon (Mr Anderson), we again debated the call for the release of Government documentation relating to the Shrewsbury 24.

It might be asked why we are here again to raise the matter with the Minister. The answer is quite simple: not only have the Government not kept their promise to release the documents kept secret from the public for 43 years because of a fallacious threat to national security, but there is now compelling evidence, to which my right hon. Friend the Member for Leigh (Andy Burnham) and I have had access, that undeniably proves that the whole saga is a conspiracy at the very heart of Government. We would like to bring that to the House’s attention.

I will quickly recap the events of the national building workers’ strike of 1972, its immediate aftermath and the new evidence that was recently brought to light. I will then highlight what campaigners are requesting and the process for release. From previous debates, I know that some Tory Members simply believe that workers should not be allowed to strike and that many who do are either agitators or criminals, but I remind the House that taking legitimate strike action was then an inalienable right—and it still is, despite the draconian restrictions of the Trade Union Bill.

In the previous debates on this matter, apart from some limited opposition relating to some of the minor issues surrounding the case, the material substance of the claims raised in Parliament has been largely accepted. As John Platts-Mills QC said:

“The trial of the Shrewsbury Pickets is the only case I know of where the government has ordered a prosecution in defiance of the advice of senior police and prosecution authorities.”

The campaign team’s researcher, the redoubtable Eileen Turnbull, trawled through documentation archived at Kew and uncovered a letter dated 25 January 1973 from the then Attorney General, Peter Rawlinson—the highest legal adviser in the land—to the then Home Secretary, Robert Carr. Rawlinson advised the Home Secretary that, in his view, having discussed the case with Treasury counsel and the Director of Public Prosecutions, no less,

“proceedings should not be instituted.”
There is a litany of major inconsistencies in due legal process but, for expediency, I will outline just a few. Despite the fact that the police never received any report of incidents of criminal behaviour, or even unacceptable behaviour, by pickets at the time of the industrial action, political interference led to a belated investigation of the Shrewsbury pickets. The unions did not receive any complaints from the police about the conduct of the pickets—in fact, there is photographic evidence showing that the police were mingling freely with the strikers.

There was political interference with the judicial process and a very dubious relationship between senior Tories and certain senior police officers. Convictions for conspiracy were the then Government’s ultimate aim, as such convictions were seen as totemic in deterring other workers from taking industrial action. Despite no complaints, cautions or arrests, on 6 September 1972 a team of 24 detectives was deployed to north Wales to carry out a fishing exercise, gathering 800 statements, of which three quarters were discarded. Original statements that did not fit the investigators’ viewpoint were shredded and new statements ordered. I am sure the shadow Home Secretary will examine that issue in further detail.

A practice direction from the then Lord Chancellor followed in which the legal system regarding the swearing in of juries was changed. That denied defence solicitors the right to know jurors’ occupations, to which legal representatives had been privy for generations. The defendants’ legal team expressed major concern about the lack of neutrality in the area in which the trial was held. The trial was presided over by Judge Mais, whose inexperience was matched only by his lack of impartiality; his expertise was mainly in rural and ecclesiastical matters.

Inexplicably, a television programme entitled “Red Under the Bed”, which specifically made references to the ongoing trial, was allowed to be televised in the Shrewsbury area during the trial. In any other circumstance that would have been considered contempt of court and the trial would have been stopped. Scenes from the building workers’ strike, the committal hearing at Shrewsbury and shots of Des Warren and some of the Shrewsbury pickets were screened, which was prejudicial to a fair hearing. Papers already released show that the then Government, right up to the Prime Minister, were involved in assisting the programme’s production. The jury was misled. When the jury initially failed to agree a verdict, it was advised that, should it agree to convict, the accused would only be fined by the court. As we know, that did not happen.

In the Commons debate of January 2014, the motion requested that the Government release all documents relating to the prosecution of the Shrewsbury 24. At the end of the debate, the then Justice Minister, Simon Hughes, replied for the coalition:

“...committed to transparency.”—[Official Report, 23 January 2014; Vol. 574, c. 515.]

He wanted as “much information as possible” to be put in the public domain, in line with the Freedom of Information Act enacted by the previous Labour Government.

Andy Slaughter (Hammersmith) (Lab): I had the pleasure of replying to that debate for the Opposition; we were somewhat encouraged by what the then Minister, Simon Hughes, said. I am delighted that my hon. Friend has secured this debate almost two years later, and I am particularly pleased that my right hon. Friend, the shadow Home Secretary, is here. The Government have since gone backwards, have they not? They are now bringing the shutters down. Is that not a disgrace?

Steve Rotheram: Hopefully, between us, we will be able to explain to the people here, and to the wider public watching and listening to this debate, exactly how the Government have backtracked on the promises that were made less than two years ago. If the Government are honest about transparent and open government, which we so often hear about from Government Members, the easy thing for them to do is to release the documents.

Two years ago, I said that I believed the course of natural justice had been denied because of arrests “on trumped-up charges...a dodgy trial and...unsound convictions. That would not be allowed and would not be acceptable today, and it should not have been allowed and should not have been acceptable then. It was a legal process that would shame a third-world dictatorship.”—[Official Report, 23 January 2014; Vol. 574, c. 492.]

Given the new evidence seen by my right hon. Friend the Member for Leigh and me, I now believe that to be the case even more than I did following the debate 23 months ago.

Frankly, it is bonkers that the documents we requested in that debate—a request that the House of Commons overwhelmingly supported in the vote—should remain under lock and key. The Minister at the time, Simon Hughes, said that just four documents relating to the Shrewsbury trial were being withheld by the Ministry of Justice, but he could not speak for other Departments. He also conceded that the Government were retaining 625 files from 1972. It is our belief that the process that led to the prosecution of the Shrewsbury pickets is germane to many of those files, which are therefore fundamental to the veracity of the campaigners’ case. Only when those files are placed in the National Archives at Kew for public viewing will that become apparent.

The superficial justification for the Government’s position is that an exemption from disclosure was signed by the Lord Chancellor of the day, Lord Hailsham, who at the time was a Cabinet member, a Law Lord, Speaker of the House of Lords and a member of the judiciary. By coincidence, he acquired a significant range of new responsibilities through the higher courts in England and Wales when the Courts Act 1971 came into force in 1972, and he used his power to suppress information under section 3(4) of the Public Records Act 1958.

Some might say that this happened a long time ago, and they would be correct. Indeed, other Home Secretaries have had the opportunity to overturn the original decision, but have failed to do so. The most recent instrument, signed in 2011, provides an explanation of the reason for withholding the documents, under section 5, which states:

“The special reason is that transfer of the records after that period to the Public Record Office or a place of deposit appointed by the Lord Chancellor under the Act will create a real risk of prejudice to national security.”

Parliament has been discussing “national security” at length during the past few weeks, and I would never try to diminish the importance of our domestic resilience.
As many Members said during the Syria debate, there is no greater priority than the safety of the nation. But can anybody honestly argue that a strike by building workers who sought better pay and working conditions 43 years ago would in any way threaten our national security?

The Shrewsbury 24 campaign submitted an application to the Criminal Cases Review Commission on 3 April 2012. The Government have assured them that the CCRC has been given access to all documents relating to the trials, but how do we know this has actually happened? The CCRC is not the advocate for the applicants; it is the adjudicator, and it is there to consider the evidence from the applicants to decide whether or not there is a real possibility that the Court of Appeal would find the convictions unsafe. There are many files at the National Archives in Kew that have just one or two pages in them that relate to the trials. How can the Government expect the CCRC to go through dozens of files looking for individual documents when it simply does not have the staff for such a monumental task? Although the CCRC has statutory powers to obtain documents, it does not have the resources to conduct the detailed research that is necessary to show a conviction to be unsafe.

In the case of the Shrewsbury 24, the convictions were brought about by Government interference. The applicants have to establish that, and the CCRC cannot do that for them. However, the relevant Government Departments know exactly where their particular documents relating to the case lie, and they could provide them to the applicants to ensure that they can make a complete evidential submission to the CCRC, so that their application can be fully considered—if, of course, there was the genuine will within Government to be open and transparent; and that is why we are here today.

After the debate in 2014, the Minister met my hon. Friend the Member for Blaydon, together with the campaign researcher, Eileen Turnbull, and the most well known of the pickets, Ricky Tomlinson. Afterwards, the Minister arranged for Stephen Jones, head of freedom and justice devolution at the Ministry of Justice, to send Eileen the references of files held at Kew that could relate to the Shrewsbury pickets. Mr Jones sent her 2,307 references. Eileen diligently and painstakingly went through the references and selected 51 of the files that she believed to include information about the Government’s involvement in the prosecutions, even though they did not specifically refer to the Shrewsbury trials in their titles.

Eileen’s research concluded that there was important material kept on file relating to the Shrewsbury pickets that was not specifically referenced using either the word “Shrewsbury” or the word “pickets”. That was supported by an open document at Kew that stated that information regarding picketing was held under the reference “Security/Subversion”. Staff at Kew acknowledged that the Cabinet Office uses this reference internally. This information establishes, therefore, that there are many files—at least four volumes—kept on pickets by the Government and referenced “Security/Subversion”. When Eileen followed up her request for files with the words “Subversion in industry” in their titles, she was refused, as everything that fits that description—“Security/Subversion”—is classified.

The Government say that they have withheld only three letters and a security services report. We believe that there is much, much more than that on file and we would ask, in the first instance, for the following documents to be released. First, there is the report of West Mercia police and the report of Gwynedd police, which were sent to the Director of Public Prosecutions by Chief Constable John Williams on 18 December 1972. The campaign believes that these documents demonstrate that the police considered that there was no evidence to bring charges against the Shrewsbury pickets.

Second, there is the communication between the Home Secretary and other Departments, and West Mercia and Gwynedd police forces, including Assistant Chief Constable Alex Rennie, after 6 September 1972 about their large-scale investigations into picketing in north Wales and the Shropshire area during the strike. The campaign believes that these documents reveal the process of decision making that occurred at Cabinet and security services level to bring about charges against the building workers. As we all know, there were no complaints by the police or the public on 6 September 1972. No pickets were cautioned or arrested, even though there was a large-scale police presence at sites in Shropshire that day.

Thirdly, there are the communications between the Home Secretary and the Attorney General in December 1972 and January 1973 about the prosecution of the pickets. Campaigners have long believed that these documents will reveal who made the decision to proceed with charges against the building workers five months after the dispute ended.

Fourthly, there is the note of the phone call from a Government Department to Desmond Fennell, the junior prosecution counsel at Shrewsbury Crown court, that according to Maurice Drake QC, chief prosecuting counsel, was a request to inform the judge that they did not want him to pass custodial sentences. The campaign believes that this document further highlights evidence of the Government’s direct interference with the trial.

Fifthly, there are the M15 files held on Des Warren, Ricky Tomlinson and any of the other pickets. The relevance of this request is obvious, as campaigners believe that these files will reveal the monitoring of the pickets during the 1972 building workers strike by the security services, as well as the security services’ activities in manipulating the Shrewsbury trials.

Sixthly, a full copy of a letter from Robert McAlpine and Sons Ltd dated 26 February 1973 to the Commissioner of Police of the Metropolis should be released. Campaigners believe that this letter confirms the role of this construction company in intensifying pressure on the police to bring about charges against the pickets. Just for reference, I point out that the Brookside site in Telford was, by coincidence, a McAlpine site, and Sir Robert was, of course, a senior member of the Conservative party. That site was where the evidence was assembled by the police to bring about charges of conspiracy to intimidate, affray and unlawful assembly.

The Cabinet Office maintains that it would not be in the public interest for the files to be released. That is absolute nonsense, which most reasonable people would categorically reject as an argument. For the Government to resist requests to disclose documents actually brings about distrust and suspicion, which is not in the public interest. However, central to my request for the release of these files is the desire for justice for these men while
they are still able to see justice being done. Many of the lives of the Shrewsbury 24 were blighted by the events 43 years ago. The youngest of the Shrewsbury 24 is 68 and the oldest is 90. At least five have passed away since the trials in 1973-74, so time is of the essence.

It is inconceivable that a building workers strike in 1972 could throw up issues of national security in 2015.

Mr David Davis (Haltemprice and Howden) (Con): The hon. Gentleman is making a very persuasive case. I start from the presumption that, where matters of justice are concerned, the hurdle for withholding information is much higher, so I start from a presumption in his favour. It has been reported in the newspapers today, or by the Press Association today, that the shadow Home Secretary is proposing to withhold support for the Investigatory Powers Bill if he does not, as it were, win his argument today. It seems to me that there are two arguments here: one, which is very powerful, that the hon. Member for Liverpool, Walton (Steve Rotheram) has just made; and another one, which again is powerful, against the Investigatory Powers Bill. It seems to me that both arguments are diminished by joining them. Can the hon. Gentleman tell us what he is after today is to win by persuasion and not by coercion?

Steve Rotheram: I think the argument is persuasive. To tell the truth, I never speak for the shadow Home Secretary, my right hon. Friend the Member for Leigh; he can speak for himself. Given that he will wind up, he will address the points made by the right hon. Gentleman. It has taken 43 years to get where we are today, and the argument that we are putting forward overwhelmingly demonstrates, I think, that there is no way that any of the documents that would be released could be a danger to national security. That is the nub of this: it is about the documentation being released, so that the CCRC can have the full picture, not a partial one, in deciding whether to refer to the Court of Appeal. That is what the debate is about; others can speak for themselves.

Andy Slaughter: I hesitate ever to disagree with the right hon. Gentleman for Haltemprice and Howden (Mr Davis), but we now have a Government who are attacking freedom of information and the Human Rights Act, including the right to freedom of assembly. We need to see these things in the round, because there is a sustained attack on individual freedom.

Steve Rotheram: It is sustained in as much as it has taken Governments of all persuasions—to tell the truth—more than 43 years to get to the position we are in today. I am no friend of the current Government, but we also had an opportunity. We were in government for 13 years and we should have done a lot more than we did. This is not just about the apportionment of blame; it is about trying to get to where we need to get. Let us get everything out there and give it to the CCRC, so that it can make an informed decision on whether the case should be referred back to the Court of Appeal.

Andy Slaughter: I am sure my hon. Friend will join me in thanking our right hon. Friend the Member for Tooting (Sadiq Khan). As shadow Lord Chancellor, he made that change—I was simply his vehicle for announcing it—to say for the first time that a future Labour Government will release all those documents, and that pledge is maintained.

Steve Rotheram: I could not agree with my hon. Friend more, and in fact—I think the shadow Home Secretary will come to this—we want to go further. We want to look at historic injustices in the round. There are direct links between an awful lot of them. There is a thread that goes from 1971, possibly through what happened with Wilson, through the miners’ strike and possibly ending up with Hillsborough. I have been given a lot of information by Eileen Turnbull and others on this, and there are so many similarities, with the establishment deciding what was right for the country and covering things up.

This is a conspiracy that happened at the very highest level, so I look forward to a Labour Government, although what we are asking for is for the documents to be released, hopefully before a Labour Government, and we cannot get that until 2020. For some of the Shrewsbury pickets, four years is four years too long. They have waited long enough. The reason we want it is that information requested could prove crucial to the case that the campaigners are putting forward to the CCRC and to having those unsound convictions overturned by the Court of Appeal. It is time for the obfuscation to stop and for the Government to do what is right.

2.53 pm

Mr David Hanson (Delyn) (Lab): I congratulate my hon. Friend the Member for Liverpool, Walton (Steve Rotheram) on his contribution and welcome this further debate. I welcome the work of those outside the House who are campaigning daily to try to get to the truth of what happened more than 40 years ago. It is clear that an injustice has taken place and that the convictions were wrong. It is clear that those convictions caused tremendous difficulty to people at the time, but many, including a number of my constituents, bear the cross of those convictions still.

My hon. Friend made a strong case, and I do not wish to repeat it; it speaks for itself. It is, however, important to remember that the strike was about pay and working conditions. In the three years before that strike took place, 571 people had been killed and 224,000 had been injured in the building industry. The strike was about trying to get fairness at work. Such issues will of course generate strong passions, but the key question is whether the strike generated criminal activity. I believe that the Government have information on that and that the ongoing criminal review will show that the strike was not a criminal act, but an argument about conditions at work.

My hon. Friend has covered the long history in detail, but I have taken an interest in this case and campaign for some time. I am a Member of Parliament for a north Wales constituency and I represent a large number of the people who were charged and convicted at that time—some are still alive and some have died.

Let me make a confession. Mr Howarth: I was a Minister at the Ministry of Justice in the latter part of the last Labour Government. I could not raise the issues as a Minister, but as a constituency MP I wrote to Jack Straw, the then Member for Blackburn, in 2008-09. I asked him on behalf of my constituents whether we...
could release papers relating to the convictions, the trial and surrounding matters. My right hon. Friend, as he was then and still is now, agreed to look at those papers. After consideration, the Labour Government agreed to release the papers relating to the Falkland war in 2012. Obviously, we lost the election in 2010.

I took it upon myself on 8 November 2010 to write to the then Justice Secretary, the right hon. and learned Member for Rushcliffe (Mr Clarke). I said that there was a commitment from my right hon. Friend, the then Member for Blackburn, to lift the blanket ban on those papers and to release them in 2012. I asked whether he would stick to that agreement. He wrote back saying that the blanket agreement was still in place and would be in place until 2012, but that he was reviewing the matter. I gave him the benefit of the doubt.

On 23 March 2011, I wrote to the then Justice Secretary again and asked him to make a decision. He wrote back and said that he was still considering the matter. I wrote to his successor, the right hon. Member for Epsom and Ewell (Chris Grayling), on 20 November 2012. He said, “Thanks very much, David. It is very nice of you to write, but on 19 December last year, unbeknown to you or the House and without any disclosure, the right hon. and learned Member for Rushcliffe signed a new instrument, giving his approval for the retention of the records.”

The retained records include the information that my hon. Friend the Member for Liverpool, Walton mentioned, but also—this has helpfully come to light—information relating to other matters. That is why a Minister from the Home Office is responding to the debate.

Why is that information important and why are those papers still being retained? As my hon. Friend said, we had a debate in January last year on a Back-Bench motion, in which the House overwhelmingly voted to support the release of the papers. The Justice Minister at that time indicated that he would review the matter further: presumably, he said that on behalf of the Government that the Minister here today was and is a member. The then Justice Minister said at the time that under existing public record legislation, papers would be retained past the 30 years only if they were “retained for any other special reason.”—[Official Report, 24 March 2015; Vol. 594, c. 468WH.]

On 1 January 2013, the same Government began their move to transparency, deciding that 30-year documents would be released after 20 years because they wanted to be open and transparent. Yet in the case of the papers relating to the Shrewsbury trial and convictions, the Government do not want the 20-year rule to apply. They do not even want to stick at 30 years, which is the current figure, but prefer a situation in which my constituents, who face this issue every day of the week, have to wait until 2022 before they can find out what documents the Government choose to release, all because of some nefarious issue relating to “some other special reason”. My hon. Friend the Member for Liverpool, Walton has mentioned what the other special reason could be: the involvement of the security services.

Before I came to this debate, I googled the words “Falklands war”. We might think those words would elicit closure, secrecy and lack of transparency. I can find out anything I want about what was said in the Cabinet, what was undertaken in Cabinet and what was done at the time about the Falklands war, yet I cannot find information about what happened 10 years before that during an industrial dispute, because the Government have undertaken some disclosure, but not full disclosure.

What is so secret, so damming, so damaging and so improbable that the Government, 40 years on, will not let people have full access to the history of their case?

**Rob Marris (Wolverhampton South West) (Lab):** Does my right hon. Friend agree that we live in a very curious state given that Ricky Tomlinson is apparently seen as more of a threat to national security than General Galtieri?

**Mr Hanson:** I am grateful to my hon. Friend for putting it that way. I will take that as a compliment to Mr Tomlinson, and also to my friends who live in my town in my constituency, both during the issue daily. Where are the people who were working in the security services from 1972 to 1975? How old are they now? We are talking about 42 or 43 years ago. Were they in short trousers working for the security services? They will have retired. They will have gone. They will be off the face of the earth. They will have moved on. They are not there now in senior positions. If they are, let us hold them to account for what they have done.

This 42-year-old case matters to me and my constituents. I do not want to mention people by name—they know who they are—but I will provide one example. I will not put his name on the record; he knows who he is.

A colleague of mine is a town councillor in the town where I live. He is the mayor of the town. He will be putting on his red cloak and his chain in a week’s time for another civic event. He has served as a county councillor, been on the police authority, worked as a lecturer and is a citizen of the community in which I live. He is respected, well known, well loved and well liked, yet he cannot go to America on holiday with his friends and family because of an event 42 years ago: he got a conviction that, if the information was found, could be proved to be false. My constituent, the mayor, cannot get a visa, even today, to travel to the United States, because he is viewed as a threat to security. This person lives in my town, serves on a police committee and is the mayor of the town. He can walk down the street and hold his head high for what he tried to do at the time.

If disclosure is going to be unfair to somebody in the security services or Lord Hailsham or another Conservative Minister, so be it. Their reputations might deserve to be challenged at this stage. What is not fair is for my constituents—not only the one I have mentioned—to live in a community that knows they have been to jail or have convictions when those convictions are false. That is what the issue is about. This is not fun and games between the Government and Opposition Members; this is about real people’s lives and we want to see justice done. We should see the information and let the world judge whether there is something to hide.

I do not know what the documents contain. Let the world judge and not say what the Chancellor of the Duchy of Lancaster, the right hon. Member for West Dorset (Mr Letwin), said to me in a parliamentary answer on the Floor of the House on 21 October. When I asked him about releasing the papers, he did not say, “I am reviewing it”, “I will look at it”, or “There may be a case”. He said:

“No. I have no intention of authorising the release of those papers, which relate to the security services.”—[Official Report, 21 October 2015; Vol. 600, c. 940.]
The Minister needs to justify that answer and not simply say there is no reason to release those papers. He needs to talk about transparency and explain what happened 43 years ago. I support my hon. Friend the Member for Liverpool, Walton and the case he has made. The Minister must respond and I look forward to hearing what he says at the end of this debate.

3.6 pm

Ian Lavery (Wansbeck) (Lab): It is a pleasure to serve under your chairmanship, Mr Howarth. The debate is timely and I congratulate my hon. Friend the Member for Liverpool, Walton (Steve Rotheram), who for many years has been a stalwart in trying to get justice for the Shrewsbury 24. I will say this on the record: this case is a catastrophic and deliberate miscarriage of justice deliberately organised by the state. Of that there is no doubt. If they have nothing to hide, let us see the papers. It is simple. I can see the Minister staring at me. He is a former worker, which is highly unusual among the Conservatives. He has worked in the services with distinction, so I appeal to his good side. We are not asking for anything out of the ordinary other than to see some documents. According to the Conservative Government, there is not anything in them. If there is anything in them, why can we not see them? That is fairly straightforward.

We have discussed this case on various occasions in the Commons. The Back-Bench debate in the Chamber was one of the best debates we have had. We were solid behind the motion that was tabled by my hon. Friend the Member for Blaydon (Mr Anderson).

I am a former miner. I have been through many strikes. I have been a picket and have suffered the same as some of the representatives of the Shrewsbury 24. It is simply not right for an ordinary person, who has never had any problems and never been arrested before, to get arrested for trying to save their job and look after their family. It is just not right. It is an abuse of political power. It is an abuse of the judiciary system, an abuse of individual human rights, and an attack on the fact that someone is prepared to be part of a collective organisation in the trade union movement. That is what happened back then. This was not an industrial dispute, but a political dispute. The state wanted to show, by example, what would happen if people dared to stand up against the state.

We have seen legislation after legislation introduced since then. The recent Trade Union Bill, which should be the anti-trade union Bill, builds on what happened all those years ago in the early 1970s. These people were on strike; they were not raving, militant lunatics and revolutionaries. They were on strike because people were getting maimed and killed in the building industry. They were fighting for wages and, in the main, for health and safety of the people they work with in the workplace. That is simply not right. It is an abuse of political power. It is an abuse of the judiciary system, an abuse of individual human rights, and an attack on the fact that someone is prepared to be part of a collective organisation in the trade union movement. That is what happened back then. This was not an industrial dispute, but a political dispute. The state wanted to show, by example, what would happen if people dared to stand up against the state.

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Chris Stephens (Glasgow South West) (SNP): We hear much in this country about aspiration and about who represents those with aspiration. Surely, those involved in this dispute were an example of that—their aspiration was for a better life, better working conditions and better pay.

Ian Lavery: They had little in the way of aspiration other than to live the life of ordinary working people. If we think about it, this was about people being able to go to their workplace and do their job, to actually come home and see their families without having been maimed or lamed, and to put bread on the table at the end of the week. That is what much of these outrageous people were after. They have been targeted for years just for wanting to get on with their jobs in a safe environment and to create a decent life for their families.

When we had our debate nearly two years ago, the hon. Member for Aldershot (Sir Gerald Howarth), in response to my hon. Friend the Member for Blyth Valley (Mr Campbell), shouted that it was nice to see “old Labour is still alive and well and, in some respects, seeking both to justify and to romanticise mob rule and violence and intimidation.”

Who was romanticising? Where was the mob rule? Where was the intimidation? Nobody was arrested on the day. There was not a problem. The police were there, and they were talking to the pickets. It was a fine example of how things should be. There were no problems until months later, when people started to get the knocks on the door. My hon. Friend the former Member for Paisley and Renfrewshire North said that the comments by the hon. Member for Aldershot “reminded us exactly what the Tories are about” in that “workers should be...seen and not heard.”—[Official Report, 23 January 2014; Vol. 574, c. 485-501.]

I think he summed it up perfectly.

There has been new, compelling evidence, and I am sure my right hon. Friend the Member for Leigh (Andy Burnham) will explain exactly what it is and add to what has been said by my hon. Friend the Member for Liverpool, Walton. However, a documentary was shown, including in Shrewsbury, during the court hearing. It was called “Red Under the Bed”. It showed scenes involving the men who were up for trial. Good Lord, is that fair? Who saw it? Who did not see it? However, it is also compelling evidence, isn’t it? Perhaps we could use it to show that there was no intimidation and mob rule, that people were not fighting and that bricks were not being thrown. There was none of that.

I want to put on record my support for, and my commitment to, every one of the Shrewsbury 24 pickets and their families. I give a guarantee that we will fight forever and a day to seek justice for them. However, we really should look for justice as soon as we can. As my hon. Friend the Member for Aldershot (Andy Burnham) will explain exactly what it is and add to what has been said by my hon. Friend the Member for Liverpool, Walton, mentioned the youngest of these men is 68, while the oldest is 90, and five of them have died.

These principled people were offered a fine of £50 if they would walk away. The police officers said, “You can be home at 3 o’clock if you accept a guilty plea.” They would not be here now—we would not be here now—if they had accepted. However, out of principle, they said, “We are not guilty of any charges that have been placed on us.” That is principle.

It is about time that we—as a country and as politicians—ensured that these people got justice. Let us see who was behind the decisions that were made at the time in the police and the judiciary and, most of all, who was behind the political decisions made against these honourable, hard-working people.
3.14 pm

**Chris Stephens** (Glasgow South West) (SNP): It is a pleasure to be here and to serve under your chairmanship, Mr Howarth. I thank the hon. Member for Liverpool, Walton (Steve Rotheram) for securing the debate. His speech was informative, persuasive and, above all, powerful.

As the SNP spokesperson on trade union and workers’ rights, let me say it is a pleasure to speak in the debate. Before coming to this place, I was a Unison activist. Two years ago, in the hon. Gentleman’s city of Liverpool, Ricky Tomlinson addressed the UK Unison conference to raise awareness of the Shrewsbury 24 Campaign. It was my pleasure, as the then treasurer of Glasgow City Unison, to sign a cheque to the campaign, and I would encourage all members of the public watching the debate to consider making a contribution to it.

I want to assure the campaign that all right hon. and hon. Members of the SNP support it. It is important that justice be done. I should add that the campaign resonates with me because the arrests and charges came one month before I was born. Throughout my whole lifetime, therefore, the Shrewsbury 24 Campaign has been waiting for justice.

We know from the campaign that the National Federation of Building Trades Employers compiled a dossier. At the time, the **Financial Times** dismissed the dossier, saying:

> “This document is itself flawed since it suggests the existence of a sinister plot without being able to substantiate the allegations. Many of the incidents that have been listed seem to be little more than the ordinary spontaneous angry behaviour that might be expected on a building site at any time (and especially during an industrial dispute)...the publication reads more like a politically motivated pamphlet than a serious study.”

That is a good way of putting it.

I want to praise the speeches we have heard so far. The hon. Member for Wansbeck (Ian Lavery) referred to the previous debate, on the Floor of the House, in January 2014, and to the hon. Member for Aldershot (Sir Gerald Howarth). When I read the report of the debate, I noticed that that hon. Gentleman bragged about his membership of the Freedom Association—what we would consider to be the Consulting Association’s wee cousin.

The right hon. Member for Delyn (Mr Hanson) made a number of excellent points. I was surprised to hear that promises made in correspondence to him since 2010 have not been kept. I think he is due an explanation.

**Andy McDonald** (Middlesbrough) (Lab): Does the hon. Gentleman agree that, beyond this huge injustice, something else is at stake—the reputation of this Parliament? Deceit upon deceit has been practised here, and the reputation of the word of Minister after Minister is now in the gutter. There is a deep-seated smell of corruption, which goes right to the heart of the Government, and it needs to be expunged.

**Chris Stephens**: I thank the hon. Gentleman for that. He makes the valid point that members of the public outside watching this debate will be very confused that promises about the release of information keep getting made but are not kept. That is why many of them do not trust parliamentarians and Parliament. The hon. Gentleman’s point is well made.

In making his powerful address, the hon. Member for Liverpool, Walton got to the nub of the issue for those involved in the campaign. The eldest of these men is 90, and the youngest is 68. They should not have to wait five years for the release of these documents.

The SNP supports the decision taken in the House in January 2014. I want to emphasise the result of the vote: there were 120 votes in favour of releasing the documents, and three against. Many of us are concerned that national security is being used as a reason not to release the documents. Len McCluskey, the general secretary of Unite, has said:

> “It is time to end this 40-year conspiracy of silence and release all the government documents relating to the Shrewsbury 24. There is something deeply wrong in this country when a 21st century government uses national security to withhold documents about ordinary working people who tried to improve their working conditions four decades ago. We believe the Tories are desperately trying to hide the stench of a great miscarriage of justice and we urge fair minded MPs to back our campaign to release all the government papers on the Shrewsbury 24.”

Alex Deane, a Conservative public affairs consultant, wrote on the **ConservativeHome** website in January 2014, “whilst deeply unsympathetic to their cause, I find it simply impossible to conjure up what the national security concerned might be in hiding the decisions taken by officials and elected persons relating to the prosecution of builders in Shropshire 40 years ago. What technique of surveillance or undercover work might possibly justify non-disclosure after this passage of time? Any technique will be outdated or universally known about. Any individual involved in undercover work can have his or her name redacted from the papers which might otherwise be released. Consideration of the wider disclosures rightly made in recent times of papers relating to Northern Ireland, where on any view those concerned were more dangerous, makes a mockery of any such claim to national security concerns.”

We believe a great injustice has been done, and hope that the Minister will confirm today that he will release the papers relating to the Shrewsbury 24.

**Mr George Howarth (in the Chair):** Order. I am about to call the shadow Home Secretary. Although I think there will be plenty of time for both Front-Bench spokesmen, I ask them to bear in mind the fact that Steve Rotheram has the right to a few minutes at the very end. I hope that they will make sure that he gets them.

3.21 pm

**Andy Burnham** (Leigh) (Lab): I want to congratulate my great friend: my hon. Friend the Member for Liverpool, Walton (Steve Rotheram) made a powerful and persuasive speech. I also thank my many Opposition colleagues for being here today and for their show of solidarity with the Shrewsbury 24. Given that it is nearly Christmas, I even thank the Scottish National party for being here to lend support to our campaign. It is good to have it.

The Government deserve credit for the willingness that they have shown in facing up to the historical injustices of Bloody Sunday, Hillsborough and child sexual exploitation. However, as my hon. Friend the Member for Liverpool, Walton has said, something that many people consider an outrageous injustice—a case that goes to the heart of how we were governed and noticed in the previous century—is still shrouded in secrecy today. In the previous Parliament, following a debate called by my hon. Friend the Member for Blyth (Mr Anderson), the House voted overwhelmingly for
the full truth about Shrewsbury finally to be told, but in October the Minister for the Cabinet Office ruled that the Government papers would continue to be withheld.

The purpose of today’s debate is to challenge that decision, and I will do so by revealing a series of documents that shed new light on the whole issue. Before I do that, I want to pay tribute, as my hon. Friend the Member for Liverpool, Walton did, to Eileen Turnbull, the researcher to the Shrewsbury 24 campaign, whose diligence and utter dedication to the cause has brought the documents to light. I have her dossier here today, and it reveals three things: first, how the trial was politically driven by the then Home Secretary; from the gathering of evidence to the commencement of proceedings; secondly, how there was an abuse of process by police in the taking of statements; and thirdly, how there was an attempt at the highest levels of Government, supported by the security services, to influence the outcome of the trial.

There is also a crucial piece of context, which other hon. Members have mentioned, and I ask that it be borne in mind at all times. On the day in question, 6 September 1972, no pickets were arrested, nor were any cautions issued. That brings me to the first document, a letter dated 20 September 1972—some two weeks later—from the press officer of the National Federation of Building Trades Employers to regional secretaries. It is headed “Intimidation Dossier” and it says:

“You will be aware that we are compiling a dossier on incidents of intimidation and violence during the recent wage dispute. The intention is to pass this document to the Home Secretary for his consideration with a view to tightening up the law on picketing in industrial disputes.”

It calls for details of any incidents, statements from eyewitnesses and photographs. So at the outset that establishes that there was an evidence-gathering exercise on the strike involving the Home Office at the highest level.

Confirmation of the political interest in legal proceedings comes from the second document that I have: a page from the case file of the Director of Public Prosecutions on the Shrewsbury pickets. An entry on 29 December 1972 reads as follows:

“The Home Secretary is interested in this case. 2 counsel to be nominated.”

That, by the way, was no passing interest from the Home Secretary, as the third document will show. I have here a letter dated 25 January 1973 about the Shrewsbury case from the then Attorney General Peter Rawlinson to the then Home Secretary Robert Carr. Its contents are extraordinary. It begins:

“The building worker’s strike last summer produced instances of intimidation of varying degrees of seriousness...A number of instances consisted of threatening words and in which there was no evidence against any particular person of violence or damage to property. In these circumstances Treasury Counsel, took the view that the prospect—of a conviction—

“were very uncertain, and in the result I agreed with him and the Director that proceedings should not be instituted.”

That letter is talking about proceedings against the Shrewsbury pickets. It goes on to warn of the risks of jury trial, saying that

“juries tend to treat mere words more leniently than actual violence.”

There it is—an admission that they were talking about “mere words”. Two conclusions can be drawn. First, the Home Secretary of the day was advised by the Attorney General and the DPP that no proceedings should be brought against the Shrewsbury pickets. Secondly, it is made clear and explicit that there was no evidence of violence or damage to property. “Mere words” were the only things that were thrown.

We do not have documents revealing the subsequent decision-making process within Government, but we do have the first page of a confidential memo sent by the Home Secretary to the Prime Minister the week after the letter was sent. It reads:

“Thank you for your minute of 29 January about picketing. I have taken a close personal interest in this problem since I came to the Home Office and I have myself discussed it with the chief officers of those police forces which have had to deal with the most serious picketing. I believe that chief constables are now fully aware of the importance we attach to the matter.”

From that there is no doubt at all that the Home Secretary was heavily interfering in operational police matters, and just over a week after his memo was sent to the Prime Minister the Shrewsbury pickets were picked up by police and charged—a full five months after the strike had ended. That series of documents puts beyond any reasonable doubt the fact that the Shrewsbury trial was politically driven by the Home Secretary of the day.

Sir Gerald Howarth (Aldershot) (Con): I am sorry I have not been able to attend the debate so far, but I was attending to my staff in the run-up to the Christmas period. The shadow Home Secretary makes a big play of the fact that the Home Secretary was involved. The right hon. Gentleman was not around at the time, and I was. I recall the case and, indeed, had a letter about it published in The Times. If the right hon. Gentleman is suggesting that the Home Secretary should not have been concerned about the case, I think he is making a mistake. The Home Secretary should have been concerned.

At that time, the nation was bedevilled by strikes. We had not had the legislation that Margaret Thatcher introduced. If the case that the right hon. Gentleman is making is that the Home Secretary should not have been involved, that is a fundamental misreading of the situation that applied at the time. The Home Secretary was right to be concerned because the British people were concerned at the way trade unions were running rampant across the country.

Andy Burnham: Perhaps the hon. Gentleman should have been here at the start of the debate to hear the whole case. He has just revealed that it was a political campaign against the trade unions. That is what he just said, and that is the point. He has revealed his hand to this entire gathering. It was a political campaign that Mrs Thatcher sorted out. That is the point here. There was a campaign driven from the top of Government, as I have revealed. We do not live in a country where politicians can put people on trial. I do not want to live in a country like that. Those should be independent matters for the police and the legal authorities. The hon. Gentleman has heard evidence today of politicians putting people on trial; if he is not concerned about that, well, I am, and that is why we are holding this debate.

The next document that I have shows that due process was not followed in the aftermath of the political pressure. On 17 September 1973, a conference between police investigating the case and the chief Crown prosecutor,
Mr Drake, was held at Mr Drake’s home. I have here a note of that conference. Let me quote the key passage in paragraph 16, which records an explanation from police officers about the gathering of statements:

“So that Counsel would be aware it was mentioned that not all original hand-written statements were still in existence, some having been destroyed after a fresh statement had been obtained. In most cases the first statement was taken before photographs were available for witnesses and before the Officers taking the statements knew what we were trying to prove.”

Let me read that again for the benefit of the hon. Member for Aldershot (Sir Gerald Howarth), so that he can hear it without any confusion. [Interruption.]

Mr George Howarth (in the Chair): Order. Before the shadow Home Secretary does that, I should say that I understand that emotions are running high for those observing this case, particularly in the light of some of the things that have been said. However, the debate should be heard in silence.

Andy Burnham: Let me read from the note quietly and carefully so that no one is under any doubt. It says: “before the Officers”—the police officers—“taking the statements knew what we were trying to prove.”

I put it to the House that that document, which has not been made public before, is the smoking gun in the Shrewsbury case. It is clear that the police felt it incumbent on them to investigate propelled by a prosecutorial narrative, rather than by an even-handed investigation of events. I was led to believe that the Conservative party believed in the Peelian principles of policing, but they were not followed in this case. Transcripts of the trial reveal that the court and the jury were never informed of the destruction of those original witness statements. That fact alone raises major questions about the conduct of the trial and the safety of the convictions.

I turn to the trial itself and the Government attempts to influence it. “Red Under the Bed” was a television programme made by Woodrow Wyatt for Anglia Television. Its aim was to reveal communist infiltration of the trade unions and the Labour party, but it was also clearly intended to influence the trial. Wyatt’s controversial commentary was interspersed with footage of John Carpenter and Des Warren and pictures of Shrewsbury Crown court. The programme was first broadcast across ITV regions on 13 November 1973, the day the prosecution closed its case. We know that the judge watched a video of the programme in his room just after it was broadcast. It is inconceivable that the programme did not influence the trial, and unthinkable in this day and age that a television programme prejudicial to a major trial could close its case. We know that the judge watched a video of the programme in his room just after it was broadcast.

I will now reveal the full back story about how the programme was made. I have here a memo, headed “SECRET”, to a senior Foreign and Commonwealth Office official from the head of the Information Research Office unit says this:

“It gets worse. In the next paragraph, the head of the unit says this:

What an extraordinary thing for a Government official to be writing in a memo to a senior civil servant!

It gets worse. In the next paragraph, the head of the unit says this:

In our estimation this was a hard-hitting, interesting and effective exposure of Communist and Trotskyist techniques of industrial subversion. But Mr. Wyatt’s concluding message, that the CPBG’s—

the Communist Party of Great Britain’s—

“main aim is to take over the Labour Party by fair means or foul—an opinion which is almost incontrovertible—offended the Independent Broadcasting Authority’s standards of objectivity, as they interpret the Statute…This difference of opinion held up the showing of the film”.

This is senior civil servants talking about the infiltration of the Labour party—a spurious claim that they were trying to make through a television programme that they were directly involved in making. It is astonishing that it came to that.

Knowledge of what was going on went right to the very top. The Prime Minister’s Principal Private Secretary put in a handwritten note to Mr Heath. It says:

“Prime Minister…You may like to glance through this transcript of Woodrow Wyatt’s ‘Red Under The Bed’ TV programme.”

The reply came back from the Prime Minister:

“We want as much as possible of this”.

On the back of that, the PPS wrote a further confidential memo to Sir John Hunt, the Cabinet Secretary. It says:

“The Prime Minister has seen the transcript of Woodrow Wyatt’s television programme…He has commented that we want as much as possible of this sort of thing. He hopes that the new Unit is now in being and actively producing.”

The “new Unit”.

Rob Marris: What new unit?

Andy Burnham: Yes, we can only wonder what that was. In a reply headed “Secret” and copied to the Prime Minister, Mr Hunt writes:

“I confirm that the new Unit is in being and is actively producing material. Use of the service”—

the Security Service—

“is being kept under continual review between the Lord Privy Seal and Mr Heron.”

So there we have it: the security services were helping to make not only a television programme that was nakedly political in its aim of damaging the Labour party but, in the case of the Shrewsbury 24, a programme that was prejudicial to their trial and that went out in the middle of their trial. The Government were complicit in making that happen.

The documents that I have revealed today lead us to only one conclusion: the Shrewsbury 24 were the convenient scapegoats of a Government campaign to undermine the trade unions. They were the victims of a politically orchestrated show trial. These revelations cast serious doubt on the safety of their convictions. Let us remember: this was a domestic industrial dispute led by one of the less powerful trade unions of the day, involving industrial action in and around a number of small market towns in England and, on the day in question, no arrests were made.

How on earth, 43 years on, can material relating to it be withheld under national security provisions? I put it to the Minister that the continuing failure to disclose will lead people to conclude that the issue has less to do
I was 14 in 1972—two years before I joined the Army; I am not as young as the Scottish National party spokesman, the hon. Member for Glasgow South West (Chris Stephens)—but I do remember this event, not least because later on in life my father desperately tried to get me to stay in the building industry. My father and I come from a family of small builders, so it was very much there. There was a lot of talk about how we could make sites safer and make sure people on sites were paying their tax—this was when we brought the 715s in and all that—so I do know a little about this.

As the hon. Member for Wansbeck (Ian Lavery) indicated, I am a worker, still today, and I come from a trade union background—the Fire Brigades Union, which I understand has rejoined the Labour party. I was a member of a trade union when I was a lifeguard for the local authority, but I cannot remember which one it was—it would have ended up in Unison by now, but I think it went through several versions—so of all the Ministers who could have been standing here today, I have empathy, and I have always tried to have empathy, particularly when I work with the shadow Home Secretary and particularly on Hillsborough.

It is very easy for us to assume that the Chamber—either this one or the main Chamber—could be a court of appeal, but it is not. There is a process going on now with the CCRC—an independent body, set up by the Government of the day—as to whether, in its opinion, there has been a miscarriage of justice that could be referred to the courts. That is the legal system we have in this country, and it is not for right hon. and hon. Gentlemen here to come to a conclusion. Most of us would agree that we have that sort of judicial system.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Will the Home Secretary give way?

Mike Penning: I am the Minister for Policing; I would love to be the Home Secretary.

Debbie Abrahams: I am sorry that I promoted the Minister inadvertently. The evidence may be fresh to him and this Chamber may not be a court of appeal, but does he accept that, to shed some light on the matter, he needs to publish the documents that my right hon. Friend the Member for Leigh (Andy Burnham) spoke about, which will help us come to some sort of conclusion? Does he accept that and will he do all in his power to ensure that happens?

Mike Penning: I will come to where the documents should go, who should see them and what should happen, and ask the question, as general response, as to whether the CCRC has seen the documents and whether they have been submitted to it. If the right hon. Member for Leigh knows, perhaps he will let me know during the debate.

Andy Burnham: My understanding is that the CCRC has not seen the documents that the Shrewsbury campaign considers to be important. They are far more extensive than the small number of documents that the Ministry of Justice identified. The important thing is for the campaign to identify which documents it believes to be important. They should then be put into the archive at Kew and the relevant documents should be given to the CCRC. That is the process we are asking for.
Mr George Howarth (in the Chair): Order. As far as I am aware, there are no criminal or appeal proceedings pending in which case, no sub judice rule applies to this debate. It is a matter for debate. I want the Minister to understand that.

Mike Penning: I apologise if I inadvertently indicated that there was anything sub judice. Clearly there is not. The CCRC is there, before we get back into the courts, to independently look at what was going on.

Before I answer the question that the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) asked me, let me say that 1972 is a long time ago. There have been many Governments, of two different persuasions, in power during that time.

Rob Marris: Three.

Mike Penning: Yes, three if we count the last one. For this to be a Tory conspiracy, whenever we are in government, I just do not understand as to why—\[Interuption.\] Bear with me. I do not understand why this has not been addressed before now. That is the point I am trying to make. It is all too easy to say, “You nasty, horrible guys. You’ve been in government for a long time, and you’ve not done this.” As the right hon. Member for Leigh said, we have done an awful lot, particularly on Hillsborough.

Mr Hanson: I know that the Minister is a decent guy and that he is trying to do his best, but could he tell us why my ex-right hon. Friend, the then Member for Blackburn, agreed that the documents would be released in 2012, but the current Ministers took a decision not to release them when they were asked in 2012?

Mike Penning: The same question—why was it not done before?—could be put to the right hon. Member for Leigh, who was in the Home Office too. I do not know the answer to that question.

Mr Hanson: Well you should do.

Mike Penning: I do not. There was a decision made by Jack Straw at the time. Previous Labour Home Secretaries had not done it. I accept the evidence that I have not seen before today, but if we really want to get to the truth, Labour Members cannot just say, “We were in government for 13 years and did absolutely nothing about it, and it is now suddenly your fault because you happen to be in government today.” I just do not accept that.

Rob Marris: Will the Minister give way?

Mike Penning: No, I am going to try to answer the hon. Member for Oldham East and Saddleworth in as straight and honest a way as I possibly can.

The Chancellor of the Duchy of Lancaster, my right hon. Friend the Member for West Dorset (Mr Letwin), looked at the documents carefully and said to the House that he will not reveal them, and that stands. He and the Cabinet Secretary—not a Tory politician—looked at the documents and “both came to the firm conclusion that they do not relate in any way to the question of the safety of the conviction of the Shrewsbury 24”—\[Official Report, 21 October 2015; Vol. 54, c. 940.\]

Andy Burnham: I just want to pick up a point that the Minister made. He said, “You were in government, and you didn’t do it.” First, he is well aware, as an experienced Government Minister, that when one party is in government, there is a custom that it does not release papers relating to another party. He knows that, but the point is worth making. Secondly, to clear some of this up, why does he not meet some of the campaigners to discuss these issues? Let us try to move things forward, focus on what we are asking for today and see whether we can bring resolution to this whole issue.

Mike Penning: The right hon. Gentleman knows that I am generally very fair about these sorts of things, and I would have come to that point in my speech, but I just felt—perhaps wrongly—that there was something that one of the Labour Administrations since 1972 could have done to address the concerns of the Shrewsbury 24. I think that must be a fair assumption by any description.

Karl Turner (Kingston upon Hull East) (Lab): My right hon. Friend the Member for Leigh (Andy Burnham) introduced some compelling information and evidence. Will the Minister make a judgment on what he has heard today?

Mike Penning: As the right hon. Member for Leigh said, I have been in many Departments, and I do not make instant judgments. I will look carefully at it.

On the shadow Home Secretary’s point, I am more than happy to meet the campaigners. I know that the Minister for Security—probably the more relevant person for the documents we are referring to—is also more than happy to do that. If there are other Ministers in Government who it would be pertinent for the campaigners to meet—I am probably putting my foot in it again, as usual—I cannot see any reason why they should not be able to do so. That is a way we can move forward.

Rob Marris: I welcome that statement. I say to the Minister, in all humility and as a lawyer, that my hon. and right hon. Friends and I are not saying that the Shrewsbury 24 were innocent of criminal offences. That is not for us to say. What we are saying is that, on the evidence, particularly that produced today, there appears to have been a major injustice done—that those individuals were denied a fair trial to decide whether they were guilty or not. We want the Government to address the injustice of the apparent suppression and destruction of documents that would have aided the defence of the Shrewsbury 24 to make their case in a fair trial. They did not get that fair trial. That is the injustice that we want addressed. We are not saying today that they are innocent; we cannot do so as legislators.

Mike Penning: The hon. Gentleman makes a fair point. I am not a lawyer, and it is actually quite useful in the Home Office and the Ministry of Justice not to be a lawyer, because I can look at things in a slightly different way.

The Criminal Cases Review Commission did not exist in the ’70s—it was not put in place until 1997. It is absolutely imperative that the documents that the shadow Home Secretary has put before the House today are presented to the CCRC, so that it can do exactly what it says on the tin and impartially and independently look
at the case. I know that other evidence has been submitted to the CCRC by the campaigners that we have not heard today, and it is imperative that we let the CCRC do its job.

Rob Marris: With the full documents.

Mike Penning: With the documents, as we are saying. The CCRC has had access to any documents of any description that it requires and has asked to see. Those are exactly its powers.

I want I give the hon. Member for Liverpool, Walton an opportunity to respond. I want to be as helpful as I possibly can. If meetings need to take place, they should take place. We are examining documents within the Home Office now to see whether they are relevant and if they are, we will do everything that we possibly can. However, there has been a decision—not my decision, but a decision made by the Cabinet Secretary, who I would think is fairly independent on such things, and the Chancellor of the Duchy of Lancaster—that the documents that they have withheld have no relevance to the case of the Shrewsbury 24, and the Government are standing by their decision not to release those documents on the basis of national security. I know that that is perhaps not the answer that Opposition Members wanted from me, but that is the position of Her Majesty’s Government.

I will do everything that I can to assist the campaign as much as possible. If I was a constituency MP for the campaigners, I would be sitting there today, as hon. and right hon. Gentlemen and Ladies know, because that is the way I am. I passionately believe in the trade union movement. I was a member of it for long enough and have stood on picket lines myself. I believe in natural justice, which is what the CCRC is there for.

3.52 pm

Steve Rotheram: I first need to thank all hon. and right hon. Members who spoke in what I believe to be a particularly powerful debate. Most reasonable people watching today’s proceedings will come to the conclusion that the case has been overwhelmingly made for the release of the documents. It is for the campaigners to decide what documents they believe to be relevant and for the Government to release them to be lodged at Kew. Those documents should then be referred to the CCRC. That would be a just and equitable outcome from this afternoon.

I have to say that I hope that the real face of the Tories is the Minister who wound up and responded to the points that we raised and not the hon. Member for Aldershot (Sir Gerald Howarth), who, despite the rhetoric of compassionate Conservatism, proved beyond reasonable doubt that the nasty party is alive and kicking.

Sir Gerald Howarth: I am grateful to the hon. Gentleman for giving way. I understand the passions that are aroused, but this country was seriously under threat at the time from trade unions that did not have the level of constraint that applies today. In 1979, 30 million days were lost to strike action—[Interruption.] It is no good shouting me down; this is the House of Commons. Last year, the number of days lost was 788,000. Industrial relations have been transformed since those unhappy days of which the hon. Gentleman speaks.

Steve Rotheram: I am just trying to get my head around what the hon. Gentleman just said. He believes that because there was industrial action that lost the country days, it was okay for the state to stitch up 24 people and imprison them. Is that the point that he was making? I think people will come to their own conclusions.

Sir Gerald Howarth rose—

Steve Rotheram: The hon. Gentleman has had two goes and I think he is digging himself a deeper and deeper hole.

The Minister, who is an honourable man, tried to defend his position, but I think he tried to defend the indefensible on this occasion. He tried to muddy the waters around the release of the documents, but this is about a miscarriage of justice. That is what is central to today’s debate: a miscarriage of justice. The current Government have the opportunity—it is in their gift—to put right a wrong of 43 years. That is all that the campaigners have asked for over the decades. I hope that the Minister will listen to their concerns and to the arguments of Opposition Members. I hope that he will act with honesty and integrity and meet the campaigners and then go back and fight their cause to get the documents released.

Question put and agreed to.

Resolved.

That the House has considered the Home Office and the case of the Shrewsbury 24.

[Mrs Anne Main in the Chair]

Mrs Anne Main (in the Chair): There is a Division in the House. If there is more than one Division, we will resume after 25 minutes or as soon as we all get back.

4 pm

Sitting suspended for a Division in the House.
Anti-TNF Drugs

4.10 pm

Fabian Hamilton (Leeds North East) (Lab): I beg to move,

That this House has considered prescription of anti-TNF drugs.

It is a pleasure to serve under your chairmanship, Mrs Main. I am grateful for the opportunity to speak about NHS prescription of anti-tumour necrosis factor drugs, a subject on which I have become somewhat familiar since I was contacted more than two months ago by my constituent, Samara Ullmann.

Before I move on to why I requested the debate and to define what anti-TNF drugs are and their uses, it may be helpful to give you, Mrs Main, the Minister and other Members present the background as to why this specialist medication will make such a difference to my constituent and so many others.

Samara Ullmann, who is now 29 years old, was born in my constituency in 1986. At the early age of just two, her parents noticed that she was walking with a limp. Worried about her clear inability to walk without pain, her parents took her to her local GP, who referred her to Leeds general infirmary where she was diagnosed with a condition known as juvenile idiopathic arthritis. The terrible condition affected both of little Samara’s legs, her wrists, her ankles and her knees. Her parents were told that she would have to be in a wheelchair by the time she reached the age of 10. From the age of two and until she was six, she had to wear splints on both her legs.

Professor Anne Chamberlain supervised Samara’s treatment over the next few years. During Samara’s visits to Leeds general infirmary every three to four weeks she was given hydrotherapy, physiotherapy and a cocktail of drugs. Her parents were told that little else could be done for her, which was confirmed by some of the country’s top rheumatologists.

From the age of six, Samara started having problems with both her eyes, which developed uveitis, a common effect of JIA. By the time she was seven, a cataract had developed in her left eye and was removed, but it was left considerably weakened so that, by the time she reached the age of 11, she had completely lost the sight in that eye. Fortunately, her right eye continued to function normally, although when she reached the age of 14 she needed laser treatment on that good eye and was understandably frightened that she would be left completely blind.

The JIA improved considerably by the time Samara reached 17, but sadly her left eye had to be removed because it was both blind and painful. After three months, she was fitted with a prosthetic glass eye, which fortunately is able to move to a limited extent with her functioning eye. The Minister may be able to imagine the terrible effect that all of that had on a teenage girl growing up in the early part of this century. Her self-confidence was badly damaged, too.

As the arthritis gradually abated, Samara was left with a common consequence of the condition, refractory uveitis, which often causes blindness even with the best treatments currently available. Her right eye—her only eye—is now severely affected. So far, despite a paralysed iris, a stuck-down pupil and a developing cataract in her remaining eye, her sight has been partially protected by the use of a drug called mycophenolate, which together with methotrexate is commonly used to treat uveitis.

Those drugs impair the white blood cells that promote the inflammation that causes uveitis. However, despite treatment with those drugs over the past eight years, the vision in Samara’s only eye continues to deteriorate. That is why her eye specialist at Calderdale Royal hospital in Halifax, Mr Teifi James, believes that in order to save her sight, she needs to be prescribed an anti-TNF drug such as Humira—adalimumab.

An anti-TNF drug is a monoclonal antibody that specifically targets tumour necrosis factor alpha. Because of the way in which it is manufactured, it is called a biologic. TNF is involved in causing inflammation in a number of autoimmune and immune-mediated disorders. Those diseases probably cause too much TNF to be produced, modifying the body’s immune response and causing inflammation. Anti-TNF drugs reduce the amount of TNF in the body. They are expensive and may have side effects that could be severe, but, with appropriate monitoring and care, such effects are rare. In fact, they are much less common than the many problematic side effects of corticosteroids.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for bringing this issue to Westminster Hall. The Minister will be seeking to improve the success rate of anti-TNF drugs. Many universities across the United Kingdom are looking at how to improve medication for those with eye ailments. We have two in Northern Ireland, which are Queen’s University Belfast and, in particular, Ulster University—

Mrs Anne Main (in the Chair): Order. Will the hon. Gentleman keep his intervention brief, please?

Jim Shannon: Does the hon. Gentleman agree that that is a good idea?

Fabian Hamilton: I thank the hon. Gentleman for that intervention. He is right. The more studies carried out across the country at university level, the better it will be for patients suffering from refractory uveitis.

The anti-TNF drugs switch off the molecule that creates the inflammation in the first place and are therefore far more effective than corticosteroids in cases such as Samara’s. I am sure that Queen’s University Belfast and many others can confirm that.

Last year, Samara married her fiancé, Ben, and the couple now want to start a family. However, it is not at all advisable for her to become pregnant while taking mycophenolate, because it may well cause a miscarriage or birth defects. An anti-TNF drug could allow her to retain her eyesight and probably to conceive safely and be able to see her child grow up.

Let me move on to why adalimumab or infliximab should be available immediately on NHS prescription for adults with sight-threatening uveitis. I am aware that the National Institute for Health and Care Excellence is about to conduct a multiple-technology appraisal of adalimumab and infliximab and that responses to the draft must be received by 16 December—this time next week. From my conversations with Teifi James, one of the country’s leading eye surgeons, and from my research
into that treatment it would seem that drugs such as Humira are highly effective in the treatment of uveitis, so much so that researchers in the Sycamore trial in Bristol, to which the Minister referred in his letter to me of 4 November, have stopped recruiting to it because the children being treated are doing so well on the drug. However, NHS England did not take that into account when it made its most recent decision on the use of adalimumab and infliximab for the treatment of adult uveitis alone.

According to Mr James, approximately 120 patients with sight-threatening uveitis are waiting for anti-TNF treatments in England, whereas patients in Scotland currently have access to adalimumab and infliximab. Treatment using Humira costs just under £10,000 a year per patient, which means that approval of the use of this drug for treating refractory uveitis alone would cost no more than £1.2 million a year.

Mr Andrew Smith (Oxford East) (Lab): I commend the argument that my hon. Friend is making on behalf of his constituents. I too have been contacted by a constituent about this issue, who points to the excellent work being done by the Olivia’s Vision charity, which my hon. Friend may have heard of. My constituent says:

“My daughter currently suffers from uveitis and is receiving Infliximab to treat the condition, so far successfully. I would like to live in the hope that this would be available to her in the future should her conditions change, and indeed others to whom this could be a sight saving drug.”

Is it not important that patients such as my constituent’s daughter have that assurance?

Fabian Hamilton: I agree with my right hon. Friend. In fact, the Olivia’s Vision charity has been in touch with me and offered its full support for this debate and any future effects of it, which will hopefully include a decision from the Government that both infliximab and adalimumab will be available on the NHS. Those anti-TNF drugs are clearly completely effective in the treatment of refractory uveitis alone. I will talk a bit about the effects of anti-TNF drugs on other conditions.

Dr Tania Mathias (Twickenham) (Con): I greatly appreciate the hon. Gentleman giving me time to speak. For information, I am an eye doctor. Does he agree that what is important with severe conditions such as refractory uveitis is the principle that it must be up to the senior clinician—no one else; not NHS England and not a Minister—to decide if and when these treatments should be prescribed, and that the clinician must not be prevented from doing so?

Fabian Hamilton: I am grateful to the hon. Lady for her contribution, especially given her expert knowledge in the field. I agree 100% with her; it should be for clinicians to make such judgments and decisions, provided the drug is deemed safe. Enough testing and evaluation has so far been done to show that these drugs are not only safe but highly effective.

The point I was going to make, before those helpful interventions, was that it would cost no more than £1.2 million per year for all the patients in England to be treated with adalimumab or infliximab. To put that in context, I ask this question of the Minister: what would be the cost of paying benefits to all the young adults—most of the sufferers are young, working adults—who will suffer from sight-threatening uveitis for the rest of their lives if they lost their remaining sight for lack of a sight-saving drug that has already proven highly effective, as the hon. Member for Twickenham (Dr Mathias) said? Surely the taxes that they pay now and will pay in the future would more than outweigh the cost of allowing the use of this medication, never mind the additional cost of paying benefits to blind people who can no longer be as economically productive.

Teifi James is one of about 50 eye surgeons in England who specialise in the management and treatment of uveitis, out of a total of around 1,200 eye consultants in the country. He and his colleagues know from their work and the clinical evidence that adalimumab and infliximab work well, yet they are being denied the opportunity to prescribe that sight-saving treatment. Members may be forgiven for assuming that the use of biologic drugs such as adalimumab is a novel step, but that is not so. Teifi James first used Campath, one of the original monoclonal antibody therapies, to treat ocular disease as long ago as 1997. Uveitis specialists had been effectively using infliximab and adalimumab in appropriate cases for over a decade since 2000, until the NHS reorganisations changed the commissioning regulations.

English uveitis specialists are frustrated that the treatments they had been using have become inaccessible as a consequence of recent changes to NHS commissioning.

If Samara or any of the other 120 young adult sufferers of uveitis were suffering from another condition as well, such as Crohn’s disease or arthritis, they could be prescribed these drugs, which would prevent the further development of uveitis. Sadly, however, without multiple conditions, uveitis alone cannot be treated with Humira or similar anti-TNF medication. I hope the Minister and anyone else listening to this debate will agree that that is highly unfair and just plain wrong.

As I have said, Samara’s remaining vision in her right eye is now failing. Mr James can operate on her eye to remove the cataract and correct the problems she is currently experiencing, but he is reluctant to do so unless she is established on treatment with Humira. He feels that the risks are too great on her present medication. I hope the Minister will answer the following questions when he responds. First, does he acknowledge that time is of the essence and that young adults in danger of losing their eye sight cannot wait for sight-saving treatment much longer? Secondly, will he use the points I have made today to persuade NICE to speed up its review? Thirdly, will he offer my constituent, Samara Ullmann, and the 120 other patients like her the hope that a treatment senior clinicians say is highly effective can be used for their benefit without further delay? Finally, does he agree that Samara should have the chance to have a family and to see her children grow up, just like every other parent in the country?
The hon. Gentleman spoke incredibly fluently on behalf of his constituent, Samara Ullmann. He and I have discussed this issue, and he has raised it with the Department in recent months. I pay tribute to his work on his constituent’s behalf and, most of all, to Samara and all of those who suffer with this condition. One of my privileges in this ministerial role is to see the extraordinary patience, fortitude, courage and force of life spirit with which so many people with ill-met or unmet conditions survive. It drives me on in my work to try to accelerate the landscape and get innovate medicines and treatments to those people more quickly.

I will say something about the condition and then try to address the points raised by the hon. Gentleman. As most Members here will perhaps know, uveitis, or inflammation of the uveal tract, is the term used to describe inflammation of any structure within the eye that, when very severe, may cause visual loss. It can lead to blindness through either direct damage to the light-sensitive retina or secondary complications such as glaucoma. Uveitis is uncommon. It is estimated that two to five in every 10,000 people will be affected by it in the UK every year. It usually affects people aged 20 to 59, but can also occur in children. Despite being uncommon, it is a leading cause of visual impairment in the UK.

Dr Mathias: Just for information, the other problem with uveitis, apart from blindness, is intense pain.

George Freeman: My hon. Friend makes an excellent point. Patients experience a whole range of associated conditions.

In severe cases, treatment to try to prevent sight loss requires drugs that suppress immune cells. The drugs in standard use across the world include prednisolone and immunosuppressant drugs, which work in over 60% of patients. For the remainder, the drugs do not work or the patients suffer serious side effects that prevent the drugs from being used to their full potential. The next step in treatment is the use of a group of drugs known as biologics. As the hon. Member for Leeds North East said, those drugs are very specialised and designed to focus on specific molecules released during inflammation from cells, suppressing the inflammation in doing so.

TNF inhibitors are biologic drugs that suppress the physiologic response to tumour necrosis factor, which is part of the inflammatory response. Humira and Remicade are two anti-TNF alpha treatments that are licensed and NICE-approved for the treatment of adults with a range of conditions, including rheumatoid and psoriatic arthritis, ankylosing spondylitis and inflammatory bowel diseases, including Crohn’s disease and ulcerative colitis. In terms of the latter, I understand that the hon. Gentleman has been supporting his constituents by raising awareness to address the points raised by the hon. Gentleman. As much as I would like to be able to pull a lever and accelerate treatments in response to very eloquent advocacy in this House, it is completely appropriate—I can see the hon. Member for Leeds North East nodding—that such decisions are made by the patients, clinicians and clinical experts, advised by NICE on the basis of the very best evidence available. Sometimes the collection of that evidence and the processing of those appraisals can be frustratingly slow, not least for the patients, but it is important that the process is done well.

The clinical experts at NHS England have considered the use of Humira and Remicade as treatment options for adult patients with severe refractory uveitis. NHS England concluded that there was insufficient evidence to support the routine commissioning of those treatments. NHS England is, however, awaiting publication of the Visual clinical trial report in order to consider revising its commissioning policy in the light of the study’s outcomes. The trial report is expected to be published in a peer review journal in early 2016, at which stage NHS England will consider submitting a revised policy as an in-year service development.

The use of Remicade for children with severe refractory uveitis has also been considered by NHS England. Again, NHS England concluded that there was, as yet, insufficient evidence to support its routine commissioning at this time. That decision will be reviewed in April 2017.

On 11 November, NHS England published an interim clinical commissioning policy on the use of Humira for children with severe refractory uveitis with onset in childhood. Its use is recommended in children aged two to 18 who meet the clinical criteria set out in the policy. The policy, which has been developed by NHS England’s clinical reference group for specialised ophthalmology services with support from clinicians and patient representatives, will benefit children whose sight is threatened by the condition, and for whom other treatments have proven ineffective. That is on an interim basis pending further evidence from the Sycamore clinical trial. The interim policy will be reviewed in 2016, once the full Sycamore trial data have been published. Humira for severe refractory uveitis in children is being commissioned and funded by NHS England through specialist regional centres.

I want to mention individual funding requests, which are important in this context. All treatments for uveitis up to and including the use of immunosuppressants remain funded by clinical commissioning groups. As hon. Members know, the NHS is legally required to fund treatments recommended in NICE technology appraisal guidance. In the absence of such guidance, any funding decisions should be made by NHS commissioners, including NHS England in respect of specialised services, based on an assessment of all the available evidence and an individual patient’s clinical circumstances.

Oliver Dowden (Hertsmere) (Con): The Minister talks about need. In a similar vein to other Members, I would like to highlight the need of a constituent of mine—a
young lady called Olivia, aged 15, who is totally reliant on self-funded anti-TNF treatments to retain her eyesight. She is very concerned that when she reaches adulthood, she may no longer have access to that, which is why her parents, also constituents, have created a charity called Olivia’s Vision. Again, I ask—

Mrs Anne Main (in the Chair): Order. Interventions must be brief. I call the Minister.

George Freeman: My hon. Friend has eloquently raised his point. I am happy to look into that with him afterwards.

NHS England will consider individual funding requests for treatments not recommended by NICE to treat individuals whose clinician can demonstrate clinical exception. The NHS constitution states that patients have the right to expect local decisions on the funding of drugs and treatments “to be made rationally following a proper consideration of the evidence.”

If an NHS commissioner decides not to fund a drug, it has a duty to explain that decision to the constituents of the hon. Member for Leeds North East and others.

I want to turn quickly to the hon. Gentleman’s specific questions and then deal with a couple of questions that really sit under this whole debate. Let me respond to his four questions. I completely agree that time is of the essence to anyone in danger of losing their eyesight and, yes, people should have the chance to have a family and we need to make sure that we are supporting patients in the appropriate way. We are working to speed up the process, so that effective medicines get to patients much more quickly, but we need to know that they work and to make sure that the benefits they bring to patients are commensurate with their cost to the NHS, which is why we have NICE, a world-leading expert in health economics.

I must clarify that NICE is not currently appraising either adalimumab or infliximab for uveitis. However, it is consulting stakeholders on a proposal to include adalimumab within the scope of the technology appraisal guidance that it is developing on its two other drugs for the treatment of uveitis. A final decision on referral will be taken once NICE has concluded that consultation.

I am aware that evidence is emerging on the use of these drugs on the treatment of uveitis in adults. When the full evidence is available, both NICE and NHS England will be able to take that into account when considering whether anti-TNF treatments should be made routinely available on the NHS.

In the remaining moments, I want to touch on the underlying issues that this debate has helpfully flagged up. The pace of change in the biomedical space, the rate at which new drugs are being discovered and the power of genomics and informatics, giving us a new insight into diagnosis and treatment, is putting pressure on our traditional methods of assessing drugs. Traditionally, NICE has worked on a one-size-fits-all, health benefit, “yes or no”, quality-adjusted life-year basis. I have launched the accelerated access review partly to look at how we can better use the genomics and informatics in our health system and give NICE more freedoms to be able to fast-track treatments to the patients who we know will benefit.

That touches on the question of off-label use of drugs. When there is a proven benefit outside of an on-label indication, we need to be much better at getting that information to clinicians, so that they can prescribe drugs in an off-label indication more quickly. The burden of proof needs to be not only right, but appropriately set, so that where there is clear evidence, the system can respond more quickly.

The hon. Gentleman made an important point about the cost of benefits. The system at the moment is not great at measuring the full cost of a condition downstream, which is partly why we are putting such efforts into the digitalisation of the health service and into being able to measure the cost of treatment and a disease condition. When we have a benchmark of what the cost is to society after a diagnosis, we will have a much better benchmark for rewarding innovation.

I will happily deal with any other questions offline. We have had a very short amount of time, but I hope I have tackled the hon. Gentleman’s specific questions. I am grateful to him for raising the issue, and I hope I have given some signal as to where in the coming weeks and months we may be able to expect some helpful progress.

Question put and agreed to.
Electoral Integrity and Absent Votes

4.38 pm

Mr Stewart Jackson (Peterborough) (Con): I beg to move,

That this House has considered electoral integrity and absent votes.

It is a pleasure to serve under your chairmanship, Mrs Main, and to welcome the Parliamentary Secretary, Cabinet Office, my hon. Friend the Member for Westonsuper-Mare (John Penrose), to his place.

In this country, we pride ourselves on having free, fair, open and honest elections, but we are wrong. In too many parts of the UK, electoral fraud means that honest people’s votes are potentially invalidated by crooked votes. Our whole democratic system is being undermined and the votes of thousands of women of all ages are being regularly stolen by their menfolk. We are turning a blind eye, in effect, to regular breaches of section 115 of the Representation of the People Act 1983 in respect of undue influence.

In May’s general election, 9,372,449 postal votes were sent via Royal Mail. These issues are not new, and the Electoral Commission and Government know about them, but so far we have had very little by way of concerted action to tackle them. This subject has been raised in the media, most notably and compellingly by Radio 4’s “File on 4” investigation programme in March 2014, which focused on electoral fraud in Pendle, Woking and Derby. It was also brought up by my hon. Friend the Member for Pendle (Andrew Stephenson).

With great courage and foresight, he raised the matter directly with Ministers on the Floor of the House three years ago during a debate on the Bill that became the Electoral Registration and Administration Act 2013.

Who can forget the words of the election commissioner and presiding judge Richard Mawrey, QC, after hearing the most well-known electoral fraud case in Birmingham in 2005—following events in 2004—which resulted in the conviction of five men? His written judgment referred to “evidence of electoral fraud that would disgrace a banana republic”.

Dr Julian Lewis (New Forest East) (Con): Is my hon. Friend aware that of course there are the open, overt, straight-down-the-line fraudsters at work, collecting ballots that are not their own, but even where that does not happen, within the individual household the privacy of the ballot is lost where voting slips are sent to the household and no one can keep their voting intentions to themselves?

Mr Jackson: My right hon. Friend makes a very apposite point, which I will elucidate on and develop later in my remarks. I thank him for his intervention.

Have things really changed in the past 11 years? Mr Justice Mawrey was quoted last year as saying that our present procedures are “wide open to fraud” and that “serious fraud is inevitably going to continue”, enabling the manufacture of votes on an industrial scale. He also stated just before this year’s general election:

“The law must be applied fairly and equally to everyone. Otherwise we are lost.”

We await the details of the review commissioned by my right hon. Friend the Prime Minister on electoral fraud in the light of the appalling scandals uncovered in Tower Hamlets following the failure particularly of the Metropolitan Police Service to take timely and robust action. That fell instead to a number of courageous and concerned citizens, including my old friend Councillor Peter Golds CBE, via a petition to the High Court. The long overdue review is being undertaken by my right hon. Friend the Member for Brentwood and Ongar (Sir Eric Pickles). It was announced in August and, as I understand it, will be published in the new year in order that we can look at what further options are available to address this continuing and, as I will make clear later, endemic and institutionalised abuse and illegality. I will touch on Tower Hamlets in particular.

For the record, I have not called this debate in the light of the Oldham West and Royton by-election result, nor even of the comments of the leader of the UK Independence party, but in his media comments in the wake of the by-election he did touch on some issues that I will raise today.

Of the 1,086 cases of electoral fraud reported to police in England between 2008 and 2013, 58% originated in just 10 of England’s 39 police areas. I speak as the Member of Parliament for Peterborough, a local authority that has featured for a number of years on the Electoral Commission’s watch list of local council areas with a high risk of electoral fraud. Regrettably, Peterborough has a recent history of criminal convictions as a result of electoral malpractice and fraud. Most recently, in 2008, there was the conviction of six men—one Labour activist and three Conservatives—for postal vote fraud arising out of the June 2004 local elections. My local authority has also had problems with personation and, to an extent, voter intimidation.

I accept that there are other serious areas of concern, which will most likely be the subject of my right hon. Friend’s review and report, that are of major import. One is the lack of a requirement for proper, valid voter identification when presenting oneself as a voter at a UK polling station. That is unprecedented and undoubtedly anomalous in a modern democracy, and there is clearly a major risk of personation. Another issue is the limit on the powers to challenge alleged personation in the confines of a polling place for presiding officers, even if they know that a person is not who they say they are. The other issue is the failure to put in place legislation to curtail voter intimidation in the environs of a polling station, which we have seen in many places across the country, including Peterborough, but which was systematic in Tower Hamlets.

I will not try the patience of the House, but Tower Hamlets was but the most egregious example of many troubling themes around abuses in our electoral system. They merely coalesced in one London borough as the most extreme and shocking example. In Tower Hamlets, supervision of the corrupt 2014 elections was led by Commander Graham McNulty, who previously had been the investigating officer on the Levy and Blair cash-for-peerages allegations and was later the officer harassed—that is the word—by the hon. Member for West Bromwich East (Mr Watson) to investigate, erroneously, the late Lord Brittan. Despite Lutfur Rahman and his agent being found guilty of seven different counts of corrupt practice after the longest election
petition before a court in more than a century, nobody has been charged, including supporters of Rahman named and shamed for multiple election fraud. Why is that? Perhaps the Minister will touch on that.

For the avoidance of doubt, I think that it is incumbent on Ministers to respond in a timely way to the specific recommendations made recently by the Electoral Commission on the need for photo ID at polling stations on the Northern Ireland model—I see the hon. Member for Strangford (Jim Shannon) in his place. To be fair, the Electoral Commission has raised these issues over a number of years and progress has been made, albeit slowly and by increment, on issues such as register stuffing with “ghost” voters, which individual electoral registration will mostly deal with, and the most egregious postal vote fraud methods, via the need for a signature and date of birth, but that will only half deal with the substantive issue to which I will refer later. I accept that there will always be a trade-off between accessibility to the voting system and electoral integrity. It will never be easy or simple to get that balance right.

The Electoral Commission has at least monitored trends and collected data on electoral fraud and has commissioned specialist academic research—more of that later—with an issues paper being published in 2013 and a further comprehensive and detailed report being issued in January 2014. It is a matter of regret and disappointment that the previous, coalition Government—I absolve the Minister of responsibility for this—failed adequately to address the recommendations in that report.

Where I part company with the Electoral Commission and, to an extent, Ministers is on what I see as a degree of complacency in their responses. Of course I commend the extra money for fraud prevention in high-risk areas, but I am disappointed by the blanket rejection of at least considering returning to the pre-2001 regime for postal votes and by the rather anodyne revised code of conduct for campaigners, which is frankly superfluous and lacks any real sanction in law for miscreants and those inclined to unethical or criminal behaviour—a point raised in the “File on 4” documentary.

There is much to be done to tackle electoral fraud in all its forms, but for the purposes of our debate, I will focus on absent or postal votes. It might be worth examining, by way of background, how we came to be where we are now. Postal voting was first used in 1918 for armed forces personnel serving overseas. It was reintroduced in 1945 in similar circumstances, and 1948 saw postal voting extended to certain groups of civilians including those who were physically incapacitated, those unable to vote without making a journey by sea or air or because of the nature of their occupation, and those who were no longer residing at their qualifying address.

Following recommendations made by the Select Committee on Home Affairs in 1983, the Government extended the right to apply for an absent vote in 1985, and the rules were further refined in 1989. The exception was Northern Ireland, where there was already widespread concern about electoral abuse. In 1999, a parliamentary working group chaired by the then Home Office Minister, the right hon. Member for Knowsley (Mr Howarth), recommended that postal voting applications should be simplified and allowed on demand to all voters. The Government legislated in 2000 to implement those changes, which came into effect in 2001.

In its reports on the all-postal vote elections, the Electoral Commission drew back from its earlier recommendation for all-postal voting as standard. Its research showed that a large minority of people wanted to retain the option of voting at a polling station. The Commission, therefore—thankfully—recommended the development of a new model that involved multiple voting methods, including postal voting, rather than proceeding with elections run entirely by all-postal voting.

Suffice it to say that the process for exercising one’s right to vote by post or proxy is no less complex now than it was in 1999, and turnout for general elections has fallen from 71% in 1997 to 59%—a post-war low—in 2001, rising to 66% earlier this year. That serves to refute the idea, held by those who are worried about voter disengagement, of absent voting as a panacea. Our collective obsession with electoral turnout has, surely, for too long obscured the focus on clean, honest and fair elections as the absolute priority, and that is unacceptable.

The Electoral Commission’s response to the Pickles review is detailed, thought-provoking and helpful. It will allow Ministers to access important academic research supporting a key question—perhaps the most controversial aspect of my remarks—at the heart of this debate: the reasons for the growing evidence of criminal electoral malpractice, centred on postal vote fraud, in the British Bangladeshi and British Pakistani communities and diaspora. The debate is not party political; no party has a monopoly on virtue, and all major parties have been party to fraudulent electoral activities over the last 15 years or so. We are talking not about stigmatising a particular group or community, but about protecting our democracy and the precious faith and trust that people have in the voting system.

I am grateful for the work of academics such as Stuart Wilks-Heeg, who published a paper in 2008, on behalf of the Joseph Rowntree Reform Trust, on “Purity of Elections in the UK: Causes for Concern”; and Eleanor Hill, of the Bradford University school of historical studies, who published a paper in 2012 entitled “Ethnicity and Democracy: A Study into Biraderi”, which has laid the groundwork for more recent empirical studies.

The Electoral Commission commissioned research from the University of Liverpool and the Centre on Dynamics of Ethnicity at the University of Manchester, as well as from the social research centre NatCen. In January this year, they published two excellent, compelling and detailed qualitative studies entitled, respectively, “Understanding electoral fraud vulnerability in Pakistani and Bangladeshi origin communities in England” and “Elections, voting and electoral fraud: An exploratory study focusing on British Pakistanis and Bangladeshis”.

The findings supported the Electoral Commission’s stated belief that, inter alia, “electoral fraud is more likely to be committed by or in support of candidates standing for election in areas which are largely or predominately populated by…those with roots in parts of Pakistan or Bangladesh.”

The commissioned studies suggested that “extended family and community networks may have been mobilised to secure the support of large numbers of electors in some areas, effectively constituting a ‘block vote’” and that “the wider availability of postal voting in Great Britain since 2001 may have increased the risk of electoral fraud associated with this approach, as the greater safeguards of secrecy provided by polling stations have been removed.”
The academic research focused on interviews with political activists and non-political local residents in those high-risk areas, and it pinpointed the following cultural and structural trends. The reciprocal, hierarchical and patriarchal nature of kinship networks may mean that pressure is put on people to vote for particular candidates or parties, especially within family groups, as my right hon. Friend the Member for New Forest East (Dr Lewis) has made clear. Individuals may be made to feel as though they have no choice in the matter, or they may, in fact, have no choice. That applies particularly to young women and older women, many of whom are economically disadvantaged. It their 2014 study, academics from Manchester University found that, for instance, Pakistani women are more likely to have their registration forms filled in by the male head of the household than to fill in the forms themselves.

Other problems in those communities are: low levels of public awareness about what is acceptable campaigning and what constitutes fraud; low levels of awareness about how to report electoral fraud; low levels of literacy and lack of English skills, which exacerbate those problems; and reduced political activity, or complete lack of activity, by mainstream parties in too many areas, which gives so-called community leaders free rein to claim propriety over large numbers of families, whose votes they can marshal and direct as they think fit. That is the regrettable flipside of an understandable collective need for ethnic mobilisation and solidarity, but it gives rise to practices that are inimical to our democratic values.

In too many communities, it is regarded as quite normal for political activists to engage in “farming” of postal votes on the doorstep, or even to fill in the ballots at home once signatures and dates of birth have been added, before transporting them to the town hall or polling station. That is regarded as part of the process; it is well understood and not seen as irregular. The University of Manchester reported that the biraderi networks “may undermine the principle of voters’ individual and free choice through a range of social pressures such as respect for the decision of the elders at its mildest extreme, through to undue influence in areas where some instances access to individual ballots of women and adult children can be refused by the elders.”

Mainstream tolerance of such block voting is nothing new, although that makes it no less reprehensible. Lord Hattersley wrote in his 2003 biography of his polling day experience in the February 1974 general election:

“I won with an increased majority...the well organised and invariably loyal Kashmiris had cast their disciplined vote early in the day.”

The reports produced for the Electoral Commission highlighted the insufficiency of safeguards for voting procedures. One report found that respondents believed that there was a “lack of law enforcement around fraudulent applications for postal votes...undue influence and intimidation both when filling out the vote at home with others present, and during the handling of the vote by party activists, community members and candidates themselves”.

Much more research must be done into those issues by the Electoral Commission and others. We cannot know for certain the scale of the problem and how it impacts on elections in our country at every level.

In the interim, I suggest the following measures. Ministers must, as a matter of urgency, consider and respond to the Electoral Commission’s 2014 report and to the findings of the Pickles review. Existing polling station voting vulnerabilities around ID, personation, intimidation and the flaws in the Representation of the People Act 1983 must be addressed soon. There must be a proper review of individual electoral registration to ensure its efficacy in respect of electoral register stuffing. Funds must be set aside for local authorities in high-risk areas to bid for money to work with their local police to investigate properly allegations of electoral fraud, which are often time consuming and costly to investigate. Guidance must be issued to the Crown Prosecution Service and the police to ensure that they take a much more proactive and robust approach to investigating electoral fraud, and that they are seen to be doing so. Finally, new legislative sanctions must be established by means of criminal law in respect of compulsion and intimidation of someone to apply for a postal or proxy vote, alteration of another person’s postal vote application form and the transit of another person’s postal vote documentation. It should be a criminal offence for anyone other than an authorised person to open or alter a completed postal ballot pack—either the ballot paper or the postal voting statement—before it has been received by the proper returning officer.

Ultimately, I believe that none of those measures alone will substantially reduce electoral fraud in our postal votes regime, and that serious thought must be given to returning to the tried and tested system of application in the case of illness, infirmity, military service or work commitments. That system gave us, with the universal franchise, a turnout of 84% in the 1950 general election, and 78% as recently as 1992. Our present system has been summed up perfectly: voting, once a “private act in public”, is now, owing to postal vote fraud, a “public act in private.”

We are currently condoning the theft of thousands of votes of our fellow citizens, many of whom are women—a situation that would shame Emmeline Pankhurst and make a third-world despot blush. We need to ask: what price honesty and fair play, and what price our reputation at home and abroad as the beacon of parliamentary democracy?

5 pm

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Peterborough (Mr Jackson) for setting the scene on the subject of electoral registration. He mentioned Northern Ireland a couple of times and I want to add some of my thoughts. I expected more people to contribute to the debate. None the less, it is always a pleasure to do so.

The issue is important in Northern Ireland, and we have taken some substantial steps forward. The shadow Minister and particularly the Minister will probably give some detailed information about what is happening in Northern Ireland. If I were to put forward just one thought in this debate, it would be this: look to Northern Ireland, the changes we have made and the steps that we have taken. That should be the precedent for the whole United Kingdom of Great Britain and Northern Ireland in addressing the issue.

In this day and age, surely we should have a flawless electoral system and elections that are completely free of any fraud or deceit. Following the recent by-election—this is an observation and nothing more—according to The Daily Telegraph:

“Police could be called in to investigate alleged fraud at the...Oldham by-election after council staff said some voters in polling booths ‘had no idea what they were doing there’.”
I do not know how true that is but it is a quotation from
the paper, and it puts a question mark over how the
system works. An unprecedented 100% of postal votes
took to one party and, although it cannot be confirmed
that there were any anomalies, eyebrows must surely be
raised at such a staggering statistic. Many ask that question.
It is not a reflection on those who vote, because they
vote in the way that they wish to, but it strikes a question
mark in many minds. I do not seek to make any accusations,
but the fact that there is even the possibility of electoral
fraud or deceit in this day and age should ring alarm
bells for all of us.

In Northern Ireland in 2010, a parliamentary
constituency—Fermanagh and South Tyrone—was decided
by four votes. The decision was taken to court so that
the honesty of the system could be looked at and
verified. Three of the votes were removed, as the Minister,
who is nodding his head, knows. The reality is that,
technically speaking, that election was won by one vote.
I am not saying that there was any fraud—people can
make their minds up—but a court decision was taken,
which changed the voting margin. It was a truly exceptional
example.

With elections being run so tight, we need a flawless
system to ensure that those who take their time to
inform themselves and vote are doing so as equals with
an equal weight to their vote, confident that the rest of
the electorate will vote honestly and fairly. The Daily
Telegraph also uncovered that a number of complaints
were filed, with the police alleging electoral fraud at the
general election in May and in the European and council
elections in the previous May.

The professionals at the Electoral Commission do
their very best to ensure electoral integrity, but there are
still examples of the system not working and being
open to deceit and fraud. More needs to be done, as the
hon. Member for Peterborough said. We have the resources
and the technology to make voter fraud a thing of the
past, and we should be taking steps as a matter of
urgency. The former Secretary of State for Communities
and Local Government, the right hon. Member for
Brentwood and Ongar (Sir Eric Pickles), said:

“Within Whitehall as a minister, I found a complete reluctance
by officials to take action on the warnings from local councillors
and journalists of systematic corruption in the mayoral administration
in Tower Hamlets. I would argue that state officiandom is in denial
of the reality of electoral fraud. The new Conservative government is no longer prepared to turn
a blind eye to Britain’s modern-day rotten boroughs.”

As the Minister is nodding, I would expect that the
steps to change that will be made. We should look to
such examples of people who have opened their eyes to
electoral fraud and are getting on with the business of
eradicating it as a matter of urgency.

In Northern Ireland, we have taken steps forward on
the electoral system, the regulations and the registration.
One of the first things that happens in an individual
registration is that someone calls to check who lives in
the house; that means that we can confirm that there are
so many people in the house. Those people are checked
individually. Physical inability to attend polling stations
in person is confirmed by doctors. If people go on
holiday, they have to provide travel documentation to
prove that they are away. There are real meaty conditions
to ensure that those things happen.

Many years ago, it is rumoured—although many
would say that it is factual—that there were those who
voted from beyond the grave, which is quite a talent;
quite impossible, if we are truthful. Changes were put in
death to ensure that that did not happen. There were
also houses from which a number of people were able to
to vote, but the only “people” who could access those
houses had four legs and a tail. It was quite obvious that
no human being could vote from those houses, so
significant and direct measures and systems were put in
place to ensure that that did not happen.

When it comes to addressing these issues, I suggest
that we look to Northern Ireland—at how the electoral
commissioner has addressed the issue there, and how
we have taken the steps to ensure that electoral fraud is
a thing of the past and that postal votes are registered
and used by the person they are given to. I believe we
have the system of a fair, equal, honest and integral
vote, in whatever election it may be. Everybody who
votes—and they expect their vote to be the one that will
change things—has the ability to change the person and
the party. We have set that precedent. I urge the House,
the Minister and the shadow Minister to reply accordingly.

Mrs Anne Main (in the Chair): Before I call Mr Lord,
I remind Members that the wind-ups will start no later
than 5.20 pm.

5.7 pm

Jonathan Lord (Woking) (Con): I congratulate my
hon. Friend the Member for Peterborough (Mr Jackson)
on securing this important debate. I wish to expand on
just a couple of points in the time allowed. First, I
congratulate the Government on holding firm on individual
electoral registration and the timescales in which that is
to be introduced. That is an important step forward in
combating potential fraud.

Secondly, I listened with great interest to the hon.
Member for Strangford (Jim Shannon) who spoke about
the steps that have been taken over time to secure the
sanctity of the ballot in Northern Ireland. Yet we have
heard from my hon. Friend the Member for Peterborough
that there are troubles now in England, particularly in
some of our major cities. It is time that the Government
took seriously the fraud issues that are, unfortunately,
taking place in some of our towns and cities and
considered very carefully whether we should not be
introducing some of the safeguards that were introduced
in Northern Ireland some time ago.

I am personally coming around to the idea of showing
some form of ID at the polling station. My hon. Friend
talked at length about the postal ballot and I am
interested in the Minister’s reply. In respect of potential
impersonation at the polling station, nothing can be
more frustrating for a resident citizen of our country
than to turn up at the polling station and be told, as
happens in a few cases in every election, “I’m sorry—
supposedly you’ve already voted.” Requiring no form
of ID to be shown at a polling station remains a
loophole for those who want to commit fraud.

Nick Smith (Blaenau Gwent) (Lab): What is the hon.
 Gentleman’s assessment of the level of impersonation
at polling stations that would necessitate people’s bringing
ID with them when they go to vote?
Jonathan Lord: We need to gather more data. After elections there is always anecdotal talk of people turning up at polling stations and being told that their vote has already been cast. We need to know the scale of that problem to know whether the remedy is worse than the disease.

I agree with my hon. Friend the Member for Peterborough that British democracy should be sacrosanct. People should know that the result of a ballot, whether it be in local, national or European elections—or indeed in elections to our devolved Parliaments—is absolutely correct. That becomes even more important on those occasions when the margin is four votes or one vote. Any fraud can change the result of our elections under a first-past-the-post system.

Jim Shannon: This intervention will be swift. We took those steps on identification in Northern Ireland, and the steps were sometimes hard. There are many forms of identification—driving licences, bus passes, passports, firearms certificates and benefits cards—and so long as they contain a photograph, they prove who people are. Yes, it might sometimes be an inconvenience, but it is a good idea because it works.

Jonathan Lord: The hon. Gentleman makes that point extremely powerfully. All that someone needs to commit electoral fraud under our system is a really good telling regime at the polling station; to knock out the postal voters; then, in the dying hours of polling, they can send people along to impersonate those people who the system shows have not already voted. That is exactly what used to happen in too many towns in Northern Ireland, I am afraid. We do not know for sure to what extent it might be happening here.

Nick Smith: The hon. Gentleman is making a serious accusation that vote rigging might be taking place in some parts of the country. Does he have any concrete examples to back up his case?

Jonathan Lord: As I said earlier, after every single election, whether it is a nationwide election or a large set of local elections, there are always people who go to their local paper—the hon. Gentleman can look through the cuttings—or who complain to the returning officer, “I went to the polling station to vote, but I was told that my vote had already been cast.”

The evidence is not strong in the way that perhaps it was in Northern Ireland, but it is a loophole in our system. As the hon. Member for Strangford says, it does not have to be a passport or driving licence, but requiring any picture ID, at the very least, would make it incredibly difficult to perpetrate a major fraud, because people who wanted to do so would have to forge lots of bus passes or similar items. I would be interested if the Minister gave us some feedback on that issue, as well as on postal voting, which was comprehensively covered by my hon. Friend the Member for Peterborough.

5.14 pm

Tommy Sheppard (Edinburgh East) (SNP): It is interesting that we are having this debate as we begin to celebrate international Human Rights Day, because article 25 of the 1948 declaration of human rights called on nation states to provide free and fair elections on the basis of universal and equal suffrage. I do not mean to suggest complacency or to get into self-congratulatory backslapping but, from a global perspective, we have reason to be proud of the systems that we have in this country and of the level of respect that we have for the democratic process. That is not to say that there are not concerns or that there should not be changes. I will talk about some of those in a minute, but overall our democracy, and our electoral democracy, is in reasonable shape.

As I have previously suggested in similar Westminster Hall debates, the Scottish referendum last year was an exemplar of how to do things right, but I remind Members that probably the greatest compromised election in recent times also happened in Scotland. At the 2007 Scottish general election, fully 7% of the votes cast were rejected. That happened for two reasons, neither of which has to do with deliberate fraud or mal-intent. The first was that, because the local council elections took place on the same day as the Scottish Parliament elections—the latter of which involved two different ballot papers—there was an unprecedented degree of confusion among the electorate, and an awful lot of people simply did not know how to exercise their right to vote. The second reason, which I am glad to say we have dispensed with, was that the then Scottish Government invested rather too much public money in a number of electronic counting machines that simply were not fit for purpose and seemed unable to do the job for which they were bought.

I am pleased to say that we have won the argument with the Government, because they did not rule out holding the EU referendum on the day of another election until the House clearly and explicitly decided that that should not happen. One of the procedures that we should use to protect our democratic process is to make sure that, each and every time a question is asked, it is a specific question that cannot be confused with anything else.

I was unaware of what the hon. Member for Peterborough (Mr Jackson) was going to say in this debate, but I note his concerns, which fall into two parts. One is the question of deliberate electoral fraud, in which people, either individually or by conspiring with others, deliberately abuse the process to cheat. We are in a good position because, in a competitive, multi-party democracy, there is an opportunity for parties to keep tabs on each other and to monitor the process. There is also a degree of good will and sincerity among our electoral registration officers, who are very vigilant and aware of the possibility of fraud and the need to do something about it. In my experience, the police, and others with responsibility for taking action, take electoral fraud very seriously. Again, that is a healthy development.

The hon. Gentleman also raised the problem of familial pressure being applied in some communities, particularly to influence women’s votes. I do not deny that that happens, but I am unsure of what action the state or the public authorities can take to prevent it from happening, apart from some of the things that we are doing through individual electoral registration and, of course, the education campaign to encourage everyone to recognise that their vote is a precious thing that relates to them, and to them alone, and that they should not be influenced by anyone else.

Mr Andrew Turner (Isle of Wight) (Con): Does the hon. Gentleman agree that it is a good idea that we should make it more difficult to obtain a postal vote?
Tommy Sheppard: I know Members are concerned about the dramatic increase in postal votes, and we are clearly now in a situation where the ability to vote by post is a choice—people do not have to fulfil many criteria to exercise a postal vote. I see that as a positive development because it encourages people to participate in the election process. There are lots of people for whom it is more convenient to exercise their vote by post. If we are going to look at restricting that by putting hurdles in the way of people who seek to vote by post, we need to be careful not to throw the baby out with the bathwater.

We are talking about electoral integrity, and I will finish by putting the issue in a slightly wider context. There are things that we can do. The Scottish referendum was an exemplar, with 97% of the people who were entitled to register being registered to vote and 85% of them turning out to vote. There were a number of reasons for that. One was that we widened the franchise and included 16 and 17-year-olds. I know that the House has rejected that model for the EU referendum, but plenty has been said about it by all parties and we will have to consider it again before this Parliament is over.

I will finish with this point. We also need to consider making voting easier, simpler and more contemporary. It is important to keep our debate in perspective. Of course, elections have to be clean, of course, elections have to be fair and elections are seen widely in a democracy to be fair and elections must be above board and entirely fair, and that all the participants in those elections must respect their integrity. That is important in itself, but it is also important that elections are seen widely in a democracy to be fair and beyond reproach.

The various issues that the hon. Member for Peterborough (Mr Jackson) has raised are all important, but we must put them into context. It is important to make the point that that perception is not based on concrete fact. As the Electoral Commission said in the evidence it submitted to the Government’s anti-corruption champion:

“The evidence currently available to us does not support the conclusion that electoral fraud is widespread in the UK.”

Mr Jackson: The hon. Gentleman is making his remarks in a typically eloquent way, but is it not a matter of regret that the chief executive of Woking Borough Council and the electoral returning officer for the constituency of my hon. Friend the Member for Woking (Jonathan Lord) said on “File on 4”, the programme I referred to in my remarks, that in 12 years he had never presided over a wholly clean election in that borough? I agree with what the hon. Gentleman has said, but surely that is a lamentable state of affairs.

Wayne David: Elections have to be clean, of course, but quite often there is a fine dividing line between the rough and tumble of electoral politics and actual electoral fraud. When we talk about fraudulent activity, we have to rely on evidence and hard facts being presented. If in that programme and elsewhere there have been actual examples of fraud and clear evidence of it, then it is right that an investigation is made and action taken. However, I return to my central point. Yes, there is plenty of tittle-tattle, plenty of suggestions and plenty of accusations, but all too often there is very little hard and fast evidence, and we have to go on evidence.

It is important to keep our debate in perspective. Of course that must not be used as an excuse not to do anything, and of course the system must be tightened up, but at the same time let us recognise that our democracy is one of the finest in the world, and we must do everything to defend it, while at the same time making sure that it is as watertight as possible.

Finally, as we move to a system of IER, it is important that we have, above all else, the desire to encourage and to make as easy as possible the participation of our constituents.
voters in the electoral system. There is a fine dividing line, but we have a system that is open and fair, and that encourages people to vote and facilitates their involvement in the democratic process, and at the same time our system must be monitored and policed effectively.

Surely none of us would want to see a system in place that was as onerous as some Members have perhaps suggested, which would be a disincentive to people to go along and cast their vote. If we made the system too cumbersome, that would undermine the democratic process itself. Therefore, in the interests of democracy and democratic participation, we always have to strike a balance between what is reasonable to do in order to encourage as many people as possible to engage, while at the same time having a system that is above reproach and that is based on fairness and integrity.

5.27 pm

The Parliamentary Secretary, Cabinet Office (John Penrose): It is a pleasure to have you looking after us this afternoon, Mrs Main; it is good to see you in the Chair.

Let me start by congratulating my hon. Friend the Member for Peterborough (Mr Jackson) on securing this debate on a tremendously important issue, which is perhaps slightly more topical than when he originally tried to secure it. However, that just shows his foresight and that he has his finger on the pulse of the popular mood. I think all of us here agree that this is a very important issue, but we tend to blithely assume that things are all right because historically this country has had a democracy to be proud of. Of course, it is up to us as the current incumbents in that democracy to ensure that we continue to be alive to any threat to it, and therefore it is important that we continue to address this issue regularly.

May I also remind all present and anybody who analyses this debate in future that the right way to deal with allegations of electoral fraud of any kind is to take them to the police? That is absolutely essential. The police are the investigating authority, and they are the people who have the skills and the resources to investigate properly. It is essential for the health of our democracy that any concerns are reported properly, so that the police can get to work and get their teeth into anything that looks suspicious.

During the last four years, we have had a steady flow—not a huge rush, but a steady flow—of electoral fraud cases. There were 268 in 2011, 408 in 2012, 178 in 2013 and 272 in 2014. That is not a deluge, but it is not zero either, and there is some concern that there may be other cases that are not being properly reported and may be going under the radar, which I think is one of the reasons why my hon. Friend the Member for Peterborough secured this debate.

If anyone present or anyone looking at this debate afterwards has any concerns and, specifically, any detailed recommendations about how the system could be improved—we have heard a number of suggestions from all quarters during the debate—I would encourage them to mention them without delay to my right hon. Friend the Member for Peterborough. My right hon. Friend is in the process of finalising his report and has collected recommendations on how to deal with electoral fraud. The Government will be waiting for that report to come to us. We will react to it once it is in our hands and we have had a chance to study it and consider its implications. It is an opportunity for anyone with concerns and, in particular, specific recommendations about how the system can be improved—goodness knows, no system is ever perfect—to strike now. The iron is, if not yet hot, then certainly getting pretty warm, and it will be hot shortly. Now is the moment.

My hon. Friend the Member for Peterborough also rightly mentioned that 9 million postal votes were cast. Concerns are regularly voiced—albeit not always necessarily evidenced beyond the 200 to 300 or so cases each year—about undue influence when postal votes are in the hands of the voter, particularly within families with a strong tradition of patriarchy. It is hard to prove whether that is happening, but the suspicions none the less persist. All of us in this room will no doubt have heard those suspicions voiced to us by colleagues in Parliament and by constituents.

It is absolutely right—I hope all of us here would sign up to this principle—that we should not assume that there is a necessary contradiction or choice between having an electoral system that allows any eligible elector who wants to cast their vote to do so cleanly, conveniently and easily, so that turnout is maximised to the greatest possible extent, and the notion that there should be reasonable checks to ensure that the person casting the vote is eligible, is the person they say they are and is not subject to unfair pressure or influence in any way. Those two principles are equally vital. If we start saying that one is subservient to the other, we are on an extremely slippery slope, democratically speaking. Both principles apply and are important, and anyone who tries to pretend that we need to compromise one at the expense of the other is on dangerous ground indeed.

One of the only points on which I respectfully disagree with my hon. Friend was where he mentioned some turnout figures for successive general elections. He is absolutely right that general election turnouts have been higher in the past. I fear that factors other than the availability of postal votes may be involved in that. I suspect those factors are particularly to do with public attitudes to politics, public attitudes to politicians, dare I say it, and general levels of societal democratic engagement. There are probably more things going on than just the availability of postal votes, although I am sure he is absolutely right to point out that that is a factor.

My hon. Friend the Member for Woking (Jonathan Lord) expressed some concerns about voting in person and impersonation. He asked whether there should be polling station checks. Again, that will be covered by the report of my right hon. Friend the Member for Brentwood and Ongar. I mention in passing that some recent photos appeared in the press of President Obama turning up to cast his vote in the American presidential elections—no prizes for guessing who he was voting for—and I was struck by the fact that he had to sign for his ballot paper when he got there. That is a different system from the one that applies in Northern Ireland that was referenced by the hon. Member for Strangford (Jim Shannon). None the less, there are models elsewhere in the world that we could look at, always with an eye to the fact that we do not want to discourage legitimate voters from turning out.
Jonathan Lord: The Minister makes a good point about another way of doing things. Of course, we sign for our postal votes, and that is checked. There are 9 million postal voters, with 15% to 20% of the electorate now choosing to vote by post. If that 20% is being checked, why should the signature and validity of the ballot at the polling station not be checked?

John Penrose: We should take that as a further submission to the proposals of my right hon. Friend the Member for Brentwood and Ongar.

Nick Smith: Will the Minister give way?

John Penrose: Very briefly, but then I must try to finish.

Nick Smith: The hon. Member for Peterborough (Mr Jackson) has rightly outlined examples of voter fraud that, if true, should be addressed with the full force of the law. Does the Minister agree that any future electoral law should have the right mix of safeguards and things to encourage voter participation? Will he please look into the possibility of credit reference agencies providing extra data to boost voter registration?

John Penrose: The hon. Gentleman mentioned this issue to me in oral questions earlier today. I encouraged him then and encourage him now to provide me with further details of his proposal. I am very interested at looking into that matter. It is potentially useful. There are many other sources of data that can be used to verify registrations, and we want to look at them all if we can. In the modern digital world, it seems a sensible avenue to explore.

At the root of the debate, we have a contradiction. We have modest levels of electoral fraud cases—I have already given everyone the figures for the past three or four years—but we can all see that, in principle, our processes and controls are pretty light-touch. We can all think of theoretical ways in which someone might be able to indulge in electoral fraud, were they so minded. In all our minds, there will always be a nagging concern that even though there may not be that many electoral fraud cases, there could be a cohort of people that we are not aware of taking advantage of this relatively trust-based system. That is the concern behind this debate and the ongoing public debate. To summarise it in a sentence, absence of evidence is not necessarily evidence of absence. That is our concern.

I therefore want to reassure everyone that there is no complacency in the Government on this tremendously important issue. A number of people have mentioned in the course of the debate that there is some self-policing, because political rivals will naturally keep an eye on each other. That is good, but we have also heard examples of loopholes or potential flaws in the process that would allow some things to go unremarked, even where there is a strong political culture of rivalry. We should clearly consider applying the precautionary principle here, provided that we can do so with the satisfactory light touch.

What have we done so far? There has been the introduction of individual elector registration. ID is therefore verified and it makes inventing people a great deal harder. It also makes family influence and patriarchy less important. We have also made postal votes a great deal more controlled. People now have to put a signature on a postal vote, and every single signature is matched up when that postal vote is opened. There was an initial problem in Scotland, which the hon. Member for Edinburgh East (Tommy Sheppard) mentioned, but the system is now running much more smoothly. There is much greater security around polling stations too, which is essential, particularly when one reads some of the judgments about what was happening in Tower Hamlets.

Finally, I want to back up the point that a number of colleagues made about voter education. One of the most fundamental ways of guarding against undue influence, whether spiritual, familial or any other form, is to educate people from the earliest moment that their vote is genuinely secret and that they are absolutely entitled to tell anyone, whether they are a family member, religious leader or politician, to take a hike if they want to find out how someone voted or to influence the way they are planning to vote. That is an attitude of robust independence that we need to inculcate in all our young people and, if necessary, all adults too. With that, I will sit down to let my hon. Friend the Member for Peterborough have a final word. I reiterate that if anyone wants to make any further comments to my right hon. Friend the Member for Brentwood and Ongar, his door is open.

5.38 pm

Mr Jackson: I thank the Minister for that helpful reply. I support the direction of travel. The Cabinet Office and the Electoral Commission are going in the right direction, but I do not think light-touch will do any more. We need more academic research and more legal sanctions. In particular, we need a proper response to the Electoral Commission’s report from last year.

I have two extra things to say. First, we perhaps need to think about disaggregating ward results in general elections. In the United States, that allows people to see obvious examples of electoral fraud. We have never done that in this country, but there has never been a reason not to, because we have ward results in local elections. Secondly, I would like an undertaking from the Prime Minister that when the Pickles review is produced for the Prime Minister, we will have, if not a debate, then at least a statement in the House, so that we can ventilate all these important issues that we are all committed to tackling. With that, I appreciate the opportunity to raise such vital issues.

Question put and agreed to.

Resolved,

That this House has considered electoral integrity and absent votes.

5.39 pm

Sitting adjourned.
Westminster Hall

Thursday 10 December 2015

[MR ANDREW TURNER in the Chair]

BACKBENCH BUSINESS

Protection of Ancient Woodland and Trees

1.30 pm

Rebecca Pow (Taunton Deane) (Con): I beg to move, That this House has considered protection of ancient woodland and trees.

I thank not only the Chair and the Minister, but the Back Benchers who have turned up today in support of the debate, which struck an enormous chord when I first started talking to people about it. I also thank the Woodland Trust, which has championed the cause not only of trees, but of ancient woodland and veteran trees for so many years.

Mr Turner, I want to begin by taking us on a magical mystery tour, if you would like to come with me. Imagine that we are walking down a track through a dense coniferous and mixed-species forest. After crunching leaves underfoot for some time, we dive off into the denser part of the forest and suddenly come upon a glade with dappled light filtering through the canopy. There is a carpet of mixed plants beneath our feet. Wild flowers are bursting into bloom and birds are singing. All of a sudden, we see these gargantuan sentries, as if guarding time itself. Huge, enormous oak trees rise out of the carpet. They have a sort of mystery about them, an air of knowingness. They are covered in nooks and crannies. They are filled with creatures such as the vulnerable cardinal chick beetle, woodpeckers, brown long-eared bats, wood mice, stag beetles, tawny owls and hornets, and multifarious fungi, moss and lichen, all taking advantage of the antiquated bark. It is reminiscent of Enid Blyton’s “The Magic Faraway Tree”—I do not know whether you have ever read it, Mr Turner.

Those were the first ancient trees that I ever encountered. They were 500 years old and part of the ancient forest of Neroche close to where I live in the Blackdown hills. I was filming them for “Saving the Best Bits”, a film about the special habitats of Somerset, and I have never forgotten the experience. Ancient trees, which form only part of today’s debate, are living relics. The age at which a tree becomes ancient varies with the species as some live longer than others, but the oldest ancient tree, the Fortingall yew in Scotland, is said to be 2,000 to 3,000 years old. Veteran trees are also included in today’s debate. They are not quite as old, but they are on their way to becoming ancient trees. More than 120,000 such trees are listed on the ancient tree inventory.

However, we are talking today about not only specimens, but ancient woodland as a whole. Ancient woodland is our richest terrestrial habitat, but the sad situation is that only 2% of it remains. Something is classed as ancient woodland if it has been on the map since 1600 in England. In Scotland, it is slightly later at 1750. The date is when good maps first came into use, so we were obviously slightly ahead in England. I regard ancient woodland as our equivalent of the rainforest. It represents the last fragments of the wildwood that cloaked the land after the ice age. It is a biodiverse and rich habitat that is home to animals and plants that depend on the stable conditions that ancient woodland provides. It is so rare, however, that it contains many threatened species. The loss of ancient woodlands over the past 100 years has meant that 45 species associated with them have disappeared, which is an absolute tragedy. The woods are not just biodiverse; they are living history books, because they contain fascinating historical features such as medieval boundaries, charcoal hearths and old coppice stools, all of which provide a window into past lives. They are irreplaceable parts of our heritage.

Neil Parish (Tiverton and Honiton) (Con): Will my hon. Friend give way?

Rebecca Pow: I will of course give way to my hon. Friend from over the hill.

Neil Parish: I very much like the way that my hon. Friend is presenting this debate. We are neighbours and our constituencies share the Blackdown hills. There is ancient woodland there and all across Devon. We need to protect it, and when we need to do something such as dual the A303 or A30, we must find ways of ensuring that we go around ancient woodland rather than through it. We need infrastructure, but we need to maintain our ancient woodland.

Mr Andrew Turner (in the Chair): Order. I have to say that that was a pretty generous intervention, so let us not be quite as generous in future.

Rebecca Pow: I thank my hon. Friend for that intervention, because I entirely agree. I will be referring to his point later in respect of the reference to green infrastructure in our manifesto. I know the roads he mentions well and know the debates that have gone on for years about dualing the A303, but it has to fit in with the environment. All things are possible, so we have to get round these things.

To be clear, we are discussing not only the trees themselves, but the soils underneath them, too. The soils have built up over centuries and, just like the woods, cannot be recreated. The soils are equivalent to those in the rainforest and are just as precious. They contain genetic material and biodiversity that could be the key to life-saving treatments or combating pests. We remove them at our peril.

Turning to the detail, there are two types of ancient woodland. The first is ancient semi-natural woods, which are composed predominantly of trees and shrubs native to the site that do not obviously originate from planting and have grown up from the beginning. Often, such woods have been managed through coppicing or pollarding, but they still count as ancient woodland. The second type is plantations on ancient woodland sites, which are where former native tree cover has been felled and replaced by planted trees predominantly of species not native to the site. Such sites can include pine, so coniferous forests can be classed as ancient, or sweet chestnut, forests of which I believe exist in Scotland. The soil under such trees is also significant.
People might ask, “Why worry about these small areas? Woods that are planted today will become ancient woodlands in 400 years’ time,” but it does not work that way. The way we are changing land use due to agriculture and industry means that the woods we plant today will never turn into the equivalent of the ancient forests of yesterday. Does my hon. Friend agree that if we are going to build large infrastructure projects it is essential that we observe the national designations given to areas of land that include ancient woodland, such as the AONB in the Chilterns to which she referred? It makes a mockery of any environmental credentials or policy if we do not protect the nationally designated areas while going ahead with the project.

Rebecca Pow: My right hon. Friend makes a valid point, which I will address in a moment. She is right: if we cannot stand by the designations, we might ask what the point of having them is. I put that to the Minister.

I thought that the Minister responsible for forestry would reply to the debate, but I am pleased to see the Minister of State with responsibility for farming in his place. The whole of the Department for Environment, Food and Rural Affairs is especially committed to trees and woodland, but the Forestry Minister admitted in the Select Committee on Environment, Food and Rural Affairs—I was at the inquiry meeting at which he said this—that “ancient woodland, as a category, is not a protected category.”

I am now coming on to what many of my hon. Friends are referring to—everything is about paragraph 118 of the national planning policy framework, which allows for the destruction or loss of “ancient woodland and…aged or veteran trees” if “the need for, and benefits of, the development in that location clearly outweigh the loss”.

As a result of that loophole, as I would describe it, hundreds of ancient woodlands and trees are being lost or threatened in the planning system every single year. Since the national planning policy framework was introduced in March 2012, more than 40 ancient woods have suffered from loss or damage.

Marcus Fysh: My hon. Friend agrees that one of the problems in planning assessments is that much reliance is placed on professional reports and assessments of one kind or another that are challengeable, although they seem to persist from development to development with a life of their own? We need decision makers who will actually challenge such things and not allow them to take on a life of their own.

Rebecca Pow: My hon. Friend makes a good point, which I will come on to later with reference to the idea of natural capital and how much value we put on the natural world versus development. The Woodland Trust is dealing with an incredible 560 threats to ancient woodlands in 400 years’ time, which is shocking. Threats can come from mineral extraction, installation of electricity or gas pipelines, housing, leisure proposals, roads, golf courses or even sites for war-gaming and paintballing.

Other ancient woodland areas are under threat from local area plans, which are falling through the net and we hardly know anything about. I have one such near me at Ash Priors, where houses were built on ancient woodland because the local plan could not really stand up for it. We do not know exactly how many ancient woods there are, let alone how many are threatened, because we rely on the dear old Woodland Trust to

Rebecca Pow: Yes, that is correct. The Woodland Trust number of threats being registered—14 in one month, which is shocking. Threats can come from mineral extraction, installation of electricity or gas pipelines, housing, leisure proposals, roads, golf courses or even sites for war-gaming and paintballing.

Other ancient woodland areas are under threat from local area plans, which are falling through the net and we hardly know anything about. I have one such near me at Ash Priors, where houses were built on ancient woodland because the local plan could not really stand up for it. We do not know exactly how many ancient woods there are, let alone how many are threatened, because we rely on the dear old Woodland Trust to
gather such data. I ask the Minister for a proper database to collate all such information, because then we would be on stronger ground.

Interestingly, the motion we are debating has not been far from the thoughts and considerations of others in this place. Only one year ago, in December 2014, the Select Committee on Communities and Local Government called for ancient woodland to be awarded the same level of protection as designated heritage assets in the built environment, which include scheduled monuments, wreck sites, battlefields, and grade I and II listed buildings—my own house is grade II and, small and humble as it is, I cannot knock it down to build a road. Do my hon. Friends agree that the CLG Committee proposal seems eminently sensible?

**Alex Chalk** (Cheltenham) (Con): I congratulate my hon. Friend on how she is presenting her powerful case. Ancient woodland exists not only in rural constituencies, but in urban areas such as Cheltenham and, as such, can be particularly precious to local communities. Does she agree that there is a powerful case for providing strong and explicit planning protection for ancient woodland, particularly in towns?

**Rebecca Pow:** My hon. Friend makes another excellent point. Some trees have preservation orders on them, but by no means all do. Trees in the urban environment, as I am sure the Minister will say, are important for things such as controlling rainwater and flooding, taking carbon dioxide out of the air and the feelgood factor of seeing a lovely tree as we walk past.

According to the Communities and Local Government Committee, the national planning policy framework ought to be amended. The Select Committee stated that any loss of ancient woodland should be termed as “wholly exceptional”—that is, it cannot be got rid of unless that is absolutely and utterly essential. I will be grateful to hear the Minister's view of such a change, because ancient woods are national treasures. Scotland has a similar planning framework, but a slightly softer approach to trees and development. I will be pleased to hear about that later from the Scottish Members present.

The CLG Committee also called for an increase in the number of SSSIs covering ancient woodland, because that would surely help. Perhaps the Minister will comment on that proposal as well. In addition, we must not forget that we ought to thank many landowners for managing the SSSIs and to ensure that they have adequate funding to keep the woodland as it should be kept for the nation. The success of such woodland depends on that management. There is also real concern about the march of awful diseases such as charara, or ash dieback, in ancient woods, which could present us with another threat to them in future.

I do not want to sound too much like a stick-in-the-mud, because I understand that we need a balance. On the one hand, we want to protect the environment and on the other we want a thriving economy, which the Government are pursuing positively and with great effect. However, I remind the Minister of the green infrastructure commitment in our manifesto in which we said that we would try to make our roads and developments more environmentally friendly. We need to start doing that somehow.

My hon. Friend the Member for Banbury (Victoria Prentis) wanted to raise the issue of planning in particular, but she cannot be here. If we have to steamroller through a piece of ancient woodland because it is unavoidable, often the suggestion is to ameliorate the situation by planting trees elsewhere. She says that that is fine, but we need to take real care about how that is done. At Mixbury, HS2 will plough through some woodland, so it has been recommended that new trees are planted. However, guess where that will be? On a patch of ancient pasture! It is ridiculous that more thought was not put into that decision. I call for a much more sensible approach and for caution.

The spin-off of woods’ biodiversity value is their glorious, natural benefits, which we call natural capital. Should we put a value on our woods? We need to start thinking about that. They reward us in spades through making us feel good—by raising our spirits and inspiring us, as well as through their biodiversity. I know that the Government are thinking about that and that the Natural Capital Committee, which will report back shortly, is looking at setting an economic value on nature. That is tricky—no one says that is easy—but should we not apply that concept right now to ancient and veteran tree cover? That is a prime example of where it could be applied.

Natural capital is not an idea that Rebecca Pow has come up with; it is really being talked about. In January the Natural Capital Committee said that ancient trees are “priceless.” That is there in writing and that is the root of my debate.

The all-party group on ancient woodland was formed recently and I am pleased to be its chairman. Since its formation, I have been contacted by so many people who are at their wits’ end and want to know what to do about an area of threatened woodland near them. They are usually really passionate about these places. Whole communities will be campaigning to try to keep them, but they do not have the teeth to do it. These places are threatened by quarrying, roads and other such things, but as my hon. Friends the Members for Tiverton and Honiton (Neil Parish) and for North Cornwall (Scott Mann) asked, can we not try to work such thoughts into our development plans so that somehow we can have both?

I will give a few examples of threatened areas. Just last month, a proposal to destroy part of the beautiful and ancient Bluebell wood near Maidstone went through, with permission granted for housing without any recognition of the loss to nature, despite a huge local campaign. I have mentioned HS2 already and I think we might hear more examples about that. In the south-west, a pipeline in Torridge in Devon will go right through the Buck’s Valley wood. Mineral extraction in Dorset is going through Honeycomb and Downshay woods and ancient woodland between junctions 5 and 6 of the M42 near Solihull in the west midlands is threatened by an application for an extension to a service station—the list goes on and on.

I have raised a number of issues that I would like the Minister to consider. In particular, it would be great to get a database going. Will he also look at updating the standing advice for ancient woodland? Developers need to look at that advice to see whether what they are doing tallies up with Natural England’s instructions, but that barely covers matters. It needs to be updated.
for English planning authorities to include veteran trees and historic wood pasture, because sadly many developers are exploiting the advice.

I cannot stress strongly enough that once this glorious natural wonder is gone, it is gone—we cannot recreate it. Trees, as we all know, cannot speak for themselves—unless they are Ents in “The Lord of the Rings”, which I love—so I am speaking for them. At the rate we are going, soon none of this precious woodland will be left. Only 2% is left, which is so minuscule. How quickly could all that be whittled away?

I urge the Minister to consider my suggestions for ensuring that we do not get rid of all this woodland. We must give it some chance of surviving for hundreds more years. We need to deal with this root and branch. I urge him to give more consideration to the protection of our glorious, awe-inspiring ancient woodlands.

John Mc Nally (Falkirk) (SNP): I am delighted to support the hon. Member for Taunton Deane (Rebecca Pow), who secured this debate on the protection of ancient woodlands and trees. We are all impressed with her passion for the countryside and rural and urban nature. She has raised my awareness of the ancient and veteran trees in my area: I had probably ignored it, but there are 65 ancient trees and 44% of my constituents live within 500 metres of ancient woodlands—I was not aware of that until I met the redoubtable Member.

I am fortunate to represent a constituency that has a great variety of accessible woodlands located close to its population centres. I will give a wee bit of background on my area and do as best I can—the hon. Lady is a great variety of accessible woodlands located close to its population centres. I will give a wee bit of background on my area and do as best I can—the hon. Lady is a

1.56 pm

Protection of Ancient Woodland and Trees

Rebecca Pow

[Rebecca Pow]

Our ancient woodland has now diminished to a fraction of its former extent. We have lost forever an irreplaceable part of our natural heritage. The nation’s remaining ancient woodlands are increasingly under threat from development. As the hon. Member for Taunton Deane mentioned, the Woodland Trust has responded to 14 cases of woods under threat in just the last month and is currently dealing with a total of 561 such cases. That is an unacceptable number of threats,

My constituency is also blessed with the natural beauty of the Carron glen, which has a magnificent stretch of woodland with a beautiful, steep-sided gorge that supports a large tract of ancient deciduous woodland. I spent most of my childhood in the glen, swimming in the Red Brae and the Black Lynn, probably climbing over ancient dykes and generally mucking about. It was a natural place where I could go and enjoy myself and it will never be forgotten. It is a natural wonder that should be preserved at all costs. It supports oak, birch, alder, goat willow and ash, as well as a variety of woodland flora. We now have otters frequenting the area. If someone sits there long enough, they will see deer walking past in the same area. It is an absolutely outstanding, peaceful area of tranquillity.

Not far from that is a tree locally referred to as a Spanish chestnut tree. Its actual species is not known for certain; we are still investigating that. That tree is the symbol of the Denny and Dunipace Heritage Society, of which myself and Charles McAteer—not the Charles mentioned earlier—were founder members. The tree is more than 400 years old and was part of the Herbertshire estate owned by the Forbes family. The castle on the estate was burnt to the ground in 1914—I was not around at that time, before the hon. Member for Taunton Deane says anything. The tree is still standing and is still known locally as the “hanging tree”.

A number of local conservation groups help to protect the ancient trees and woodland in my constituency, such as the Communities Along the Carron Association, which is run by a group of local volunteers who are committed to the regeneration of the River Carron, its communities and its ancient land. It is led by a remarkable woman called Christine Bell. There is also the local Community Green Initiative, which is run by a group of local volunteers. One of its aims is to ensure that the woodland areas are kept litter-free and accessible for everyone. That group is extremely active, with all the schools across Falkirk using the local woodlands. This is about looking to the future and the long term.

As a keen cyclist and walker, I have taken full advantage of those natural amenities. I am well aware that woodlands ancient and modern are more than a source of timber, more than a habitat of flora and fauna and more than a pleasant vista. Although they are and should continue to be all those things, they are also a destination for all groups, families and communities to enjoy. The protection of this natural asset is vital. Ancient woodland is our richest habitat for wildlife and is home to more threatened species than any other habitat. It represents the last fragments of the wildwood that once covered all of the UK thousands of years ago.

When I was doing some research this morning, I came across an article by Scottish Natural Heritage on hen harriers, which are a rare bird of prey. There were only 505 pairs left at the time of the last survey, in 2010, and another survey will be done next year. Those birds leave the highlands of Scotland and come down south for the winter. We are still not sure where they go, but if we cut down these trees, they will not go there again; that is a certainty. We need to be mindful of that at all times.

Our ancient woodland has now diminished to a fraction of its former extent. We have lost forever an irreplaceable part of our natural heritage. The nation’s remaining ancient woodlands are increasingly under threat from development. As the hon. Member for Taunton Deane mentioned, the Woodland Trust has responded to 14 cases of woods under threat in just the last month and is currently dealing with a total of 561 such cases. That is an unacceptable number of threats,
and I do not know how the Woodland Trust will cope. There is a genuine increase in threats to ancient woodland, and the UK Government are simply not doing enough about it.

**Scott Mann:** While the national planning policy framework affects England, I understand that Scotland has devolved powers in planning. Will the hon. Gentleman expand a little on how Scotland has dealt with this issue?

**John Mc Nally:** I can give the hon. Gentleman a brief answer, but I am sure my hon. Friend the Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) will answer that later. The Scottish Government have developed a policy direction for decisions on woodland removal in Scotland and will apply the policy to decisions within the areas of competence. Unlike England, Scotland has an ancient woodland inventory, to which the hon. Member for Taunton Deane referred. We are making progress. There is a lot more information to read, which I advise hon. Members to do. We can all learn lessons from one another. This is not a political matter; it is about doing the best we can.

Within my constituency, more than 7.5% of the ancient woodland is under threat, while more than 40% of constituents live near woodland. That amounts to only 15.6% of woodland, old and new, which is quite scary. However, the quantity of ancient woodland under threat is not the only issue; the irreplaceable nature of that woodland is the significant point. The hon. Member for Taunton Deane mentioned a Fortingall tree earlier of between 3,000 and 3,500 years old, which I have visited many times. It is believed that Pontius Pilate was born underneath it—never let the facts get in the way of the truth. In Scotland, we define ancient woodland as having existed since around 1750 AD, so what takes minutes to cut down takes centuries to grow. The loss is immeasurable; imagine cutting down the Fortingall tree.

Existing protection for ancient woodland is insufficient. The UK Government have stated on many occasions their support for and appreciation of the value of ancient woodland and the need to protect it. In Scotland, as I mentioned, we are making significant efforts to change that and address these problems, although we are not without our problems. Unlike many precious habitats, however, ancient woodland is not a statutory designation in law and therefore suffers from a lack of protection.

The Minister responsible for forestry, the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Penrith and The Border (Rory Stewart), for whom I have a lot of time—he is an excellent guy who knows his brief exceedingly well—recently admitted:

"ancient woodland, as a category, is not a protected category".

That is quite a statement.

Paragraph 118 of the national planning policy framework allows for the destruction or loss of ancient woodland and aged or veteran trees if "the need for, and benefits of, the development in that location clearly outweigh the loss".

That is a total contradiction, because we can never get that woodland back. As a result of that loophole, hundreds of ancient woods and trees are lost or threatened in the planning system every year. Since the NPPF was introduced in March 2012, more than 40 ancient woods across the UK have suffered loss or damage from development. Hundreds more ancient woods are at risk within areas of land allocated for development through site allocations as part of local plans. As admitted by the Forestry Minister under the previous Administration, the Government do not collect data relating to the loss of trees and woods, so a complete picture of the scale of losses in any given year is currently impossible—I totally agree with the hon. Member for Taunton Deane on that.

In December last year, the Select Committee on Communities and Local Government called for ancient woodland to be awarded the same level of protection as designated heritage assets—that includes the house owned by the hon. Member for Taunton Deane. The Committee also called for work to be undertaken to increase the number of ancient woods with statutory designations, to further increase protection. However, in response to the Committee's report, the Government ruled out changing the wording, arguing that "existing protection for ancient woodland in the Framework is strong and it is very clear that development of these areas should be avoided."

Again, that seems a wee bit contradictory. I urge the Government to follow the Communities and Local Government Committee's recommendations.

In addition to the previously mentioned comments, the Forestry Minister went on to say that "an enormous amount of our ancient woodland is already protected within our national parks and within AONBs. A lot of it is covered by natural sites under European legislation and a lot of it is protected under SSSI legislation."

In a response to a parliamentary question on 23 November, corrected on 24 November, the Forestry Minister set out how much ancient woodland is in fact located within designated areas:

"Natural England estimates that 15% of ancient woodland is located within national parks and 30% is located within areas of outstanding natural beauty (AONBs). In national parks, 29% of this woodland has site of special scientific interest (SSSI) status; in AONBs, 13% of this woodland has SSSI status."

Unfortunately, while some ancient woodland is indeed located within a national park or area of outstanding natural beauty, that is simply not enough protection to ensure ancient woodland is not impacted by or lost to development. I absolutely agree with the hon. Member for Thirsk and Malton (Kevin Hollinrake), who mentioned the issue of fracking in such areas.

The HS2 route, as has been mentioned, is a notable example of woodland located within designated areas being threatened by development. Although I do not know if the Chilterns is an area of outstanding natural beauty, well known throughout the world. Another example provided by the Woodland Trust is a hydroelectric scheme currently being proposed in north Wales at Fairy Glen near Betws-y-Coed—are there any Welsh Members here?

**Richard Arkless (Dumfries and Galloway) (SNP):** You got away with it.

**John Mc Nally:** Thanks. No one can contradict me.

The scheme threatens to damage the ancient woodland located in the Snowdonia national park. The Cairngorms national park local development plan expressly backs
potential development sites that could cause damage to antique woodland, including at An Camas Mòr, Carrbridge and Nethy Bridge. Indeed, in 2014 the installation of a micro-hydroelectric turbine in the Cairngorms was approved, which could also damage ancient woodland.

I could go on and list more examples of ancient woodlands in designated areas that have been removed or are threatened by development. I think everyone in the room shares the concerns of the hon. Member for Taunton Deane about such matters, and I go along with her too. I am happy to support her as best I possibly can. I had more to say, but I think I have spoken for long enough.

2.10 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): It is a pleasure to serve under your chairmanship, Mr Turner, and to follow the hon. Member for Falkirk (John Mc Nally). I looked up his biography, as he is a new Member of the House, and I understand that he was a barber in a former life, so he will probably well know that his predecessors had their instruments forged from charcoal that came from our ancient woodland. In a way, his calling is linked to the woodlands that he has been speaking so eloquently about. I am also so glad that he has learnt about his constituency. I can honestly say that it does not matter how long he is here in the House, he will never stop learning—I learn something new every week about my constituency.

What a pleasure it is to have my hon. Friend the Member for Taunton Deane (Rebecca Pow) be successful in securing the debate. I congratulate her not only on securing it, but on the way in which she introduced the subject. She is, of course, a new Member of the House. She has worked with the National Farmers Union for a while and is a trustee of the Somerset Wildlife Trust. However, she also brought her skills as a journalist to her powerful descriptions, as she walked us through the wonderlands of her childhood. She reminded me of my childhood in Wales, when I used to be taken for holidays to my uncle’s farm near Usk and I would play in the woodlands, which were charmingly called the Dingle. I used to think that I could get lost in those woods, and that nobody could find me—but the Dingle was a pretty small standing of trees, so I reckon that if someone had been really looking for me, they would have been able to find me.

I am grateful for the way in which my hon. Friend introduced the subject, because I seem to have been in touch with the Woodland Trust, which we are all so proud of, for at least 22 of my 23 years in the House. I need to declare an interest in that under her chairmanship, I am a vice-chair of the all-party group on ancient woodland and veteran trees, and I am pleased to be so.

I first came across the Woodland Trust some 22 years ago, when a substantial woodland in my constituency, Penn wood, came under threat. A six-year battle commenced when planning permission was granted for a golf club. Many of the people who lived in and around the area got very hot under the collar about that use of that precious area of woodland, which is so distinctive of the Chilterns and the Chiltern hills. After all, much of our industry and business used to come from the woodlands and the beech woods that surround the area, which is famous for its furniture-making.

Over the six years, the Woodland Trust had to have a national appeal to raise the phenomenal sum of £1.2 million that was needed to secure the whole wood. It was finally successful in doing so in 1999. The funding came from all sorts of sources, but particularly important at the time was the grant made by the Heritage Lottery Fund of £288,000, which was one of the largest. Local residents raised over £200,000 to help the trust finally to purchase the wood. Interestingly enough, five gifts were left in people’s wills. So important were the woods to people in the Chilterns that they were willing to put those specific legacies into their wills to ensure that the woods would be there, in perpetuity, for our children, grandchildren and great-grandchildren.

In securing the whole 436-acre site, we have been able to ensure that the wood is now a powerful part of local recreation and local facilities, which are available not just to people who live around the woods, but to people who come out to the Chilterns for recreation, particularly Londoners. They take the Metropolitan line out to Metro-land, then nip off it and go out into the Chiltern hills and the area of outstanding natural beauty.

The 15th anniversary of Penn wood showed the many things that can be done with woodlands, with some tremendous activities including children’s environmental games, woodland art and fire-lighting. More excitingly, the Woodland Trust was able to show the removal of trees with heavy horses, which is something we have long lost, but which is still being retained in heritage works locally. It is rather wonderful for children to see how woodland was managed long before we had those terrible machines that make a lot of noise and chew logs and wood up into tiny little bits to be used on gardens or pathways.

There are more ongoing plans for the wood, and the investment that the Woodland Trust has made in it has really paid dividends. In fact, I was in the woods recently with the Woodland Trust; we were looking at the first stage of a £200,000 investment in Penn and Common woods in Buckinghamshire which is helping to make the woods more accessible. I looked at some of the new surfaced pathways, the existing surface tracks and the link that had been introduced. That is really exciting, because it is making the woods accessible to people who are disabled and people using wheelchairs. That is a very important move, because it means that the woods are accessible to all.

Once again, the Heritage Lottery Fund, which deserves a great deal of praise in this area, has come up with £68,800. The Veolia Environmental Trust has put a considerable sum of nearly £35,000 towards the improvements that are being made to the wood. With grants from the Forestry Commission, which are really important, it has been possible to continue the programme of improvement, including improving the signage, including in various places an interpretation of the woods for people visiting them. That makes it a tremendous experience for anybody coming out to see Penn wood.

There is a lot more work to be done on Penn wood. I think it is important that work is done on the history of the woods, and I know that the Woodland Trust has plans to look more into the historical usage of the woods. However, that takes me from the large wood
that has been saved by raising a large amount of money and which will be an ongoing project, hopefully in perpetuity, to one of the last little projects on woodland in my constituency. I had the pleasure of visiting it the other day—it is called the Little Chalfont nature park.

The Little Chalfont nature park is a small area of land that lies between some houses and the Little Chalfont library and which has been bought by the community. I had a terrific visit there, with the chair of trustees of the Little Chalfont Charitable Trust, Roger Funk, and three of his compatriots, Gill Roberts, Rob Rolls and Mandy Rooke. Mandy has been a key member of the team that is saving this piece of land for the community and contributing to the design. The area is only small, but it means that a nature park is being created actually in the heart of the village of Little Chalfont. It is being done partly from original, preserved natural grassland, but it also contains a beautiful, small piece of woodland, which is being gradually restored and made accessible to people in Little Chalfont and any visitors who want to come.

The nature park is not open yet, but it will be in 2016. Once it is fully opened, I hope that everybody will be able to enjoy it as much as I enjoyed my visit. We can all help, of course, by going on to the website for the Little Chalfont nature park and making a contribution, because nothing comes free in this day and age. If people can help to support that, we will have, in the heart of a small village in the Chilterns, yet another piece of preserved woodland together with a nature park that had me spellbound when visiting, because it contains such a wide variety of fungi, flowers and features. On the edge are the old clay pits, from which the brickworks excavated the clay to make bricks locally. There is a tiny bit of the cherry orchard that used to belong to the original Snells farm. There are the amazing mounds that were the edges of the wood, which have all been revealed by some heavy-duty work by volunteers, who are also cataloguing exactly what is contained in the heart of the village. I think that it will be a very good addition.

Our woodlands are not just places to visit. I also have in my constituency some 72 acres of woodland that is now the GreenAcres woodland burials site. It is a living, active woodland in which burials are taking place and where people can appreciate the peace, quiet, tranquillity and elements of nature that contribute to the end-of-life experience for their loved ones, which I think makes it a very special place. We must remember that we are talking not about fossilised bits of land or areas that we are protecting just out of stubbornness, but about living woods that right up to this day provide a service to the community.

That is why I feel so passionate about the woodlands that are being affected by HS2. My hon. Friend the Member for Taunton Deane referred to HS2, and I would not speak in a debate such as this without referring to HS2. It is predictable, but that does not make it any the less important. The Government really need to listen to the issues being raised about the destruction of woodland through the development of infrastructure. None of us here is a philistine. We want infrastructure to be built, we want this country to progress. We want a solid and firm economy. However, that must not be at the price of some of our most fragile and precious landscapes, which is what is happening with HS2.

Having said that, I have some praise, not particularly for the Government but certainly for the HS2 hybrid Bill Committee, because it has granted yet another extension to the Chilterns tunnel. The Minister should know that that extension means that Mantle’s wood, Sibley’s coppice and Farthings wood have all been saved from the bulldozer. Sitting in the middle of Mantle’s wood, I shed a tear when I thought that HS2 was going to devastate and demolish most of that wood, which people have been walking in for centuries. However, the area of outstanding natural beauty that is most of my constituency is still exposed to HS2. Jones’ Hill wood, in the constituency of my right hon. Friend the Member for Aylesbury (Mr Lidington), will lose about 0.7 hectares. Although the impact has been reduced by the plans currently on the drawing board, it will still be affected. Other ancient woodlands in the AONB will be indirectly affected by the works or are directly adjacent to the construction boundary and will be damaged. I am referring to Jenkins wood, Havenfield wood, Stockings wood and Oaken corner.

A Government who have been rightly trumpeting their environmental credentials should now step up to the plate and ensure that they go the whole mile and protect the whole of the AONB and those ancient woodlands against HS2. That may cost a little more, but the costs are in doubt and arguable. It is possible from an engineering standpoint and certainly desirable to tunnel the whole of HS2 under the AONB and come out without damaging the AONB, as will be the case with the current plans.

I have some amazing constituents who have been working on the issue of HS2. It is always an unequal battle, because whereas the Government have access to taxpayers’ money and have already spent some £14.5 million on legal fees alone—paying lawyers—on HS2, my constituents, who after all are only fighting to protect their homes, land and businesses and the environment of the Chiltern hills, have to raise every penny voluntarily. There is no Heritage Lottery Fund for them. There are no grants coming from any esteemed bodies. They have to raise every single penny and pay out of their back pockets not only for the luxury of being heard at the petition stage in the hybrid Bill Committee—they all have to pay £20 to put their piece of paper in—but to get the advice that they need.

One of my constituents is a tremendous landscape historian. Alison Doggett has studied a 500-year-old map and revealed that the Misbourne valley, across which HS2 will slash a swathe, has barely changed since medieval times. She described her work in an article called “A Lost Valley?” in the May 2014 edition of the BBC’s Countryfile magazine, which I am sure my hon. Friend the Member for Taunton Deane, from her previous life, is familiar with. The ancient map was drawn up in 1620 for Dame Mary Wolley, who owned the Chequers estate, which in those days included the northern part of the Misbourne valley. Nowadays, as everyone knows, Chequers is the Prime Minister’s rural retreat. It is vastly diminished. The current boundaries of the estate do not encompass the original, historical boundaries of the older Chequers estate.

Alison’s comparison of the field boundaries, woodlands, lanes and farmsteads as depicted in 1620 has shown that in many cases very little has changed. Thanks to the good stewardship of the people who have lived in...
the area and worked the land, and its status as part of a nationally protected landscape—the AONB—since 1965, any visitor today will find the valley very little changed from 1620. Unfortunately, the merits of good stewardship and national protection through the AONB have been ignored by the HS2 project. I therefore ask that the Minister and his Department, which is crucial to the protection of our environment, ask the Department for Transport to step up to the plate, protect that AONB and go for the long tunnel, which will protect the ancient woodlands to which I have referred so that they are still a valuable part of the landscape.

I will give Alison Doggett the last word, because her article concludes:

“Landslides are granted protected status for characteristics that make them unique. The protection ensures we tread lightly so that we may share the landscapes with future generations, just as past generations shared them with us. We need to ask why protections on historical landscapes are being overturned. Is this past generations shared them with us. We need to ask why protections on historical landscapes are being overturned. Is there a sense of the way. We should do our best to preserve progress, there is always the chance of getting lost and not knowing the way. We must put her to death and bring me her heart as a token.”

I hope that the answer to that question is no and that the Minister’s Department will go and champion the area of outstanding natural beauty and our ancient woodlands in the Chilterns.

2.29 pm

Kit Malthouse (North West Hampshire) (Con): It is a great pleasure to appear before a fellow member of the Hampshire caucus, Mr Turner.

“Rapunzel was the most beautiful child in the world. When she was 12 years old, the witch shut her up in a tower in the midst of a wood.”

“When Little Red Riding Hood entered the woods, a wolf came up to her; she did not know what a wicked animal he was and was not afraid of him.”

“At last, the Queen said to the huntsman, ‘Take Snow White out into the woods, so that I might set eyes on her no more. You must put her to death and bring me her heart as a token.’”

Those stories are universal. They evoke in us a sense of mystery and a shiver. It is no coincidence that they are all set in the subject of today’s debate: ancient woods, dark and forbidding. To the brothers Grimm, those old forests set the boundaries of human control. The world has changed, but while the whirlwind of mystery and a shiver. It is no coincidence that they are all set in the subject of today’s debate: ancient woods, dark and forbidding. To the brothers Grimm, those old forests set the boundaries of human control. The world has changed, but while the whirlwind of human life has careered on, the same ancient woodlands have stood, silently watching. We feel smaller next to them and humbled by their age—feelings not often associated with our modern times. Untouched by us, ancient woodlands are the perfect antithesis of our technologically advanced, man-made world.

Today, science says that everything is explicable, and it may well be right. We are not entirely built that way, however. Somehow, we are healthier when nature is visible and in our lives. Our ancient woodlands will always hold wonder for us, and they are a reminder that no matter how far our knowledge and understanding progress, there is always the chance of getting lost and not knowing the way. We should do our best to preserve that sense, for it is part of what makes us human.

Many Members have focused, and no doubt others will focus, on the biological and environmental value of woodlands, and they are right to do so. Those environments are complex and unspoiled, and they provide habitats for wildlife and rare species. As my hon. Friend the Member for Taunton Deane (Rebecca Pow) has said, they cannot be recreated if they are destroyed. If I may, however, I will leave that aspect to others and focus on the role that ancient woodlands play in our national psyche and our relationship to our history, and on the effect on our psychology of our ever-growing command of the natural world, even if we only rarely notice it or get the chance to experience it.

As the fairy tales that I quoted illustrate, it cannot be denied that those ancient woodlands stir something deep within us—something that we would be foolish to lose. But we are already losing it. As others have said, the Woodland Trust is already ringing alarm bells. It states that we have lost some 1,000 hectares of ancient woodland in the last decade, and that some 500 sites are threatened by planned development. We will lose it all if we do not take measures now, when there is urgency in our building for various reasons, to ensure that we meet our housing and infrastructure needs responsibly. Do we really want to see those living links to our history destroyed to make way for golf courses and paintballing? In my constituency, 60% of which is in an area of outstanding natural beauty, we certainly do not.

No one really planned how we got here. We barrelled forward, not knowing what lay ahead, and never stopped along the way to take account of what we had left behind. Many prophesied—rightly or wrongly, for good or ill—what would happen, but life went on. Jobs have become more specialised and technology has improved. Our population has grown: the demand for land has grown with it and continues to grow. It has brought us to this. As grassy hills and wooded glens become rarer and suburbs sprawl, we risk losing sight of what we actually value. Few would say that the ancient woodlands, the protection of which we discuss today, are not important, but it is far too easy to get caught up in the processes that put them in danger.

The crux of the matter is that failure to protect this ancient treasure will turn us into the kind of country that we do not want to be. It will not have escaped hon. Members that the quotes with which I began my speech came from the brothers Grimm, and that they spoke of forests in Germany; just as in our legends, the forests have deep value in German culture. However, the Germans recognise that value by having the most protected woods in Europe. It has never been more pressing for us to follow their example.

Our forests have borne witness to our island’s history. They have seen war and peace, the sparks of invention, the birth of our democracy and the scores of generations who made them happen and made Britain what it is today. The very youngest of those woodlands were born in a Britain that would—apart from the Misbourne valley—be unrecognisable today. They remind us that we come and go, but there are countless generations behind us and countless more ahead of us.

We know that we have a debt to past generations and a duty to those in the future. Natural treasures such as our ancient woodland are evidence of that connection and contract. If we lose them, life will be less rich, our experience of the world a little bit more desolate and
our society more disconnected from itself. If we become
the kind of country that takes no notice of such things,
or that shrugs and says that we can merely offset the
loss by planting more somewhere else, no summer’s
bloom will lie ahead of us. To do so would be to accept
a Britain where we had broken cleanly with our past
and our heritage. The mystery would have gone, and we
would be diminished.

2.35 pm

Amanda Milling (Cannock Chase) (Con): It is a pleasure
to serve under your chairmanship, Mr Turner. I congratulate
my hon. Friend the Member for Taunton Deane (Rebecca
Pow) on securing the debate and giving such a passionate
and entertaining speech.

My constituency, Cannock Chase, takes its name
from the beautiful landscape that was designated as an
area of outstanding natural beauty in 1958. A large
part of the chase is made up of natural deciduous
woodland and coniferous plantations. Trees are an
important part of the chase AONB—how it looks, the views and the history of the place—and they
are an important habitat for the birds in the area.

Only last Friday, I joined the AONB team on a tour
of the chase, which gave me an opportunity to see at
first hand the wide variety in the landscape and habitat,
and to discuss many of the challenges of balancing the
human use of the chase and the protection of the
natural environment. I want to take this opportunity to
commend the team from the AONB and thank them for
that tour.

Despite the fact that a large part of my constituency
is made up of forest—perhaps I should say trees—it
contains a relatively small number of areas of ancient
woodland. There are more in the seat of my neighbour,
my hon. Friend the Member for Stafford (Jeremy Lefroy),
with whom I discussed this topic earlier today. One of
the few ancient sites in my constituency is Chetwynd
coppice, which is just outside the village of Brereton.
Interestingly, we do not know where all the ancient trees
are, because they have not all been identified yet, but
some keen volunteers have expressed a wish to seek
them out.

Ancient trees in woodlands are more than just plants:
they reflect the landscape and tell stories about the
culture of a place and the people around them. We have
heard from fellow Members today about the various
benefits of ancient woodlands and the real dangers that
they face from construction and development. Green
spaces such as forests, woodlands and ancient woodlands
provide real social benefits and improve humans’ physical
and mental wellbeing. I will take a few moments to
discuss that topic.

Cannock Chase attracts tourists from far and wide,
as well as being enjoyed by locals. Whether you are a
keen walker, cyclist, runner or horse rider, Mr Turner,
there are plenty of activities on offer across the chase.
Birches valley, just outside Rugeley, is home to Go Ape
and Swinnerton Cycles. In the summer of this year,
Cannock Chase hosted the cycling leg of the inaugural
Staffordshire Ironman 70.3.

With tourism come challenges, however, as the team
from the Cannock Chase AONB discussed with me on
Friday. Although we must encourage people to enjoy
our natural environment, whether it be forests, woodlands
or even ancient woodlands, it is imperative that we do
so in a responsible way. In Birches valley, the Forestry
Commission has worked hard to manage tourism by
signposting visitors to trails and paths to ensure that
they can enjoy the area without the natural habitat and
its inhabitants, which include a herd of fallow deer,
being unduly affected by tourism. I understand that the
Forestry Commission has undertaken work on the dangers
of tree and plant disease for the long-term sustainability
of the woodland landscape, which will be all-important
to protecting commercial forestry and the much-loved
ancient woodlands of the chase. One of the key parts
of protection from such diseases is ensuring that professionals
and the public stick to some basic biosecurity measures
such as washing boots when they come in after being
out for a walk.

Like many of the residents of Cannock Chase, I am
passionate about the chase. It is not surprising that the
idea that Staffordshire County Council might sell off its
land was met with a public outcry. I welcome the news
that the current county council’s consultation on the
management of the Staffordshire countryside estate
recognised that outcry, and that it is looking into
maintaining the current management and ownership
arrangements, which it sees as the most appropriate
option. I encourage residents to take part in the ongoing
consultation regarding the management of country parks
to ensure that their voices are heard loud and clear.

Ancient woodland and areas of outstanding natural
beauty are important national assets and hugely beneficial
to our wellbeing. Although visitors and tourism to
those areas provide real benefits to our local economies,
we must ensure that we balance that with the need to
protect and conserve the areas for future generations.
We must ensure that our ancient trees live on.

2.41 pm

Dr Julian Lewis (New Forest East) (Con): Thank you,
Mr Turner, for the opportunity to contribute briefly
to the debate. I, as one of the last of the Back-Bench
contributors, have the great pleasure of congratulating
all those who have spoken before me, particularly my
hon. Friend the Member for Taunton Deane (Rebecca
Pow), who has done a wonderful job not only of securing
the debate, but of alerting other right hon. and hon.
Members to the fact that it was going to take place. It
has certainly been very well attended so far.

I note that until very recently the Scottish National
party was well represented in this debate. I understand
that the party is not fully represented at the moment,
for good reasons, and I know that it is the long-term
aim of its Members to cease to be represented entirely
at Westminster. All I can say is that, while they are here,
their contributions to our debates are greatly appreciated.

My right hon. Friend the Member for Chesham and
Amersham (Mrs Gillan) managed to marry with the
topic of this debate the relentless and gallant campaign
that she has been waging to preserve so much of our
precious rural heritage against the depredations of HS2.
I am sure that this phase of her parliamentary career
will be well remembered by future generations who
benefit from the restrictions and reductions in the
devastation that building HS2 along its original planned
route would otherwise have inflicted. Those reductions
are greatly to be welcomed, and I am sure that my right
hon. Friend has many more in mind before she desists.
My hon. Friends the Members for North West Hampshire (Kit Malthouse) and for Cannock Chase (Amanda Milling) embodied something that I have noticed about the whole debate. We are all used to having fraught debates and arguments in this Chamber and in the main Chamber of the House, but something seemed to come over every contributor to this debate as soon as they became involved and engrossed in the topic: a quality of content and delivery that was almost poetic. That speaks to the vital importance not only physically, but psychologically, of our valued, treasured and wonderful ancient woodlands to the people who have the privilege of enjoying them.

I understand that the definition that woodlands must meet to qualify as ancient is that the site must have existed since at least 1600 AD. Given that the New Forest dates from 1079, it clearly qualifies very easily, although it must be borne in mind that it is called the New Forest precisely because it was a creation by man to supply fresh meat to William the Conqueror and his entourage. Hence, the term “new” in our history means approaching merely 1,000 years old, which I suppose is new on some basis of terminology.

The networks of woodland in and around the New Forest collectively form one of the largest extents of lowland forest remaining in western Europe. I am indebted to the New Forest National Park Authority for providing me with a briefing on some of the main aspects of what I am about to say. There are 4,800 hectares of the ancient and ornamental woodlands in the Open Forest alone and there are many privately owned fragments within the New Forest national park boundary. While their communities of plants and animals, many now rare, are an echo of the prehistoric wildwoods that covered much of Britain, they have since been uniquely shaped by farmers, commoners, local people, livestock and wild animals, resulting in the complex landscape and ecological patterns that we see today.

About 1,500 ancient or veteran trees have been recorded so far in the New Forest, most within the ancient and ornamental woodlands in the heart of the New Forest, but many on private land. Those trees have a feeling of great age and character, with gnarled and twisted trunks, crevices and hollows and a large girth, some more than 8 metres around—hon. Members can tell that I did not draft those words myself, as I would have been most unlikely to have used metres rather than more traditional measures. Oaks and ash trees will be at least 400 years old, while yews can live for over 1,000 years.

The character of the New Forest has been well summed up by Mr Oliver Crostwaite-Eyre, who is not only the current chairman of the New Forest National Park Authority, but a distinguished former official verderer of the New Forest. In connection with the topic we are debating, he said to me:

"The New Forest is believed to have one of the largest extents of Ancient Woodland in Western Europe. Immensely old, and full of character, some of the ancient trees within these woodlands are especially rare. Our Ancient Woodlands have been sculpted by man, revered by generations of local people and survived through remarkable changes in the world around them. They are unique and cannot be replaced. In the New Forest we are working together to protect, enhance and manage our Ancient Woodlands; they are such an important part of our living, working landscape and we want them to remain so for future generations."

For people in the modern age, ancient woodlands are a retreat from hustle and bustle—somewhere it is possible to find peace and inspiration, and to get closer to nature. There is strong evidence supporting the idea that the use and enjoyment of woodlands improves people’s overall health and wellbeing. Indeed, they have been described as a natural health service.

Although the UK was covered in woodland 10,000 years ago, after the last ice age, woodland now covers only about 2% of the land area of the UK. That is why it is so vital that it must be protected for future generations. There is not only the question of the physical destruction of ancient woodland, but a risk of tree pests and diseases entering the country from abroad, as well as non-native invasive plants that spread within woodlands and put native wildlife at risk. Natural England estimates that 15% of ancient woodland is located within national parks and 30% is located within areas of outstanding natural beauty. In national parks, 29% of the woodland has site of special scientific interest status, as does 13% of woodland in areas of outstanding natural beauty.

One thing I have found, as a city boy who was fortunate enough to be selected to represent a wonderful rural constituency, is that for all the peace, tranquillity and beauty of the gorgeous New Forest, it is not without controversy. There are many organisations and people with a long history of interest and participation in the activities of the New Forest. I think I am right in saying that, of all the national parks, the New Forest is the most densely populated.

Among the commentators with long experience and great reputation on matters concerning the New Forest is Mr Anthony Pasmore, who regularly writes an expert column in the local press on current affairs affecting the welfare of the forest environment. He has drawn to my attention the danger of trying to be what could almost be described as “too naturalistic” in the conservation of the forest. For example, when we have storms—as inevitably occur from time to time—that cause windfall destruction of parts of the forest, ancient and not so ancient, there is now a tendency to leave all the fallen trees where they lie. I understand that, traditionally, it has always been understood that some 20% of windfall trees should be left behind to create beneficial habitats for beetles and other wildlife. There is always a slight tension between trying to interfere to the minimum amount necessary and remembering that the New Forest is a living, working forest. He raised with me the fact that there is an almost blanket ban on the withdrawing and removal of tree debris following such destruction, which is actually making the forest less habitable and less accessible to human beings by overdoing the environment that one wishes to preserve for the beetles and other wildlife.

Rebecca Pow: My right hon. Friend is waxing so lyrical and making such a good point that I cannot resist joining in. Many of these ancient woods are not just old relics with rotting wood; they are managed landscapes, many of which have been coppiced over time so that man and nature can use the wood for other purposes. These ancient woodlands are still valuable, and I am sure that large tracts of the New Forest are included in that.
because of the level of flooding in his constituency, but my hon. Friend makes it with far greater fluency than my poor efforts. Anthony Pasma more draws attention to the fact that the New Forest is just that: it is ancient, but it is also new. It is what it is because, as he puts it, there is a "question of balance". There has to be a question of balance between letting nature take its course and managing the forest in such ways as go with the grain of beauty and accessibility, rather than always trying to take too rigid a stance, which might inhibit the ability of the community that lives and works there to enjoy the New Forest. Those are secondary issues; the most important fact is that we have this wonderful asset.

I shall conclude with a rather modern controversy, namely, the possibility of hydraulic fracturing taking place underneath a national park at some stage. We have heard from my right hon. Friend the Member for Chesham and Amersham about how it is possible to preserve and save woodlands by driving tunnels deep beneath them, and therefore, in principle, it might well be possible to extract valuable energy assets from a long way below the surface even of sensitive areas. We know that hydraulic fracturing may well yield great dividends for our country’s economy, but there are plenty of parts of the United Kingdom where we can master the technology long before we need to bring it anywhere near those particularly precious areas that have been designated as national parks. This is my appeal: the Government should by all means explore fracking technology, but they should make sure that they know what they are doing, by practice and by developing a successful industry based on hydraulic fracturing in less sensitive areas of the country, before approaching anywhere near our ancient woodlands and national parks.

2.55 pm

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): Mr Walker, you have just missed a consensual and uplifting debate. Mr Turner and I sit on the European Scrutiny Committee, and if only that Committee were equally consensual and uplifting on occasion.

I congratulate the hon. Member for Taunton Deane (Rebecca Pow) and my hon. Friend the Member for Falkirk (John Mc Nally)—he has gone off to catch a train, and not of the high-speed variety—on securing this debate, which has been a most uplifting experience. The hon. Lady kicked us off with a truly evocative and passionate speech that drove home why we are having this debate: the power, beauty and importance of our ancient woodland. The hon. Member for Cannock Chase (Amanda Milling) gave a wonderful overview of the central role that woodland can play in our communities when protected and fostered. She also highlighted the dangers of HS2 and the impact it could have on our landscape if we get our priorities wrong. She also put in a most excellent, yet shameless, plug for a community cause in her constituency, which is always a good way to end a week in Westminster.

The hon. Member for North West Hampshire (Kit Malthouse) did something that I would not have thought possible, which was to get Little Red Riding Hood and Snow White into a speech. That set the tone for another excellent, evocative and moving contribution. I apologise to the following two speakers because a different call of nature meant that I missed elements of their speeches. The hon. Member for Cannock Chase (Amanda Milling) made an important point about visiting a woodland site, and those of us who are involved in setting policy should always remember to go and understand the beauty and impact of such environments first—thank her for making that point. I apologise to the right hon. Member for New Forest East (Dr Lewis) for missing the start of his speech, but he correctly reflected on the consensual nature of this debate and on the psychological benefits of the very woodland that we are discussing today, regardless of whether we measure it in feet, metres or yards.

Across the country, our ancient woodlands are more than just a component of our landscape; they are part of its very soul. They go beyond living history; as we have heard, their importance to biodiversity makes them part of our breathing history too. Our connection with them is long, deep and emotional. Writing in 1936, slightly before my time, the chronicler Arthur Mee put it succinctly: "Silent sentinels of the simple pageant of our nation’s life, they saw the knight come back from the Holy Land…they gave their bows to the men who fought at Agincourt.”

Those words are of their time, but they convey the affection that we all still feel for our woodlands, which cover 500,000 hectares, or just 2% of the UK. Roughly half that coverage needs restoration to safeguard its cultural and natural heritage for future generations. In Scotland, the geographical area taken up is rather less—1% of the land is covered by native species—but the Scottish tree is just as important and loved as the English, Welsh or Northern Irish one. That reminds me: a Northern Ireland Member asked me to point out—if hon. Members will allow me a slight educational aside—that the wonderful ancient trees that we witness on “Game of Thrones” are in Northern Ireland.
Ancient woodland is just that: very old indeed. As we have heard, the Fortingall yew in Perthshire is perhaps the oldest tree in the UK. Modern experts estimate it to be between 2,000 and 3,000 years old, but some think it could be far older, possibly even 5,000 years old. I hope that we never decide to cut it to find out for sure. Our woodlands have been under threat for almost as long as humankind has populated Scotland, or indeed other parts of the UK. By the year 82, at the time of Scotland’s invasion by the Roman legions, at least half had disappeared due to the demands of early agriculture. Since then, weather conditions have been cooler and wetter, meaning that much of the woodland has been replaced by peatland. During the 17th and 18th centuries, many of the remaining woods were heavily exploited for timber, charcoal and tanbark.

It is clear that our ancient woodlands have always faced a fragile and precarious existence. As speakers in this debate have pointed out, the risk of erosion of that valuable heritage continues, most particularly because of urban growth and transport schemes. New road developments and High Speed 2 pose ongoing threats, although the latter does not apply in Scotland. Future high-speed rail in particular may well be damaging; the Woodland Trust suggests that it will result in direct loss to 39 ancient woodlands and damage to 23 sites. Woodlands present remarkably diverse ecosystems, are hugely valued for their wildlife and are of significant cultural value. Plus, of course, they are integral parts of our landscapes and natural vistas of often compelling beauty. Their role in raising the human spirit cannot be underestimated.

It has been estimated that some 28,000 hectares of ancient woodland have been lost since the 1930s. That is a huge impoverishment in every way. The one bit of good news is that it is probably harder than ever for developers and farming interests to exploit our remaining assets. However, it is not impossible, and I sincerely hope that Government plans to allow developers to build in the green belt will not lead to cherry-picking of the best sites and new threats to our woodland heritage. It is also a matter of concern that there is no central Government database of ancient woodland, and that no recent analysis has been undertaken of how much has been lost. That needs to be addressed.

North of the border, forestry is devolved to the Scottish Parliament, and ancient woodland is defined as an area that has been wooded continuously since 1750. As in England, there is no statutory protection, but there is a clear intent to preserve if at all possible.

Richard Arkless: Therein lies the difference in approach between the UK and Scotland. In the jurisdiction of Scotland, which prefers statutory certainty to convention and presumption, it is actually a series of conventions and presumptions that give planning authorities more tools to resist the felling of ancient woodlands. The Scottish Government produce planning guidance and a whole range of other documents. Does my hon. Friend agree—I say this in a spirit of cross-party co-operation—that even if the Government are not minded to confer statutory protection on ancient woodlands, there are a series of other techniques that could be used?

Calum Kerr: Thank you, my hon. Friend for that excellent, long and valuable contribution. In fairness, he has earned the right to a long intervention, considering that the five-a-side football team belonging to the hon. Member for Taunton Deane left early. I congratulate my hon. Friend on that excellent addition to the debate. He is correct, of course, that in Scotland there is no statutory protection. However, Scottish planning policy does identify woodlands as an important and irreplaceable national resource that should be protected and enhanced.

Scottish Natural Heritage also seeks to use the planning system to protect those assets, and the Scottish Government operate a strong presumption against removing ancient semi-natural woodland or plantations on ancient woodland sites. In addition, the Scottish Government have produced a biodiversity route map, which has been presented to the Scottish Parliament’s Rural Affairs, Climate Change and Environment Committee. It is an ambitious programme that aims to increase the amount of native woodland in good condition from the 46% notified by the native woodland survey of Scotland. It also plans to restore some 10,000 hectares of native woodland to satisfactory condition in partnership with private woodland owners through deer management planning, as well as improving the condition of designated sites. A good proportion of those locations and native woodlands will be ancient woodlands. The will is there, and much good has been done.

Rebecca Pow: I am fascinated by the biodiversity route map. Can the hon. Gentleman expand a tiny bit on that? Is it voluntary, or is it put upon the good people of Scotland, who must come up with it?

Calum Kerr: The hon. Lady raises a good question. In the tradition of a Minister, if she will indulge me, I will get back to her on that, because I cannot tell her. I will happily confer with the Scottish Government and get back to her. It is a good question.

It is important to remain vigilant and consider, as the Woodland Trust has urged, stronger and explicit protections for these precious areas of land that we value so dearly. That should include, as ConFor suggests, greater protection through the planning system.

As Arthur Mee reminded us 80 years ago, a number of our trees might have watched a millennium pass. Some, he told us, might have seen the men counting the acres for the Conqueror’s Domesday Book. In Scotland, as we have heard, they could have reached their branches over William Wallace’s betrayal, the Bruce’s victory at Bannockburn and Bonnie Prince Charlie’s flight from Culloden. Across these islands, they make our landscapes and cleave us to our history. Their forms and shadows are beautiful still, their value beyond price or measure. Let us cherish them and guard their futures, for in protecting them, we protect who we are too.

3.8 pm

Alex Cunningham (Stockton North) (Lab): It is a pleasure to be in Westminster Hall for a third time this week, and to serve under your chairmanship, Mr Walker. I apologise for leaving the room; my cough got the better of me.
I am pleased to see the Minister of State, Department for Environment, Food and Rural Affairs, the hon. Member for Camborne and Redruth (George Eustice) yet again. I had expected to welcome the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Penrith and The Border (Rory Stewart) back to his place after a challenging few days in his home county of Cumbria, devastated by recent floods. I visited on Monday to see what the Cumbrian people were facing. Although we will continue to challenge the Government on their response to and funding for flooding, we will also work with them in the best interests of the affected communities.

The issues that have been raised today are of considerable importance to our natural environment and the biodiversity it supports. That is not to mention the public interest in these issues, with more than 60,000 people responding to the Woodland Trust’s Enough is Enough campaign to urge the Prime Minister to shore up protection for ancient woodland.

Before I offer my thoughts, I, too, would like to congratulate the hon. Members for Taunton Deane (Rebecca Pow) and for Falkirk (John Mc Nally) on securing the debate and on giving us the opportunity to discuss these matters fully. I am also grateful to the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr) for his summary of the debate and for reminding me yet again of my Scottish heritage. He remarked that this has been a consensual debate, and that is not going to change in the next 10 minutes.

Several Members eloquently told us of their favourite, treasured woodlands and of the need to save them. I think I will be looking at the Hansard record of our debate and planning my walking itinerary for the next two or three years, having been provided with such excellent suggestions. However, the hon. Member for Falkirk reminded me of the ancient woodlands and glens not so far from where I spent my childhood, so perhaps that will be well up the list of the places on my tour.

Mrs Gillan: The hon. Gentleman would be very welcome to visit some of our woods in the Chilterns, but he needs to hurry. If the construction of HS2 starts as planned in 2017, they will not be there much longer.

Alex Cunningham: Given that I return to the homeland regularly, I will perhaps need to take up the right hon. Lady’s invitation a bit earlier than I might have planned.

The hon. Member for Taunton Deane tempted me into a false sense of relaxation. That was not because her speech was 28 minutes long, but because she took us on that walk through the wood to Enid Blyton’s faraway tree. Then, of course, she brought me back to reality very quickly. Given that the Under-Secretary of State for Environment, Food and Rural Affairs confirmed to the Environment, Food and Rural Affairs Committee just weeks ago that “ancient woodland, as a category, is not a protected category”, today’s debate could not be more timely. This is the second debate in two days in which we will reach consensus—perhaps because we are working off some of the same briefing notes.

That ancient woodland is not a statutory designation in law sets it apart from many other precious habitats, and means that it is liable to suffer from a lack of protection. The hon. Member for Falkirk quoted paragraph 118 of the national planning policy framework, and it is worth quoting it again, because it actually allows for the loss or destruction, in England, of ancient woodland and aged or veteran trees in cases where “the need for, and benefits of, the development in that location clearly outweigh the loss”—a sad business.

It is important to be clear from the outset that if we lose the ancient woodlands we have left, they are gone forever, as others have said. Our varied climate and geology have gifted us a diversity of ancient woodland forms, whose composition is a product of environmental conditions and historical management that will simply not occur again. Our ancient woodlands cannot, therefore, by definition, be recreated.

As we have heard, the Woodland Trust has identified that, as a result of the planning loophole I mentioned, hundreds of ancient trees and woods are being lost or threatened in the planning system every year. To put that into context, more than 40 ancient woods have suffered loss or damage from development since the framework was introduced just three years ago, in March 2012. As others have mentioned, the Woodland Trust is dealing with more than 600 ancient woods that are under threat. That is the highest number in the trust’s history, and it is increasing all the time.

The situation is not markedly better elsewhere in the UK. Scottish policy, for instance, recognises only somewhat loosely that the value of ancient woods should be considered in planning decisions, while Welsh policy affirms that ancient woods should be protected from development that would result in significant damage.

It is interesting to note that the Minister with responsibility for forests in the previous coalition Administration revealed in an answer to a parliamentary question that the Government do not collect data about the loss of trees and woods. A complete and precise picture of the scale of losses in any given year is therefore impossible, and the task of protection is made markedly more complicated. With areas of ancient woodland having originally been mapped to act as a proxy for areas of high biodiversity, rather than for their inherent value, it is difficult to conclusively identify and value ancient woodland. Although the modest protections currently available are undoubtedly well-intentioned, such inherent difficulties in conclusively identifying and valuing ancient woodlands make those safeguards almost impossible to implement coherently.

That highlights an important point. Although organisations such as the Woodland Trust are well attuned to up-to-date threats and to the latest developments, the Government are, sadly, lagging behind. Not only is there no central database of ancient woodlands, but no recent analysis has been undertaken of the amount of ancient woodland lost year on year to development, infrastructure projects and other causes, such as unapproved felling.

I therefore hope to hear the Minister confirm that his Department has a plan to take immediate steps to rectify these information gaps. I would be interested to hear what consideration he has given to compiling such
figures—possibly as part of his Department’s 25-year plan. Addressing that information gap is of central importance if we are to protect our ancient woodlands and the rich biodiversity they support, not to mention the valuable environmental and social wellbeing they provide.

On that point, it is worth while highlighting the distinctive communities of plants and animals that populate many ancient woodlands, some of which, such as the lichen in some ancient Scottish pinewoods, are of international importance. At the same time, the soils in many ancient woodlands are relatively undisturbed and may preserve distinct species communities and natural ecological processes, such as decomposition and nutrient cycling, all of which it is important to protect.

For reasons such as those, the Communities and Local Government Committee called 12 months ago for ancient woodland to be awarded the same protection as designated heritage assets in the built environment. That proposal would have seen the national planning policy framework amended to require any loss of ancient woodland to be wholly exceptional. The Committee also called for work to be undertaken to increase the number of ancient woodlands with statutory designations, such as site of special scientific interest designation, to further boost the protection of these important habitats. However, in response to the Committee’s report, the Government rejected any change to the framework’s wording, giving the opinion that the protections already in place for ancient woodlands under the framework are strong and make it clear that development should be avoided in such areas.

When the Under-Secretary of State for Environment, Food and Rural Affairs gave evidence to the Environment, Food and Rural Affairs Committee, he suggested that “an enormous amount” of ancient woodland in the UK is “already protected within our national parks and within AONBs”, with much covered by Natura sites under European legislation and even more falling under regulations that protect sites of special scientific interest. However, in response to a parliamentary question just last month, he confirmed that evaluations from Natural England estimated that only 15% of ancient woodland is located in national parks, and 30% in areas of outstanding natural beauty.

Despite statutory designation offering the strongest legal protection from loss and deterioration in condition, only 20% of ancient woods in the UK are designated as sites of special scientific interest. In addition, there is no equivalent for woods deemed to be culturally important, potentially leaving sites with high historic— but low ecological—value with less protection. Furthermore, within national parks, only 29% of woodland has site of special scientific interest status, although even that compares favourably with the 13% of woodland in areas of outstanding natural beauty that is similarly designated.

With those figures in mind, I hope that the Minister will look again at the Communities and Local Government Committee recommendation to designate more ancient woodlands as sites of special scientific interest and that he will support such action to strengthen the legal protection of ancient woodland. Doing so is important, not least because the evidence highlights that even those ancient woodlands located in a national park or an area of outstanding natural beauty are not wholly protected against the threat of being impacted by, or lost to, development.

To take HS2 as an example—and we have heard plenty about it today—phase 1 of that significant project, as it is currently planned, directly threatens 39 ancient woods, with a further 23 at risk of secondary effects such as disturbance, noise and pollution, including woods within the Chilterns area of outstanding natural beauty. We might perhaps also consider the hydroelectric scheme proposed at Fairy Glen in north Wales, which threatens ancient woodland within Snowdonia national park. The Cairngorms national park local development plan expressly backs potential development sites that could cause damage to ancient woodland, including at An Camas Mòr, Carrbridge and Nethy Bridge. Indeed, I understand the installation of a micro-hydroelectric turbine within the Cairngorms, for which approval was granted in 2014, will damage ancient woodland, while neither Snowdonia national park authority nor Natural Resources Wales highlighted concerns about the impact on ancient woodland of the Fairy Glen scheme.

As I mentioned at the outset, the risk of allowing such damage is that if we lose the ancient woodlands that we have left they are gone forever. They cannot be replaced. However, that is not to say that we cannot do more to protect vulnerable ancient woodlands and wildlife by creating new woodland and other habitats around the remaining fragments of ancient woodland, thereby shielding them from the effects of neighbouring land use. Members have already mentioned that small ancient woods are particularly vulnerable to impacts from surrounding land uses—chemical pollutants from development, agriculture and the like. Research shows us that fertiliser from cropland can alter the soil chemistry, plant species presence and plant growth as much as 100 metres into an adjacent ancient wood. I would be interested to hear what thought the Minister has given to the potential for utilising such buffer zones around ancient woodlands to help mitigate any such damage, and whether his Department intends to look into that option further to determine its viability.

A number of organisations do important work in restoring, managing and conserving ancient woodland to help it survive, but that work will ultimately prove futile while those habitats remain insufficiently protected in the planning system. I am sure that the recommendations of the Select Committee on Communities and Local Government were appropriately considered, but I would welcome hearing from the Minister what steps the Government are willing to take so that the loss of ancient woodland becomes wholly exceptional. In the light of this week’s events, we should not forget that the loss of tree and plant coverage, along with changes in land use in rural and urban areas, has been a significant contributing factor in the increased risk of flooding, particularly in rural areas.

I know that I am asking the Minister to do more with fewer resources, particularly after the comprehensive spending review made further huge cuts to DEFRA’s budgets, but I would be pleased to hear that his Department will work alongside DCLG colleagues to bolster the protection available to ancient woodland as part of the planning framework and ensure that planning departments
are required to protect existing woodland while working with developers to include trees as part of sustainable urban drainage proposals.

3.22 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I congratulate my hon. Friend the Member for Taunton Deane (Rebecca Pow) on securing the debate. As the shadow Minister, the hon. Member for Stockton North (Alex Cunningham), said, this is the third time I have faced him in this role in Westminster Hall—but it is my fourth time if I include another debate when a colleague of his stepped in.

I should begin by apologising for the fact that the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Penrith and The Border (Rory Stewart), cannot respond to the debate. He has responsibility for the relevant part of the portfolio, but he has been drawn back to Cumbria because of the flooding there, for reasons that I am sure hon. Members will understand. I have had to step into his place at quite short notice, but no one should think that he has no passion for the subject of the debate. I was shown a draft of his speech a little earlier today, and there were some characteristically poetic passages about trees and the passion that he feels for them.

I, too, am passionate about trees. I studied horticulture, and my thesis was on the physiology of deciduous trees in the temperate zone—particularly the issue of how they regulate dormancy. That is an important point: trees define our seasons. They have a remarkable ability accurately to measure day length so that at the same time of the year—every year, whether it is cold or hot—they decide to drop their leaves. They also have a remarkable ability to measure the length of the winter and know when it is safe to burst bud again and start spring. Trees do not get tricked by false springs. No warm snap in January will cause a tree to break dormancy early. They have a remarkable ability to measure the seasons accurately, and they define them.

As we have heard today, our ancient woodlands are highly valued and cherished. We have heard heartfelt contributions from, among others, my hon. Friends the Members for New Forest East (Dr Lewis) and the Member for Falkirk (John Mc Nally) and my right hon. Members for North West Hampshire (Kit Malthouse) and The Border (Rory Stewart), cannot respond to the debate. He has responsibility for the relevant part of the portfolio, but he has been drawn back to Cumbria because of the flooding there, for reasons that I am sure hon. Members will understand. I have had to step into his place at quite short notice, but no one should think that he has no passion for the subject of the debate. I was shown a draft of his speech a little earlier today, and there were some characteristically poetic passages about trees and the passion that he feels for them.

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Those woodlands are a resource rich in life, providing homes and food for animals, birds and insects. They store carbon, produce oxygen and filter out pollution. Of course, they also provide some of the most fantastic places for us to enjoy.

England’s woodland coverage is as high as it has been since the 14th century, totalling a little more than 1.3 million hectares, which equates to 41% of the UK total. However, 10% of England’s land area. Of course, we must not forget the position we were left with after the second world war, when, sadly, much of our ancient woodland was felled and replaced with non-native conifers.

That conifer planting was carried out on a large scale by the public and private sectors as a result of a policy drive to replenish the national timber reserve and to improve the economics of ancient woodlands. Since then we have made huge strides, and throughout the 1970s and 1980s we established the concept of ancient woodland, rich in plant diversity and managed through traditional practices. We now know, of course, that ancient woodlands are an irreplaceable habitat, which is why we recognise their special status in the national planning policy framework, which was last updated in 2012.

Since the last war, great efforts have been made to restore and actively manage our ancient woodlands. Estimates of ancient woodland coverage vary, but the ancient woodland inventory identifies 1.3 million hectares of woodland in England that is ancient. Nearly 200,000 hectares of that is semi-natural and 140,000 hectares is in plantations on ancient woodland sites. Subsequent estimates suggest that there are about 210,000 hectares of native woodland not on ancient woodland sites.

Tackled taken, those three categories of woodland comprise just over half of England’s woodlands, at about 550,000 hectares.

We continue to work to restore our native and ancient woodlands on the public forest estate and many private woodland owners are motivated and incentivised to do likewise. We are committed to ensuring that our ancient woodlands are adequately protected and sustainably managed to provide a wide range of social, environmental and economic benefits to society. An example is the Government’s contribution to Grown in Britain, which includes helping owners of small woodland businesses who develop products such as high-end wood furniture from woodlands managed to the UK forestry standard. The value to society of the 40 million recreational visits to forests and woodlands is put at about £484 million per year; 65% of the population visited English woodland in 2013.

We are all aware, however, that there are many competing demands on our resources. We are a small island, more densely populated than India, and there are competing pressures on how we use the land that is our most precious resource. We have ambitions to increase woodland cover and improve the quality of our woodland management, but we must be mindful that those ambitions sit alongside a need to increase food production, create renewable energy and capture carbon, while also maintaining the mosaic of habitats that our wildlife depends on, such as our ancient woodlands. As my hon. Friend the Member for Taunton Deane pointed out, we recognise that to compete globally we need to update and upgrade our ageing infrastructure, and foster development that enables our economic growth to be sustained.

We have, however, always made a special case for our ancient woodlands—and rightly so. That is why, as I said earlier, they are protected in the NPPF. The passage that deals with them states clearly and unambiguously that “planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and...veteran trees...unless the need for, and benefits of, the development in that location clearly outweigh the loss”.

The position is very clear—there is protection—and I am not certain what more could be done; the Government certainly have no plans to undermine or change that position. However, I am aware that a number of hon. Members have made some suggestions about how things could be improved and I will return to those suggestions later.
Geoff Eustice

We do not believe that we should simply look to protect our woodlands; we also want to invest in them. Sensitive management of our ancient woodlands can contribute to the challenges I have just mentioned—both capturing carbon and, through wood fuel, biomass-based renewable energy. Effective management can ensure protection against more subtle threats, such as shading of ancient woodland ground flora resulting from lack of management, in order to build resilience to climate change.

Our management continues to promote greater biological and structural diversity in England’s woodlands. In total, 75% of the public forest estate was identified in the Lawton review in 2010 as being critical to supporting the wildlife network and biodiversity in England. That is why the Government have invested more than £60 million in forestry during the past five years.

Private woodland owners continue to be motivated to bring unmanaged and under-managed woodlands back into management, reacting to demand-side initiatives such as Grown in Britain and the renewable heat incentive. Now, 58% of England’s woodlands are in active management, and to support our manifesto commitment we will continue to invest £31 million per annum during the new rural development programme for England, which will see a further 11 million trees planted during this Parliament.

As part of that commitment, we are working with the Woodland Trust to provide more opportunities for schoolchildren to plant, care for and learn about trees. That will give young children the chance to understand and connect with nature, and play a role in making their school grounds and local communities cleaner and greener, helping them to grow the ancient woodlands of the future.

Rebecca Pow: My hon. Friend makes that point about education extremely eloquently, and it is important. Will these children be educated about the immense benefits of ancient woodlands in particular, because, as we have heard today, there is so much involved in them that children could learn from?

George Eustice: My hon. Friend makes a very good point. I certainly hope that schoolchildren learn about ancient woodlands because, as a number of hon. Members have said, those trees have seen major chapters of our history during their lifetime.

I will also point out that when it comes to the rural development programme, we are doing some direct work on ancient woodlands. More than 4,200 hectares of planted ancient woodland sites owned by the private sector were restored on ancient semi-natural woodlands between 2011 and 2014, and more than 6,500 hectares of plantations on ancient woodland sites have been worked on since April 2011 on the public forest estate.

I turn now to some of the points made by hon. Members in their contributions. The hon. Member for Taunton Deane talked about the importance of urban trees, and I agree. They are very important, and the Natural Capital Committee has noted that in its own report. It is also important to recognise that the NPPF covers both urban and rural areas, so the same protections apply whether trees are in rural or urban areas.

My hon. Friend and a number of other hon. Members talked about databases. We are interested in databases, so I would be interested to see the evidence about how one defines a “threat”, if one is identifying trees that might be under threat. We also recognise that local planning authorities, which ultimately take these decisions, do not report or collate data on ancient woodlands. As far as we are aware, there is no reporting or collating of information, and the shadow Minister raised that issue, too. We are certainly happy to look at it.

Of course, we have the ancient woodland inventory, which was developed in the 1980s. As my hon. Friend the Member for Cannock Chase pointed out, we also have the Tree Register, a registered charity that updates a register on notable trees. That is very important, providing information on the size and growth of trees, as well as details of historical, rare or unusually significant trees. It, too, makes an important contribution.

My hon. Friend the Member for Taunton Deane and others also mentioned sites of special scientific interest and asked whether there could be designations of ancient woodlands as “triple SIs”. As a number of Members have already noted, many of our ancient woodlands are already designated as SSSIs, and Natural England is constantly looking for additional areas that should be so designated. Its work at the moment includes looking at additional ancient woodlands to be designated as SSSIs.

One point to note is that although designating an area as an SSSI is a stronger form of protection, in that there is a statutory role for Natural England if there is to be any development on those sites, the test is still quite similar: if the benefits of development outweigh any damage they can be considered. The test itself is broadly the same, but I accept that the level of protection is higher.

My hon. Friend also talked about strengthening the presumption to “wholly exceptional” when development is considered. I know that the Government have considered the issue before; they have taken the view that that change is not necessary because the existing protections are adequate. Nevertheless, I take on board the points she has made today and I am sure my hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs will read a transcript of this debate. He may want to look further at the arguments that she has so forcefully made about that issue.

I agree with my hon. Friend the Member for Taunton Deane that we should accept that although planting new trees is important, and we will plant 11 million new trees during the course of this Parliament, it does not fully mitigate the loss of trees. In fact, as my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) pointed out, even though we are doing lots of planting and mitigation work—that work is important, particularly when it comes to High Speed 2—it cannot replace our ancient woodlands, which are irreplaceable. I accept that.

I move on to the comments made by my right hon. Friend. I know that she has been a tireless campaigner on the issue of HS2 and has many deep concerns about its impact on her constituency. I am pleased that some
of the woodlands that she mentioned, such as Mantles wood, have been protected as a result of the decision to put a tunnel underneath the woodlands rather than through them. However, she has made a point today about the areas of outstanding natural beauty sites and other sites affected by that tunnel. I will take her concerns back to my hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs and we will raise those concerns with colleagues in other Departments, notably the Department for Transport, which is making these decisions. We will write to her with our feedback on that process.

Mrs Gillan: The Minister may not be the woodland Minister, but given the position that he occupies in the Department, I am very grateful that he will discuss that matter with his colleague and take it up with the DFT. It is not as if I am asking for the world; I am just asking to save a little bit of it, which is so important.

George Eustice: I am sure—and it is the little bit of it in my right hon. Friend’s constituency that is especially important, as all hon. Members will understand all too well. Of course, my right hon. Friend will be aware that a hybrid Bill is also going through Parliament at the moment in a very long-drawn-out process, as is often the case with such Bills. A number of these matters will be considered by that Bill Committee.

On HS2, I will summarise by saying that the company has stated that it will plant 7 million trees, as a mixture of landscaping and screening and to compensate for the loss of some trees. There has also been a survey. Natural England reviewed the ancient woodland inventory last spring and determined that 16 woodland sites along the phase 1 route of the proposed rail scheme should be added to the inventory. Although they are small sites—there are 10 woods of less than 2 hectares—they have been added to the inventory in order to address some of the concerns that exist. That is a good example of where the Government continue to look sensitively and carefully at these issues, to make sure that we get a decision right.

Finally, a number of hon. Members mentioned the issue of pests and disease, which is a challenge we take very seriously. The Animal and Plant Health Agency monitors diseases such as ash dieback, or chalara, which is of particular concern at the moment. It is true that older trees can often survive infection for a number of years; in some cases older trees are more resilient to disease, particularly when it comes to diseases such as ash dieback.

Fighting disease is a very important part of what the Department for Environment, Food and Rural Affairs does. We have committed more than £21 million to tree health research, which includes £3.5 million for studies that are being undertaken to identify what can make trees tolerant to ash dieback, for instance.

In conclusion, we are continually striving to improve things in this area, but we acknowledge that this issue is complex. The challenge for us today is totally different from the challenges of the 1920s. That is why we need to balance forestry interests with our global responsibilities and our wider needs on UK land use. The Government consider that the existing protection for ancient woodland in the NPPF is strong and is protecting our ancient woodlands and veteran trees, but as I said earlier, Members have made some powerful points today. I am sure that my colleague, my hon. Friend the Under-Secretary of State for Environment, Food and Rural Affairs, will read the transcript of the debate carefully, and I will relay some of the concerns expressed and proposals made in that spirit.

Mr Charles Walker (in the Chair): I understand that the opening 28 minutes by the hon. Member for Taunton Deane (Rebecca Pow) were brilliant, and I am sure her closing two minutes will be equally excellent.

3.40 pm

Rebecca Pow: I am sorry you missed it, Mr Walker. There was such eloquence and passion in the room. I had lots of interventions, so it was not just me talking for 28 minutes. I honestly and genuinely thank all the Chairs who have sat through the debate. I also thank the Backbench Business Committee, to which we had to make representations to secure the debate. When I went there, I had 76 MPs supporting me. Sadly, there is a one-line Whip on a Thursday, and there are floods and all sorts of other reasons why lots of them are not here, but I genuinely had loads of texts and emails from them saying, “I wish I could be there,” and, “Can you say this and can you say that?” I thank them.

I also thank my hon. Friends and other Members who have spoken today. My football team has left, but they did a grand job earlier. What passion and poetry we have had! How lovely! It showed the strength of feeling about the issue. We have had stories and images. We have had my right hon. Friend. Friend the Member for Chesham and Amersham (Mrs Gillan) in her Dingle and the hon. Member for Falkirk (John Mc Nally) swimming in his glen. We had Red Riding Hood with my hon. Friend the Member for North West Hampshire (Kit Malthouse) walking through the woods, and I am so pleased that she got out to the area of outstanding natural beauty to find out what it is really about. We have waxed lyrical, but it has been obvious that we have great cross-party consensus on this issue. My hon. Friends from Wales could not come, but I had a big Welsh contingent who truly support a lot of the ideas.

I thank the Farming Minister in particular. I am not sorry that he was the Minister who responded today. We would have loved to have had the Forestry Minister, my hon. Friend the Member for Penrith and The Border (Rory Stewart), but the Farming Minister has embraced the debate in a masterly fashion. I have learned something new about him. As my right hon. Friend the Member for Chesham and Amersham said, we learn something new every day: I did not realise that the Minister had studied horticulture. That was interesting.

I am heartened that there are a few chinks of light—possibly they are splinters—that we can work away at. The Minister is not saying no to everything, and I like the fact that he will look at the “wholly exceptional” wording and that he might look at the database and the collection of data, which we all mentioned. I urge him to continue with that work. Let us harness the passion and improve the protection. If we want not only our children, but our children’s children to experience some of the wonderful things that we have all talked about today, we have to save the 2% of ancient woodland that is left.
Mr Charles Walker (in the Chair): Having heard the hon. Lady’s generous winding-up speech, I am genuinely sorry that I missed the first 28 minutes.

Question put and agreed to.

Resolved,

That this House has considered protection of ancient woodland and trees.

3.43 pm

Sitting adjourned.
Mr Gareth Thomas (Harrow West) (Lab): I beg to move,

That this House has considered Transport for London funding.

I wish to express concerns about the impact of the cuts to Transport for London's funding that were announced in the spending review. I am especially concerned that a future Mayor, or even the sitting Mayor, might want to raise fares, which will hit my constituents particularly hard. I also want to suggest possible solutions to help plug the holes in TfL's books.

Let me give the context to the Chancellor's decision. Transport for London runs the public transport services and manages the major road network in the most important city in Britain. London is the gateway to the rest of the United Kingdom. TfL's work is critical to Londoners' ability to work and play, and to get to school and hospital; to business's ability to get its workforce to work and its goods and services to and from customers; and to London's many visitors' ability to arrive, leave and travel to other parts of the UK.

London's population is growing and is projected to rise from some 8.6 million today to about 10 million by 2030 and 11 million by 2050. London is seeing the fastest urban growth of any city in the European Union. Only a relatively small proportion of my fellow Londoners enjoy the luxury of being able to walk or cycle to work. In short, the vast majority of new and existing Londoners will be reliant on public transport.

The pace of the growth in the number of journeys on the tube is rising fast as well, from a growth of 8.7 million in 2010-11 to an expected 11.7 million this year, which is an increase of 26% in only five years. The docklands light railway has seen an even faster rate of growth in usage, up from a growth of some 6.3 million journeys five years ago to an expected 9.6 million this year—an increase of 52%. In only four years, the number of passengers served by TfL has increased by almost 0.5 billion a year; eight out of 10 of the busiest days in tube history were in the past two months alone; and, indeed, the busiest day ever on the tube was 4 December, when almost 5 million passengers travelled on TfL trains.

The need for further investment in London's tube, rail and bus networks and in its roads is widely recognised. There are already problems safely managing passenger flows. At some locations, peak-time travel is not only uncomfortable, but close to unsafe.

Kate Hoey (Vauxhall) (Lab): My hon. Friend is absolutely right about the increased use of all public transport. Does he therefore share my concern that TfL, without any genuine consultation—just its normal, old, rubbishy questionnaires that ask the questions it wants the answers to, rather than the questions that should be asked—is to demolish Vauxhall bus station, the second biggest interchange in London, to get development that will include tower blocks? Does he understand the importance of the bus station to local people and its users, none of whom have been asked anything?

Mr Thomas: I bow to my hon. Friend’s much better knowledge of Vauxhall station. If she is concerned, I am sure that her constituents are concerned. She mentions Vauxhall; I was about to say that it expects a 40% increase in the number of passengers in the coming years. I agree that it seems odd for such a crucial interchange station to lose its bus station.

Kate Hoey: May I add a tiny point? The importance of Vauxhall bus station is that people are able to transfer from train to tube to bus without getting wet, because of a cover that cost £10 million and was put in only about 11 years ago. It is a travesty for TfL to be thinking of demolition.

Mr Thomas: My hon. Friend has made her point, and I stand with her on her concerns about Vauxhall station.

Also in south London, Waterloo's overall passenger numbers have rocketed from 62 million 10 years ago to 100 million now. At some locations, peak-time travel is already close to unsafe, as I have said, and, for example, closure of Oxford Circus tube station due to overcrowding is now routine.

It is not just the rail and tube networks that TfL manages that are under pressure; its own estimates suggest that London's roads are coming under greater pressure from increasing car usage, at a time when there is pressure to allocate more space to achieve safer cycling and good walking routes. If nothing else changes, by 2031 an increase in congestion of at least 60% is expected in central London; for the rest of inner London, congestion is set to rise by some 25%; and even in outer London, we expect to see a 15% increase in congestion. Traffic speeds are coming down and car journeys are taking longer. Congestion is already bad for ordinary car users, who face the nuisance of longer journeys, and it is bad for business, too.

As an aside, I hope the rumours that the Government are trying to ease air pollution controls are false, because in London the scale of air pollution, much of it diesel-related, is already extremely worrying. Perhaps the Minister will comment on that. The continuing need for TfL to invest in greener, less polluting vehicles is widely accepted, but such investment is a not insignificant future cost. However, from 2010-11 to 2014-15, TfL income from the Department for Transport fell by more than a third. In the coming year, Government grants will amount to £2.4 billion. As an aside, I hope the rumours that the Government are trying to ease air pollution controls are false, because in London the scale of air pollution, much of it diesel-related, is already extremely worrying. Perhaps the Minister will comment on that. The continuing need for TfL to invest in greener, less polluting vehicles is widely accepted, but such investment is a not insignificant future cost. However, from 2010-11 to 2014-15, TfL income from the Department for Transport fell by more than a third. In the coming year, Government grants will amount to only a little more than 20% of TfL's annual budget. The transport systems of major competitor cities in Europe receive a considerably higher percentage of their funding from central Government sources. In Paris, for example, transport gets more than 40% of its funding from a Government transport tax.

Transport for London receives two types of grant from central Government: resource grants and infrastructure grants. The Department for Transport was hit particularly hard in the spending round, so it is perhaps no surprise that TfL has been significantly affected, with a 34% cut in funding overall in 2016-17.
[Mr Gareth Thomas]

In the spending review, the Government said that they would phase out the resource grant to TfL, claiming that

“will save £700 million…which could be achieved through further efficiency savings…or through generating additional income from…land TfL owns”.

It would be more accurate to say that TfL will, as a result of the Chancellor’s decisions, lose about £3 billion over the business plan period of 2015-16 to 2020-21. Inevitably, the loss of grant funding will have an adverse impact on the quality of service that my constituents can expect. The resource grant is to be axed—crucially, earlier than TfL had been led to believe.

The Parliamentary Under-Secretary of State for Transport
(Mr Robert Goodwill): The hon. Gentleman has outlined the massive increase in usage of the underground and other TfL transport. Congestion charge takings have also increased, because of more vehicles. Does he not therefore agree that any resource funding needs to be viewed in the context of fares, which are coming in in larger numbers?

Mr Thomas: I will talk about fares in a little while, and of course one has to look at TfL income in the round. Nevertheless, I hope that the Minister accepts that the loss of £3 billion over the current five-year business plan period is a huge reduction in funding.

Before the spending review announcement a couple of weeks ago, TfL had still expected to receive almost £800 million in revenue funding until as late as 2019-20. Any surplus in resource spending—there has consistently been a substantial surplus in the operating budget—has been reinvested to help fund TfL’s capital programme. Any loss in that funding will therefore inevitably have an impact on capital investment.

The announcement of those huge cuts comes at a time when TfL has had to announce a five-year delay to the wonderfully named sub-surface upgrade programme: a plan to increase by 40% the number of people who could travel on the District, Circle, Hammersmith and City, and—crucially for my constituents—Metropolitan lines. New trains and better signalling were to be delivered by 2018, but following the failure of the contract with Bombardier Transportation, the expected completion date has been shifted back to 2023. Will the Minister confirm that the cut in funding to TfL will not further exacerbate the delay in modernising the Metropolitan line and those other lines that were initially part of the sub-surface upgrade programme? TfL has estimated that the knock-on impact of the delay on London’s economy is £900 million. That is income and jobs that Londoners, some of them in my constituency, are set to miss out on.

TfL now claims that the cost of completing the modernisation of the Metropolitan line and the other routes under the sub-surface upgrade programme has increased by £1.15 billion since previous forecasts. To put that into context, TfL’s planned capital expenditure for 2016-17 alone is about £3.3 billion. Inevitably, the extra costs from the failure of the Bombardier Transportation contract, plus the huge cut in grant funding, call into question other investment projects and the speed at which they will be completed.

Kate Hoey: My hon. Friend is giving us a really good review of what is happening. Does he not think that TfL should go back to doing what it should be doing, rather than putting £30 million into a project to build a garden bridge that the local community does not want? It is shocking that TfL is putting £30 million into that when it could be spent on other, important issues.

Mr Thomas: I share my hon. Friend’s scepticism about the garden bridge. Like her, I wonder whether that money might be better spent. A whole series of projects in my constituency could use that £30 million well, and I want to draw the Minister’s attention to a couple of those.

Clive Efford (Eltham) (Lab): On the garden bridge, which no one has ever asked me for, TfL intends to build the Silvertown tunnel in south-east London to relieve congestion at the Blackwall tunnel, but it says that local residents will have to pay for it through tolls, though no other river crossing in London has charges. Perhaps the garden bridge should have an entrance fee, so that it can pay for itself instead of taking money away from vital transport links that are needed in the rest of London.

Mr Thomas: Rather than getting into the detail of what may happen with the garden bridge, let me say that I would prefer to see that money reallocated to a series of other existing and necessary capital investment projects. If my hon. Friend will forgive me, I think the priority is Harrow, but I am sure that he will be able to make the case for south London well.

I come back to the concern that the £3 billion cut in funding in the spending review and the extra costs from the sub-surface upgrade programme might put other investment projects at risk. The Piccadilly line refurbishment is particularly important for many of my constituents who live in Rayners Lane, South Harrow and Sudbury Hill. Will the refurbishment programme for that line go ahead as planned? There has been much speculation about when, or if, the night tube will go ahead. Perhaps the Minister can give us an indication of whether it is at risk of cancellation or substantial delay as a result of those cuts. In the Minister’s intervention, he raised a point about fares revenue. The upgrade of the four lines in the sub-surface upgrade programme would have generated extra fares revenue that will now be lost, as more passengers will not be able to be carried until much later. Some estimates suggest that that could be as much as £270 million lost.

In the eight years in which the hon. Member for Uxbridge and South Ruislip (Boris Johnson) has been Mayor of London, fares have rocketed. Some of my constituents, such as those who travel from West Harrow on the Uxbridge branch of the Metropolitan line, have seen a 60% increase in the cost of travelling into central London. My constituents and others who live in outer London and use the tube regularly have been treated as a cash cow by the Mayor of London for too long. I am concerned that the loss of that £3 billion may increase the pressure on the Mayor, and/or future Mayors, to raise fares still further.

I am also concerned that further job cuts on Transport for London’s network, which are now inevitable, will further compromise the safety and security of passengers,
including my constituents. TfL operational staff fulfil crucial operational functions as well as many safety-critical roles such as managing peak flows of passengers and handling emergencies. On the tube, DLR and Overground, adequate numbers of staff are needed to identify and respond to emerging crush situations.

Adequate numbers of staff are required to limit fare evasion, too, which is rocketing—it is up to £61 million a year following a reduction in staffing levels. I pay tribute to Greater London Authority Labour colleagues, led by the excellent Val Shawcross, Navin Shah and Len Duval, for that information. Visible staff help to deter and detect crime, including people preparing for or engaging in acts of persistent serious crime and even—God forbid—terrorism. Staff also reassure passengers during tense periods such as now, but staffing is at its lowest level in recent history and Government cuts make it look likely that it will drop further.

Under plans for staff cuts at stations, Leytonstone station, which currently has four staff in peak periods, will be reduced to two members of staff—a 50% reduction at a station where there has already been a worrying terrorist incident. That is just a small indication of the worry that further job cuts, driven by the major cut in Government funding, might force on us.

I understand that London Underground Ltd now plans to cut a further 838 front-line staff positions from normal traffic hour operational levels. New staffing levels have apparently been derived from so-called business need schematics formulae, which do not incorporate the need for security checks or other operational needs. As a consequence, staff are required to meet the demands of security checks and will have to be removed from their allocated customer service positions for sizeable portions of their shifts to do so, leaving their areas unstaffed and effectively unmonitored on occasion. That is a concern. Will the Minister be willing to review with Transport for London’s managing director whether the loss of those front-line staff is a sensible way forward and whether alternatives might be found?

Mr Goodwill: Does the hon. Gentleman agree that, given Oyster and the introduction of other smart ticketing systems, the move to get staff out of ticket offices and on to stations to assist passengers and help with security is good and something that we wish to see more of?

Mr Thomas: I might have been more sympathetic to the Minister’s intervention if there were not plans to shut more of the control rooms on the underground, because London Underground Ltd proposes that all but a few control rooms in the largest stations will be de-staffed. Proposed staffing cuts and that emphasis on customer-facing duties will require staff who are normally allocated to control rooms to work in the ticket hall. The result will be that there will be no routine monitoring of CCTV at more than 90% of stations, including some that have high volumes of passenger traffic, when major events are taking place. Will the Minister be willing to meet, with me, a delegation of the workforce who are concerned about the impact of the various job cuts on passenger safety? I look forward to his answer, and hope that he will, in the spirit of his interventions, and the spirit in which I have taken them, be willing to do that.

I want to raise some concerns about the impact of the cut in TfL funding on the accessibility of the London underground network. My constituency has six tube stations—exclusively tube stations—that are inaccessible to people using a wheelchair, and usually inaccessible to people with a pram. I understand that there are no plans for North Harrow, South Harrow, Sudbury Hill, Rayners Lane or West Harrow to be made accessible. There has long been talk of a plan for Harrow on the Hill to be made accessible, but it is not currently included for access to the small amount of funding that is available to make stations more accessible. I worry that the loss of £3 billion will reduce its chances even further.

Perhaps the Minister would use his influence with Mike Brown, the head of Transport for London, who I am pleased to say came to North Harrow station to celebrate its centenary earlier this year, and encourage him to take an interest in the accessibility of Harrow on the Hill station.

My last point about the impact of the cuts concerns property income and the pressure on Transport for London to maximise its income from property sales or assets—essentially from the land that it owns. I should think that the whole House would think it a good thing to encourage Transport for London to make its land available for housing. The concern is that it is being put under heavy pressure to extract as much value as possible from selling its land or the housing on the land, with no consideration of Londoners’ broader needs for affordable housing. There are also concerns, as my hon. Friend the Member for Hammersmith (Andy Slaughter) knows well, about the methods being used to encourage Transport for London down the property development route. It has established a commercial development advisory group, which is chaired by Francis Salway, with Richard Cotton, Mike Jones and Richard Jones as the other members, but I worry that none of them has a background in social or affordable housing. I hope that the Minister may be willing to use his good influence to encourage Transport for London to see the bigger picture about housing in London, while at the same time seeking to maximise its income from its land.

Andy Slaughter (Hammersmith) (Lab): My hon. Friend is right to be suspicious of Transport for London’s motives. It is on record as saying that two thirds of its sites will be in zones 1 and 2 and it is not looking for affordable housing in that area; but it is looking for some if it develops in zones 3 to 5. However, that is affordable rather than social rented housing.

Mr Thomas: My hon. Friend makes a good point and I look forward to his speech, if he catches your eye later, Mr Hollobone.

There was nothing in the spending review about funding for Crossrail 2. To be fair to the Government, I understand that they have set up a £300 million pot for advanced work on big infrastructure schemes. Will the Minister confirm that Transport for London can bid for money for Crossrail 2 within that pot, and explain whether the Government still support and recognise the need for Crossrail 2?

Of the £687 million in resource funding that Transport for London is getting this year, but which will be axed in future, £63 million is going to the capital programme;
£137 million is going for borough improvements; £289 million is going on new greener buses; and £198 million is going for tube renewals and other investments. One has to wonder about the future of the investment in green buses, given the loss of resource funding going forward. It is striking that London Councils took the time to provide a brief for this debate, noting the impact of the funding received under TfL’s resource funding programme. It has been used to invest in road safety and maintenance, cycle parking and cycle training, car clubs, the installation of electric vehicle charging points, school and workplace travel plans, 20 mph zones and some further effort for accessible transport and pedestrian crossings. London Councils points out that much of that work—particularly that on road safety—has led to a significant reduction in the number of people killed or seriously injured on London’s roads. The implication is that there is concern about how such work is to continue to be funded.

I want lastly to consider how the gap in Transport for London’s books might be filled. I have always been a strong supporter of fiscal devolution to the capital, and having criticised the Mayor of London for big fare hikes I should at least acknowledge the important work that he got Tony Travers to undertake on fiscal devolution. I welcome the Chancellor’s decision to devolve business rates to London, but I am sure that the Minister will acknowledge that business rate income is often lumpy, if that is the word, and not always easy to predict. It would be helpful if, as the Tony Travers commission suggested, other property taxes were to be devolved to London. The devolution of stamp duty land tax to the London Mayor might help to unlock new investment in transport development, particularly in relation to the building of new homes that would be enabled by improved transport links. I understand that the vehicle excise duty incurred by Londoners who own cars amounts to about £500 million at the moment, and it might be suitable to invest that in London’s transport rather than taking it out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England. I ask gently of the Minister, whom I saw out of London and investing it in roads in the rest of England.

Several hon. Members rose—

Mr Philip Hollobone (in the Chair): Order. I have before me three of London’s finest Members and we have half an hour before I call the Front-Bench spokesmen, which I want to do no later than 10.30 am. If all three hon. Gentlemen want to speak, and to be fair to each other, I ask them please to take no more than 10 minutes each.

9.58 am

Jim Fitzpatrick (Poplar and Limehouse) (Lab): It is a pleasure to see you presiding over our business, Mr Hollobone. I am not sure where the three finest are, but may I say, Friends of the Member for Hammersmith (Andy Slaughter), for Eltham (Clive Efford) and for Vauxhall (Kate Hoey) are here, as am I, and I hope that we can make a contribution to the debate.

I congratulate my hon. Friend the Member for Harrow West (Mr Thomas) on an excellent opening speech. He comprehensively covered issues such as funding, resourcing and staff cuts, which saves us having to raise them, and I look forward to hearing the Minister’s response.

It is good to see that the shadow Minister, my hon. Friend the Member for Cambridge (Daniel Zeichner), is here to represent Her Majesty’s Opposition. It is also good to see the Minister in the Chamber. I congratulate him on his recent promotion, which will hopefully make him more benevolent towards London. I intend to speak briefly—certainly for no more than 10 minutes—and to raise parochial issues, given that the opening speech made by my hon. Friend the Member for Harrow West covered all the major funding issues.

I start by thanking Transport for London for its briefing, and its staff for all they do to keep this great city moving, ensuring that my constituents and I can get about. Their work is highly regarded and they do a fantastic job.

I was not going to mention the Silvertown crossing, but as my hon. Friend the Member for Eltham raised it, it will be interesting to hear the Minister’s comments about what support the DFT will give TfL for east London river crossings. Half of London’s population now lives east of Tower bridge, yet we only have two crossings there, while there are 23 crossings west of Tower bridge. As tolling will be an issue, I would expect at least the same arrangements to apply to local residents in east London as those for residents around the Queen Elizabeth II bridge. Any tolling should be discounted, but I would be quite happy to put up with tolling to ensure that we get the crossing.

East London’s air quality is poor, and it is made poorer because of standing traffic and congestion from the Blackwall tunnel. We need to get that traffic moving. When the Blackwall tunnel has difficulties, as it regularly does because of collisions or oversized vehicles, there is gridlock in east London. It will be interesting to hear the Minister’s comments about the Silvertown crossing.

My hon. Friend the Member for Harrow West talked about VED and support from licensing revenue in London. My understanding—for this may be entirely wrong, so the Minister might correct me—is that the vast majority of local authorities across the country get road support grants to deal with potholes, repairs and the like, but London does not receive such grant. That gives the impression that dealing with potholes in London is paid for by tube and bus passengers, who are subsidising the missing grant.

If one thinks about financial pressures, one can draw conclusions that may be entirely erroneous. We have a new franchisee running the docklands light railway: KeolisAmey. When I started in the Commons, the DLR was carrying some 20 million passengers a year. It now carries 100 million passengers a year, including many colleagues from the Scottish National Party when they travel to London City airport to fly back to Scotland on a Thursday night or Friday morning. My hon. Friend the Member for Harrow West set out the massive increase in journeys on the DLR. That fantastic railway is, of course, a driverless operation, which makes it separate from most of TfL’s other rail operations.

The new DLR franchise is only six months old, but its staff have already gone on strike for the first time in 23 years. One has to ask whether the resourcing of the
DLR and pressure on the contract led the new franchisee to put pressure on staff’s conditions and wages. That is total speculation on my part, but the fact that we have had the first DLR strike in 23 years is not a good sign. It is certainly a concern for my constituents and a very worrying development indeed.

The final point I want to cover is another parochial one. I see that the Minister is wearing his red ensign badge proudly as shipping Minister—there is nothing wrong with that at all, and I applaud him for it. Yesterday, I attended a Port of London authority presentation at Tower pier at which it outlined its vision for the River Thames for the next 20 to 50 years. The most striking thing about the presentation was that whereas most people think that the Thames’s heyday is behind it—we have the visuals of riggers in the past 200 years and merchant vessels in the 20th century being unloaded in the docks—and that it is now much quieter, with Thames Gateway and the port of Tilbury, as the Minister will know, London is now dealing with more tonnage than ever in its history.

With new commuter routes being opened up all the time, there is more commuter traffic than ever. Construction projects such as the Thames Tideway tunnel and, to a certain extent, Crossrail, which require the Thames to be used and that get HGVs off London’s roads and traffic on to the Thames, are welcome. The PLA’s vision is that the Thames’s best days are ahead of it, so it is really disappointing that the proposed cruise terminal at Enderby Wharf, which has been approved by the Royal Borough of Greenwich and the Mayor of London, does not have a ship-to-shore energy supply. That means that when cruise ships start arriving in London, they will have to run their diesel engines 24/7 to power them while they are berthed in the middle of the Thames, which is the equivalent of putting hundreds of lorries’ emissions back into London’s air. If we provided a ship-to-shore energy supply, which I believe would cost only up to a few million pounds, we could deal a big blow to London’s emissions.

Given that background, what funding does the Department for Transport provide for TfL to study air quality? Transport emissions play a big part in air quality, as they account for between 25% and 30% of all emissions. The shipping industry is growing, and we want to ensure as much as possible that its growth is environmentally sustainable and clean. Does the Minister have anything to add to the debate about the cruise terminal at Enderby Wharf? Can he say whether, even at this late stage, ship-to-shore energy supply could be introduced into the plan, given that the situation is a negative dark spot on what ought to be a positive clean bill of health for the Thames?

I again congratulate my hon. Friend the Member for Harrow West on securing this important debate. I have raised much more parochial points than him, and we will be interested to hear the speeches from the three Front-Bench spokesmen.

10.6 am

Andy Slaughter (Hammersmith) (Lab): May I, too congratulate my hon. Friend the Member for Harrow West (Mr Thomas) on securing this timely and important debate? This issue is raised frequently in both Houses. Yesterday, during questions in the other place, two of the points that my hon. Friend mentioned were raised. Lord Tope noted that the £639 million operational grant for this year will decline to nothing within three years, while Lord Dubs raised an important question that I will deal with: if Transport for London is going to become a property developer over the next decade, where and how will it build, and what will it build? It is particularly important to note that there will be little social housing among the alleged 10,000 homes to be built.

The other place is also shortly to discuss the Transport for London Bill, a private Bill that has been limping through both Houses for five years. It would have been killed off in the main Chamber a couple of weeks ago, had not the Government whipped 140 of their Members to vote for the revival of that rather sad and sagging Bill. If London MPs had their way, the Bill would be put to rest quite quickly. If I have time, I will deal with that issue but, in any event, I have no doubt that we will consider the final stages of that Bill in the new year and discuss at length the problems with it.

Should TfL become a property developer to make up the £2.8 billion that the Government are taking away from it between now and 2021, it will of course need to manage its estate properly. It has not always done that well in the past, and I doubt the capability and competence of transport organisations—even though many very good people work for them—to deal with some of the most rapacious and greedy property developers in London. Somehow the public sector also seems to come off worse when it enters into such deals.

Even what TfL is planning at the moment does not fill me with enthusiasm. It is looking for 75 sites spanning 300 acres, with the aim of raising £1 billion. As I said in my intervention, two thirds of those sites will be in zones 1 and 2, presumably because although there is less land in those zones, it is more profitable. Only when TfL subsequently begins to look at zones 3 to 5 does it expect to include affordable housing in its considerations. It is going to work in joint ventures with private companies, and the model for that is the tragic site at Earls Court, which is one of the largest development sites in London, with two thirds of it owned by TfL. The joint venture with Capital and Counties Properties plc covers 77 acres and includes the Earls Court exhibition centres and the Lillie Bridge depot. The third part of the site—22 acres—consists of two local authority housing estates with 760 affordable and social homes.

The development of that site, which I believe is a template for what TfL will do in the future, will provide 8,000 homes with no additional social homes, even though according to planning targets, and even the targets of the Mayor of London, there should be 2,000 such homes. The 760 existing homes will be demolished, which will affect the entire community. The Earls Court exhibition centres are beautiful and their loss is tragic. Earls Court One, an art deco building that is currently being demolished, provided 30% of London’s exhibition space.

I laughed at what TfL told the Financial Times when it announced its plans about six weeks ago. It said it was “working with its operations team to ensure that it learns from mistakes made by the national rail network in the past and only ‘develops sites where no transport capacity growth is expected so as not to constrain operations.’”
The other part of the Earls Court site that is going is the Lillie Bridge depot, which is one of the main manufacturing and servicing depots. It is an ideal place for servicing and provides 500 skilled jobs, which is why the National Union of Rail, Maritime and Transport Workers has considerable concerns about the development.

If Earls Court is a blueprint, God help us when TfL begins to develop other sites around London. It has already identified three. One, which is in Hammersmith and Fulham but not in my constituency, is the Parsons Green depot site. The very good Labour council there is negotiating hard with TfL to include affordable housing on the site. There will be 120 new homes, but no homes for social rent are planned, although I hope that that will change following negotiation with the local authority.

As I know that area extremely well, I can give an example of what can happen. Almost opposite the proposed site is an almost identical depot site that was owned by the Co-operative Group. That has been developed with 100% affordable housing—50% intermediate and 50% for social renting. If such a target can be reached, TfL’s ambitions in an area with a crying need for affordable housing, especially in zones 1 and 2, should be at least a lot greater. I note from the property pages of today’s Metro that the average price of a property in Hammersmith, let alone Fulham, is more than £1 million, and that is exactly the type of luxury property that TfL is endeavouring to build on its land.

A measure in the Transport for London Bill—during its early stages some four years ago, my constituents petitioned against it—would have given TfL the power to sell land without reference to the Secretary of State or any outside body. I am pleased to say that, following scrutiny, the relevant clause was withdrawn, because otherwise TfL could have done exactly what it liked. Given the Government’s housing policy, which we will discuss in the House later today, I have no confidence that the Secretary of State’s intervention will represent a proper remedy. In any event, the Bill is deeply flawed or any outside body. I am pleased to say that, following scrutiny, the relevant clause was withdrawn, because otherwise TfL could have done exactly what it liked. Given the Government’s housing policy, which we will discuss in the House later today, I have no confidence that the Secretary of State’s intervention will represent a proper remedy. In any event, the Bill is deeply flawed because quite often they are delayed and cannot predict seeing a significant impact on people’s daily routine.

In May 2016, we will have a new Mayor—hopefully a Labour Mayor. My right hon. Friend the Member for Tooting (Sadiq Khan) has promised to freeze fares, to provide one-hour hopper tickets and to run TfL in the interests of all Londoners, not in the interests of property developers, its own highly paid managers or bailing out the Chancellor. However, we currently face a double whammy of losing central Government investment, which no other civilised country would do to its capital city, while at the same time we do not see any other improvement in Londoners’ quality of life because TfL is simply rushing madly into property development.

I, too, want to be parochial and I will talk mainly about the proposed Silvertown tunnel in the context of TfL’s funding. I have long called for a solution to the problem of traffic congestion on the approach roads to the Blackwall tunnel. It is a daily environmental disaster and occurs when queues of traffic build up, particularly at peak times, causing a huge environmental problem of air pollution in that part of our borough. The topography of the area means that a lot of pollution collects in the river valley, and having stationary traffic stuck there for long periods just adds to the problem. That traffic will not disappear. It needs to go somewhere and the problem needs some relief. There are no alternatives. We do not have the London Underground in south-east London beyond North Greenwich station and people rely heavily on surface and suburban rail services, which are already at over capacity so we need to increase capacity there. I will come to that later.

In many circumstances, people are forced to drive. That applies particularly to residents of the boroughs of Greenwich, Tower Hamlets and Newham, for which the Blackwall tunnel is the nearest river crossing. People have to use that crossing to get across the river, so we are seeing a significant impact on people’s daily routine because quite often they are delayed and cannot predict
when they will be able to get through the tunnel. In addition, many businesses lose time and money because of the traffic congestion. We need to deal with the traffic congestion at the Blackwall tunnel and we need a third bore, but dealing with the issue by building a road crossing alone will not be sufficient.

We have been offered buses by TfL, and we will take the buses. They have buses in other parts of London, and of course we want more buses. However, the equivalent of a small city has been built in Docklands. We have seen massive expansion not just of housing, which will continue to grow, but of businesses and leisure, and more and more people want to go north and south on the eastern part of the Thames corridor, rather than on the traditional route, like the spokes of a wheel, served by suburban rail that goes in and out of central London. Without increasing significantly public transport links that go north and south across that East Thames corridor, we will congest even more the central London transport system, because people have no choice, if they want to use public transport, other than to go in and then out.

Jim Shannon (Strangford) (DUP): It is always good to give a Northern Ireland flavour to a debate on London transport. The hon. Gentleman referred to using more buses. I, too, encourage people to use more buses, because if more buses are bought, they will come from Wrightbus in Northern Ireland, so it is always very good to have that.

Clive Efford: I cannot think of a better reason to want more buses. To get even more parochial for a minute, I want to put in a plug for TfL finally to deal with the issues with my local services, on which my constituents have been campaigning. I am talking about the B16 and 178 buses through Kidbrooke. Those issues must be resolved; we are not accepting no for an answer, and we welcome the moves that it has made already on the B16.

The 132 bus runs from Eltham to North Greenwich, and when I became a Member of Parliament I campaigned for its introduction. TfL came to my office to meet me and said, “There’s no demand for such a service.” It was to provide a public transport link along the route corridor of the A102, the Blackwall tunnel approach road. Finally, as the Olympics approached, we got an extension of the 132 bus route down to North Greenwich. It was a single-decker bus and it quickly filled up, so a double-decker service had to be introduced. That service is now often oversubscribed and passengers are left behind at the terminal where the bus starts—at North Greenwich—such is the increasing demand from people for public transport links along the route corridor of the A102, which connects with the A2 and my constituency of Eltham.

A road crossing, therefore, will not be sufficient: we need to have the DLR. If TfL is not going to build a DLR link, there is no point in building the Silvertown link, because it will just become as congested as the Blackwall tunnel is now. People will have no alternative to switch to—in the large numbers that we need them to switch—if we are to protect that route from becoming congested again in the future, just with more cars. As my hon. Friend the Member for Harrow West pointed out, the DLR has in recent times increased its usership significantly—by more than 50%. It has gone up from a few million passengers, as my hon. Friend the Member for Poplar and Limehouse said, to nearly 100 million passengers a year. That shows how effective it can be, so a DLR link from Silvertown to North Greenwich—that is then brought down the route corridor of the A102 to places such as Kidbrooke and Eltham—will have a significant impact by changing people’s choices of the transport method that they use to get across the river in that part of the city.

We cannot allow traffic to grow, and I accept that some form of tolling will be needed, but no one else in London pays to cross the river by their local bridge. I do not see why my constituents should have to pay to cross the river when no one else in London does. If TfL says that the only way to fund schemes in the future—because of the cuts to its budget—is to introduce tolling, I say that it has to be fair to my constituents, who in recent years have watched billions of pounds being invested in the London underground, which does not come anywhere near where we live. We accept that it is a major contributor to London’s economy and is vital—no one disputes that—but the comparison between the investment in other parts of London and that in outer south-east London does not stand up to scrutiny. We have bus services, but other than that, TfL spends precious little on investment in that part of London, so asking for—no, demanding—a DLR link as part of the scheme is just asking to be compensated for the lack of investment in previous years.

If people in my area are to be asked to pay a toll to pay for the river crossing, we should toll every river crossing in London and make everyone pay to cross the river, because that is the only fair balance that we could strike. I see the Minister’s eyebrows going up as he thinks, “Actually, there might be a point there. We might be able to make some money.” It is true that we have sat by in south-east London and watched money being spent on the London underground, while getting precious little—

Mr Goodwill rose—

Clive Efford: I have a finishing time in order to allow the Minister time to respond, but if he will be brief, I will give way to him.

Mr Goodwill: I just point out that those who pay the congestion charge might argue that they are already paying to use the bridges and perhaps would not be thankful to be double-charged.

Clive Efford: They might well, but there are bridges beyond Vauxhall. I can point all the bridges out to the Minister if he needs me to do that; I can name them all. We need the Silvertown link, but it cannot be built without the DLR.

I want to move on to talk about a site in Kidbrooke, Henley Cross that is owned by TfL. TfL is definitely trying to maximise its income from that site, but we need such sites, which are in public ownership, to be used to provide local services and vital affordable housing where possible, not just sold off to the highest bidder. I would like to put in a bid to TfL to consider that site in relation to the Kidbrooke regeneration and the need to identify sites for secondary schools in the borough of Greenwich. Henley Cross is situated between the motorway—well, the approach road to the Blackwall...
tunnel—and the railway. The site is unsuitable for people to live on, but it would be suited to other uses. Perhaps some sort of land swap could be arranged with the Kidbrooke Village regeneration and a school could be built where it was intended to build a Sainsbury’s supermarket. I urge TfL to sit down with the London borough of Greenwich and with Berkeley Homes, which is doing the development, to consider that option, rather than cramming housing on to the site, which is unsuitable because of its location.

Finally, I want to turn to TfL taking over the running of suburban trains, which are vital for my constituency as it relies entirely on suburban trains as the major route into London because—as I said—we do not have direct links to the London underground. If that is to happen, TfL needs to start planning ahead now. At peak times, trains that run through my constituency—through Eltham, New Eltham, Plumstead and along all those routes—are heavily oversubscribed. They have so many passengers they have Pivotcs—people in excess of capacity. We need to increase capacity on those lines. That means that when the Thameslink scheme is completed and the new rolling stock becomes available, the current Thameslink rolling stock must be made available to Southeastern, which wants to purchase it, so that it can increase capacity on those vital services in south-east London.

10.29 am

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): It is a pleasure to serve under your chairmanship, Mr Hollobone. I congratulate the hon. Member for Harrow West (Mr Thomas) on securing the debate. I also congratulate the Minister of State on his recent promotion, and I know that he will enjoy the additional challenges it brings.

I have been asked to sum up for the third party, and I will try something quite unusual, which is to do so in a third-party way, and to be as apolitical and as helpful as I can. I want to refer to Scotland and what the Scottish Government are doing, because I believe in their approach, and I think it would be helpful to bring it into this discussion.

The hon. Member for Harrow West talked about Transport for London services being crucial to business and to people. He talked about London’s urban growth being the fastest in the European Union. I have something in common with him, because Inverness is the fastest-growing city overall in Europe. I know exactly what he is talking about, but perhaps on a different scale.

People coming into London have an interest in this issue as well as those already in London. People need to make internal connections, but external connections cannot be ignored. It is every bit as important to make sure that links such as the Gatwick Express operate properly. I hear again that it is a disaster this morning, incidentally, with two trains cancelled and another stuck for many minutes on the line. The hon. Gentleman talked about roads being under pressure, and the knock-on impact of a failure to invest. That came through in all hon. Members’ contributions, as did the point that what may have been missing is a longer-term vision and an overall view of how things should be developed.

The hon. Member for Vauxhall (Kate Hoey) made an important intervention in which she talked about the absolute need to engage people in major decisions. That brings me to my first point about the approach in Scotland, which I feel passionate about. I think there is agreement across parties on an outcomes-based approach to development, where we take things forward towards a longer-term outcome with people in mind, rather than as an afterthought. That came through time and again.

The Minister spoke in an intervention about smart ticketing, and I compliment him on doing so. We have to make it easier for people to use different modes of transport, but it is important—we must mention this early—that smart ticketing be fair. It should be carried forward in such a way as to enable everybody to interact with it. A point was made about fairness later on, and adopting an outcomes-based approach makes a big difference to that.

The hon. Member for Poplar and Limehouse (Jim Fitzpatrick) rightly mentioned the hard-working staff on the network. Too often, we forget that when we ask people to take charge of new developments and bigger challenges, those involved in their delivery will be put under pressure. The hon. Gentleman was quite right to mention those people. We should reflect in the same way on the people who work in the transport system across the nations of the UK. He made the telling point that the DLR recently had its first strike for 23 years, and that tells us something about the communication that is needed. He also made an important point about the growing need to take shipping into account.

One thing missing from the debate—I am not trying to score points, but I want to take in the context—was any discussion of possible airport expansion. Hon. Members do not know where the pressure will be in London, because the decision has not been made yet, but that must be taken into account in future planning.

Jim Fitzpatrick: Some of us, like the hon. Gentleman, listened in the Chamber yesterday afternoon to the statement from the Government, in which they delayed the decision yet again. That was most frustrating for most colleagues right across the Chamber.

Drew Hendry: I agree about that frustration. As I have said, I will not try to use this debate to score points, but we must look at making decisions that are connected to others that we make. Other hon. Members brought that out in spades today.

The hon. Member for Hammersmith (Andy Slaughter) talked about Transport for London as a property developer. He asked what kind of developer it would be, and what it would do in future. The point about outcomes for people shone through in his questions, and it is important to look at what kind of outcomes there will be. If property development will be a vehicle for investment, he is quite right to say that we should know what kind of investment will be made. He asked what the point was of TfL investments if not to improve transport for people.

The hon. Member for Eltham (Clive Efford) talked about air pollution, having the correct infrastructure requirements, and the need to see what people want to do in the future, which goes back to my point about outcomes. The hon. Member for Strangford (Jim Shannon), who is unfortunately not in his place, mentioned buses...
in an intervention. I want to mention Britain’s largest bus manufacturer, Alexander Dennis, in Falkirk. It would, I am sure, be delighted to supply vehicles. What is needed is an outcomes-based approach with a longer-term view. People should not, as the hon. Member for Eltham pointed out, be made to pay more just because of where they live. That should be taken into account when deciding how to take things forward.

I said I would talk about Scotland. Since 2007, more than £15 billion has been invested in transport, and the Scottish Government have adopted an outcomes-based approach to policy, through which they look for a healthier, wealthier, greener approach to development. I believe that that is now considered to be the right approach by those from across the different parties in Scotland. We have looked at sustainable transport options that will encourage people out of their cars, and made sure that we made the investments necessary to connect people.

Our conversation this morning contains a contradictory message, and I will fire back a bit of a warning to hon. Members. They cannot say, “Let’s not invest in cycling and walking” while moaning about emissions and congestion. There has to be a balance between those things. In Scotland, since 2011, we have invested in 190 km of cycling and walking routes. We have also made the largest single investment in Scotland’s transport history with the £3 billion upgrade of the A9, because it is a vital part of the transport mix, and it is what people asked for and required. I am delighted to say that it connects my constituency with Perth, and that connection is ongoing. That development was vital to the highlands economy, and it was part of our work on a mix of transport options, which included simultaneous investment in the rail links between Aberdeen and Inverness, and Inverness and Perth. Investment is not limited to those lines, however; hon. Members will be aware of the recently opened borders railway link, with which we threw off the ghost of the railway cutback and built the first new railway in Scotland since the Beeching cuts. In our rounded approach, we take an outcomes-based look at how transport has to be put together.

I will not take much more time. In summary, people’s absolute need and right to be connected fluidly to all the different transport options available came through clearly this morning. That is a substantial challenge for an organisation as big as Transport for London, but if it takes an outcomes-based approach—I fundamentally believe that all hon. Members’ contributions this morning indicated the need for such an approach—it will start to get somewhere with looking at the wider picture and the longer-term view.

Of course, if greater public investment is to be made, the public need to be involved and feel involved. It would be a good move for Transport for London to look at how it engages with people and how it will take forward conversations with the relevant communities, so that it can ensure that it carries forward in its planning the points made by hon. Members this morning. I hope that it will heed my warning and take an outcomes-based approach to such development.

10.39 am

Daniel Zeichner (Cambridge) (Lab): I congratulate my hon. Friend the Member for Harrow West (Mr Thomas) on securing this debate, and the Minister on his recent promotion. We have had a fantastic discussion in which hon. Members have spoken with passion and conviction about their local area. It is important that those points are heard.

My hon. Friend the Member for Harrow West gave an excellent account of the whole range of issues. I was struck by his mention of potential delays to the upgrade of the underground system. I hope that the Minister responds positively to my hon. Friend’s hope that he might meet a delegation of staff, particularly given the number of staff cuts in the control rooms. My hon. Friend concluded with some interesting suggestions about how the funding gap might be closed, and I am sure that the Communities and Local Government team will listen closely to that.

Mr Gareth Thomas: Will my hon. Friend encourage the Minister to clarify—if not today, then shortly—whether the British Transport police will maintain their funding levels and, therefore, the numbers of constables and other police able to operate on the tube? There seems to be some doubt about whether they have benefited from the Government’s largesse to other police forces.

Daniel Zeichner: I am sure that the Minister will have heard that point. My hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick) made some fascinating points. The point about the cruise terminal was new to me, but I hope that others will hear it. My hon. Friend the Member for Hammersmith (Andy Slaughter) continued his fantastic campaign on the Transport for London Bill, reiterating points that were made in a debate a few weeks ago and that, doubtless, will be made again. I will return to those.

My hon. Friend the Member for Eltham (Clive Efford) took me back to my childhood: I used to be driven by my parents from south London through the Blackwall tunnel when there was only one tunnel. I remember the pong, which I think was from a dog biscuit factory. Some things do not change, really, and there is clearly much more work to be done. His points about the unfairness of potentially charging his constituents to cross the river were well made.

I want to talk a little more generally about London’s transport system. As someone from outside London, I have to say that London’s system is widely admired as a model of excellence. There are now more passenger journeys in the capital than in the rest of England combined. In the UK, other metropolitan areas—including Manchester, notably—are keen to bring in Oyster-style, multi-platform, integrated smart ticketing. Indeed, I understand that Singapore’s Land Transport Authority last year announced a new Government contracting model after explicitly studying the bus systems of London and Australia; they say that imitation is the sincerest form of flattery, and that is clearly the case here.

We all know that the Department for Transport took a huge hit in the comprehensive spending review, as did the Department for Communities and Local Government. I fear that the repercussions will reverberate through the quality and connectivity of the transport system across the entire country. I am also sure, regrettably, that the savage reductions in funding and subsequent cuts to transport services will be keenly felt by all those who rely on them to go about their daily life. It is
distressing but simple: cuts to central Government funding and local authority budgets mean that services will suffer.

Let us remember that in 2013 TfL’s operational funding was slashed by a quarter, requiring it to identify £16 billion in savings by 2021. Last month it was announced that the grant worth £700 million in 2015-16 will be phased out by the end of the decade. The Department for Transport said that this may be mitigated by “new commercial freedoms” for TfL. The implications of those commercial freedoms are potentially significant, and I will largely focus on them.

Along with funding for cycling nationally, London’s dedicated transport funding has been deliberately targeted in the spending review. As of 2014-15, a record 8.6 million people were living in the capital. By 2030, that figure is forecast to reach 10 million, rising again to 11 million by 2050. The pressures on the capital’s transport system will only intensify. TfL has already been making fierce and highly controversial cuts, but even it said in its annual budget last year:

“It is becoming progressively more difficult to achieve this without compromising our core services.”

I would be grateful if the Minister could offer some assurances about how the cut to TfL’s revenue support has been planned. It is well known that before the late 1990s, London Regional Transport was plagued by a pattern of annualised budgets and sudden funding reductions, which in turn created huge inefficiencies. TfL has more long-term financial certainty under Labour’s Greater London Authority Act 1999, but can the Minister really guarantee that additional costs will not be created—for example, in variations to TfL’s commercial contracts—as a result of this decision? We need further assurances.

Since October 2013, the bus service operators grant, which was previously paid to bus operators that were running bus services under franchise to TfL, has been incorporated into the general grant paid to TfL and the Greater London Authority. Now that TfL’s grant is being snatched by the Treasury, so too is this important grant that pays bus operators to keep costs down and helps to subsidise fares for ordinary people. BSOG was already cut by 20% in the previous Parliament, with the total value of the grant across the country falling from £469 million in 2009-10 to £298 million in 2013-14. Now the Government are quietly removing it from TfL entirely. That is unacceptable, and we will not let it go unnoticed. I would greatly appreciate the Minister’s assurance that BSOG will again be allocated to the capital on a separate basis; otherwise, this is clear discrimination against London.

TfL passes part of its grant to the boroughs to spend on local road maintenance and improvement. I am sure that those boroughs would be pleased to be told how that will be funded when TfL’s operational funding is soon reduced to zero. We have heard about the other possible method that TfL might use to alleviate the loss of the grant and to raise revenue to invest in London’s transport network. That method—the so-called commercial freedoms—is proving especially controversial, and many of my hon. Friends have already raised concerns about the wider implications.

The Department for Transport has stated that TfL could save the necessary £700 million a year by generating additional income from the land it owns in London, or with the “additional financial flexibility” that the Government will provide it with. TfL is one of the largest landowners, owning 5,700 acres of land in the capital and more than 500 potential major development sites. Against this backdrop of cuts, it is only natural that TfL wants to plug at least partially the gap that the grant will leave by selling off existing or underused facilities. We support making good use of assets, but there are certain issues that really must be addressed.

First, we need to be sure that forced sales will not, paradoxically, have an adverse impact on the very transport system that they are trying to fund. Selling off land might seem like a good deal in the short term, but it might not look so bright a few years later, when it transpires that the land is needed to expand transport services to meet increasing demand. If TfL land is to be used for housing, let us at least ensure that it is housing at a price that ordinary Londoners can afford. We need a pledge from the Minister that there will be a strong affordable housing element in such developments—particularly important given the disastrous general housing policies being pursued by the Government. Sadly, I have little confidence that that will be achieved.

We are deeply sceptical of the Government’s motives and fear that the asset sell-offs will be all about short-term gain at the expense of securing a future transport system for ordinary Londoners. I do not have time to go into the nitty-gritty of the argument, but the proposed mechanism for property development—namely, the provision allowing limited partnerships—is deeply worrying. I am sure that there will be time enough to discuss that controversial element when the Transport for London Bill wends its way back to us from the other place. Ultimately, a long-term investment strategy aimed at raising money to reinvest in the transport system is one thing, but short-term profiteering on property development is quite another.

In conclusion, TfL’s transport system works, and it ought to be protected, but it is at serious risk from a Government who seek short-term savings and do not understand the importance and value of a widely admired but pressured system that keeps our great capital city moving.

Mr Philip Hollobone (in the Chair): It would be appreciated if the Minister would be kind enough to allow Mr Thomas just a few minutes to sum up at the end.

10.49 am

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I congratulate the hon. Member for Harrow West (Mr Thomas) on securing this debate about Transport for London funding, which is timely following the spending review. I will put the cart before the horse by dealing first with some of the questions that have been raised, meaning that if I do not have time to conclude my remarks, what I want to say will be cut off, rather than what hon. Members might want to hear.

The hon. Gentleman asked whether the upgrade of the sub-surface lines will be further delayed by the cuts in Government funding, and I have to point out that the delay was announced before the spending review. Indeed, the delivery of the upgrade is a matter for the Mayor. We have protected TfL’s capital funding and expect the
the country, on which I am keen. Indeed, ports could ship-to-shore energy supplies in a number of ports across work that has been going on.

I pay tribute to Dame Helen Alexander, whose term as chair of the Port of London authority ends at the end of this month. She has been a driving force behind the re-establishment of London as a major port. Indeed, London is re-establishing itself as a major port. My hon. Friend Mr Goodwill was impressed by the investment going into these projects. We will be agreeing a settlement letter with the Mayor that makes it clear which infrastructure projects we expect him to deliver, and by when.

Mr Gareth Thomas: I gently plead the parochial point that the Minister prioritises in the settlement letter the Metropolitan line upgrade as early as is reasonably possible.

Mr Goodwill: I certainly take note of the hon. Gentleman's point; no doubt that issue will be raised during the upcoming mayoral election.

The hon. Gentleman raised the specific point of accessibility at Harrow on the Hill station, and I will ask Mike Brown to provide me with a report as soon as possible about the practicality of addressing that. As the hon. Gentleman will be aware, many of our Victorian tube stations do not lend themselves to such upgrades at a reasonable cost, although we have made considerable progress. In particular, the new Crossrail project will vastly increase accessibility for people with mobility problems.

The hon. Gentleman also asked whether there could be further devolution of property taxes, which is, of course, a matter for the Chancellor of the Exchequer, who has announced that business rates will be 100% devolved to local authorities from 2020. There will be a consultation on that in 2016, including on how the system will work in practice. Various things will need to be considered, including how the income from London's business rates will be split between the Mayor and the boroughs, and which Government grants that will replace.

The hon. Member for Vauxhall (Kate Hoey) talked about the garden bridge. The Government and the Mayor have each agreed to make a funding contribution, but most of the costs will be met by the private sector. The garden bridge will be an iconic and attractive addition to the capital, and it will be free—there are no plans to charge people who use it.

The hon. Members for Poplar and Limehouse (Jim Fitzpatrick) and for Eltham (Clive Efford) raised the issue of the Silvertown tunnel, which is, again, a matter for the Mayor. Transport for London has recently consulted on the proposal. We agree that the tunnel is an important project and that the Mayor can deliver on it quickly. TfL is considering what package of public transport improvements might be needed to complement any new crossings, which might include DLR extensions, but the Mayor will need to take a view on the relative priority of such extensions compared with other schemes.

The hon. Member for Poplar and Limehouse also mentioned the cruise ship terminal. I have visited both London Gateway and the port of Tilbury, and I was impressed by the investment going into those projects. Indeed, London is re-establishing itself as a major port. I pay tribute to Dame Helen Alexander, whose term as chair of the Port of London authority ends at the end of this month. She has been a driving force behind the work that has been going on.

The hon. Gentleman raised in particular the issue of ship-to-shore energy supplies in a number of ports across the country, on which I am keen. Indeed, ports could derive income from supplying electricity. We will certainly consider how that might be funded, but such sensitive sea areas come under the quality of marine fuel regulations that have been agreed throughout the European Union, so ships will have to use low-sulphur fuel or to be fitted with mitigation equipment to ensure that they at least take care of sulphur. I am aware that ships produce other pollutants when in port.

The hon. Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), who speaks for the Scottish nationalists, talked about smart ticketing, which has been revolutionary since I arrived in London just over 10 years ago. I was then buying tickets, so the introduction of Oyster has been fantastic. Of course, a new aspect of ticketing, which is already in force on the west coast main line and is an element of the new Northern and TransPennine franchises, is automatic refunds when trains are delayed. I hope that new franchises take that on board. In due course, I hope it becomes the norm that if a train is delayed, a customer, having bought their ticket or season ticket on the train operating company's website, will automatically get a refund, rather than having to apply. Passengers in the north of England are looking forward to that service becoming available.

I think it was the hon. Member for Harrow West who talked about meeting staff at the National Union of Rail, Maritime and Transport Workers. I occasionally meet the RMT, but more through my responsibility for shipping. I suspect that the Mayor of London would primarily be moving forward on that issue, but I hope that, following further discussions, we can soon deliver on the night tube. Many people look forward to some sort of agreement on that, particularly at this time of year when London's night time economy is so vibrant.

The hon. Gentleman also raised the issue of manning for British Transport police. Many people were relieved when the Chancellor of the Exchequer announced that overall police funding would not be subject to the cuts that many had predicted, but I will look into the specific issue of British Transport police and get back to him.

The hon. Member for Cambridge (Daniel Zeichner) said that TfL is facing a huge hit to its revenue budget. Actually, in terms of capital funding, this Government will nationally be deploying 50% more than the previous coalition Government, which is good news for people who use our train services and roads. He also mentioned the bus service operators grant, which is indeed a fuel subsidy. One criticism that I get from bus operating companies and bus manufacturers is that the BSOG is a disincentive for the roll-out of environmentally friendly or green buses. For example, electric buses that use no fuel get no BSOG.

The hon. Gentleman also raised the fact that Transport for London will soon no longer need any day-to-day operating subsidy, which is a good news story as it has been made possible by our sustained investment in London in recent years allowing TfL to make significant operational savings. London's growing population and successful economy mean that more and more people are using public transport in London, which in turn, as I pointed out earlier, means that TfL receives more and more income from fares. TfL's commercial development programme is also allowing it to generate more income from the private sector.
Spending Review and Autumn Statement: Wales

11 am

Christina Rees (Neath) (Lab): I beg to move,

That this House has considered the effect of the Spending Review and Autumn Statement 2015 on Wales.

It is a pleasure to serve under your chairmanship, Mr Hollobone. Last month’s autumn statement was an opportunity for the Government to deliver a fair deal for Wales; to support Welsh families, to invest in skills and infrastructure and to give the Welsh Government the tools that they need to fund the vital public services that we all depend on. Unfortunately, however, the Chancellor of the Exchequer did none of that. Instead, he delivered yet more cuts to the Welsh budget and to the budgets of thousands of families across Wales.

Thanks to Labour’s campaign, the Chancellor was forced to abandon his plans to cut tax credits that would have hit 135,000 working families in Wales. However, we now know that those cuts have been delayed, not dropped altogether, and thousands of Welsh families will be hit just as hard through the Government’s cuts to universal credit. Families across the UK are expected to lose £1 billion this year and over £3 billion by the end of the Parliament because of the cuts to universal credit. The Institute for Fiscal Studies has predicted losses of £1,600 a year for a 2.6 million working families and cuts of £2,500 a year for 1.2 million families who are out of work.

Although fewer than 6,000 Welsh people are currently on universal credit, the number will rise significantly over the next few years, as other benefits such as tax credits and jobseeker’s allowance are phased out. In my constituency, 656 people are currently on universal credit, but 14,250 people are claiming one of the main out-of-work benefits.

Working people in Wales will be worse off on universal credit, leaving those who are currently on tax credits with a perverse incentive not to take on a new job or extra hours for fear that it will change their circumstances and cause them to be moved on to universal credit. In Wales, 167,400 working families will feel the impact, 134,600 of whom are families with children.

In Neath, 6,200 families were on tax credits as of April this year; 5,300 of those were families with children, all of whom will be negatively affected by the changes and cuts to universal credit, should they take place. That neither meets the Government’s aim of making work pay, nor ensures that those on middle and low incomes are protected. Wales already has the highest level of child poverty of any of the nations of the UK. One in three children lives below the poverty line. Half of the people deemed to be living in poverty are actually working—an unfortunate truth that is often ignored when painting a picture of worklessness and a benefit-claiming culture of poverty and deprivation.

On the autumn statement, the Joseph Rowntree Foundation made it clear:

“There was little in this Statement to tackle the causes of poverty and it was a missed opportunity to support low income families. Without action”—the foundation warns, our economic recovery will be “built on rising poverty and insecurity.”
In Wales, we are particularly at risk, and the Chancellor's plans are bad news for low and middle-income earners across the country. However, just as we successfully opposed his pernicious cuts to tax credits, we will continue to highlight the fact that the Chancellor's plans will leave Welsh families worse off.

The autumn statement also saw yet another cut to the Welsh budget. Over the next five years, Wales will see a real-terms revenue cut of 4.5% and a cut to its overall budget of 3.6%. When Labour was in government in Westminster, we increased the Welsh budget from £7 billion in 1999 to £16 billion in 2010.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): I congratulate the hon. Lady on securing this important debate. In my recollection, going into the last UK election, the Labour party said that it would broadly copy the fiscal policy put forward by the Conservative party. Will she tell us what the cut would have been to the Welsh budget under Labour?

Christina Rees: No, we did not actually say that—if the hon. Gentleman checks his facts, he will see that we did not.

As I was saying, by the time this Conservative Government leave office in 2020, we will have seen an 11% cut in the Welsh budget. For all the Government’s talk of economic recovery, they have delivered a mountain of cuts since 2010, and their decisions will do further harm to the Welsh economy over the next five years.

Craig Williams (Cardiff North) (Con): The hon. Lady talks about 11% cuts to the Welsh budget, but how does that compare to the regions and Departments of England? She has not once mentioned the commitments on the national living wage. Will she welcome that as well as banging on with the diatribe we have heard on universal credit?

Christina Rees: The hon. Gentleman may think it is a diatribe but I do not—these are the facts, and the so-called national living wage is yet more rhetoric from the Conservative party.

In Neath Port Talbot, the county borough in which my constituency sits, the local authority has seen a cumulative cut of £65 million to its budget since 2010, not including this coming financial year, with further planned cuts potentially of £37 million over the next three years—a total of £102 million being taken out of its budget in eight years. That has meant its workforce has shrunk by 20%, and it is important to point out that those cuts have come as a direct consequence of UK Government cuts to the Welsh budget. That has hit local services hard, leading to the unwanted but necessary reduction in support for community facilities, such as libraries and leisure centres.

The IFS has estimated that the tax and social security changes introduced in the last Parliament cost the average Welsh family £560 a year and took £700 million out of the Welsh economy each year. According to the IFS, the Chancellor’s plans mean that Welsh households will lose a further £500 each year between 2015 and 2019, meaning an annual loss of £660 million to our economy.

The Chancellor made much of implementing a Barnett floor to ensure that the funding gap between Wales and England does not widen further. I welcome that announcement. Six years on from the Holtham report, which recommended such a floor, I am pleased that the Government have finally pledged to deliver that mechanism, but the simple fact is that the floor makes hardly any difference when spending on Wales is falling. What is unacceptable, and completely at odds with the recommendations of the Holtham report, is that the Barnett floor is only being set at its present level of 115% of spending in England for the duration of this Parliament, with the amount being “reset” at the next spending review “to take full account of the Welsh Government’s new powers and responsibilities.”

Glyn Davies (Montgomeryshire) (Con): Will the hon. Lady clarify something? If the 115% level is deemed to be too low, what level would the Labour party want to apply to Wales, in terms of the Barnett formula?

Christina Rees: We have to look at this issue. When spending in Wales is falling, that level is too low, so surely the best thing is to generate an economically viable situation in Wales so that spending increases.

Jonathan Edwards: Will the hon. Lady take a further intervention?

Christina Rees: Not at the moment—I have to make progress.

We are all well aware of the Chancellor’s habit of slashing funding from central Government then expecting local government and the devolved Administrations to make up the shortfall. That policy ensures that the poorest areas are hardest hit. If the Chancellor plans to use the devolution of income tax to Wales as a cover to cut Welsh funding further and to lower the Barnett floor, that will understandably be seen by the people of Wales as an unacceptable outcome.

The autumn statement was also largely silent on the vital infrastructure projects that Wales needs. Despite its strategic importance to the Swansea bay city region, of which my constituency is a part, there was not a single mention of the Swansea bay tidal lagoon in the Chancellor’s statement. Along with the 22% cuts that the Chancellor announced to the Department of Energy and Climate Change, perhaps that silence signals the Government’s lack of commitment to green energy.

In light of the landmark agreement reached in Paris last weekend, we know that projects such as the tidal lagoon are essential if this country is to meet its international obligations to combat climate change. Unfortunately, although important progress was made in Paris, I understand that the pledges will not achieve the aim of limiting global average temperature rise to below 2°C, so further action is urgently needed.

Craig Williams: I thank the hon. Member for giving way again. Will she take the point that there is also the Cardiff lagoon to consider, and that investors around the world are being shaken by what she and other Labour Members are saying about tidal lagoons at a very critical point, when we are negotiating the strike price? They are endangering lagoons, and not just the Swansea lagoon.
Christina Rees: I do not quite understand what that intervention means. We are not causing the uncertainty; the Government are.

The Swansea bay tidal project is also of critical importance because of the potential jobs and investment that it will bring across south Wales, as well as the apprenticeships promised to institutions such as the Neath Port Talbot College group. It is estimated that up to 1,900 jobs could be created during the lagoon’s construction phase, with many more jobs being created in the supply chains. Local businesses are eagerly anticipating the investment that the project will bring, so it would be a travesty if the UK Government failed to deliver this opportunity. Will the Minister confirm that the Government remain committed to the project and to agreeing a strike price for the tidal lagoon?

Another project that is of vital importance to the whole of south Wales is the electrification of the Great Western line from London to Swansea. Again, the Chancellor paid lip service to the scheme during the autumn statement, but he did not give any further details and now we know why. Since the autumn statement, it has emerged that electrification of the line between Cardiff and Swansea, which was due by 2018, will not be completed until between 2019 and 2024. That is an unacceptable delay and one that has the potential to damage the economies of south-west Wales, which will still be waiting for electrification years after electrification to Cardiff is complete.

Jonathan Edwards: Will the hon. Member take another intervention on that point?

Christina Rees: I will try it.

Jonathan Edwards: I am extremely grateful to the hon. Member; she is being extremely generous in giving way again. I agree with everything she has said about the electrification to Swansea; we have been seriously let down on that particular issue by the UK Government since the election.

The comprehensive spending review came with the statement of funding policy document, which refers to High Speed 2. In that document, Wales gets a 0% rating, which has a drastic effect on the overall comparability percentage when the Barnett formula is applied. Can the hon. Member explain why the Labour Government in Cardiff are accepting the line of the Tory Government here in London that Wales will not lose out on many millions of pounds in the future because of that decision?

Christina Rees: That was such a long intervention that I cannot remember now what the beginning was. We also have north Wales to consider and surely—

Jonathan Edwards: The south Wales economy is getting blasted.

Sorry, Mr Hollobone.

Christina Rees: The news about HS2 comes just weeks after the Public Accounts Committee concluded that the £1.5 billion rise in the cost of electrification to Cardiff was “staggering and unacceptable”. It is now down to the Government to get a grip of the project, to ensure that the upgraded line is delivered quickly and with the maximum value for money for the taxpayer. With that in mind, can the Minister please tell us when he expects the electrification to Swansea to be complete?
Welsh Government. I suggest that all Members focus on delivery, including the delivery by the Welsh Government of many projects, such as the M4 relief road, the electrification of valleys lines and other capital projects around Wales. When the hon. Lady's predecessor, Peter Hain, was the Member for Neath, he cancelled the M4 relief road back in 1997. It is hard to believe that despite there being a Labour Administration in Cardiff Bay since 1999, we are still debating the same project, which is vital for the prosperity of Wales, given the commercial opportunities that it would create.

Jonathan Edwards: I am very grateful to the Minister for giving way, and his reply will be very useful to me as somebody who represents the communities in the west of our country. When the borrowing powers were awarded to the Welsh Government, was there a caveat that enhanced borrowing powers would only become available if the money was invested in the M4 relief road, or has that decision been made by the Labour Members in the Welsh Government independently?

Alun Cairns: I will happily write to the hon. Gentleman with further details. I can confirm now that the Welsh Government’s power to borrow up to £500 million for capital spending was initially due to start wholesale in 2018. The UK Government recognise that those powers are integral to the delivery of the M4 relief road, so early access to the borrowing powers was facilitated. The hon. Gentleman will know that that happened some years ago, but we are yet to see those borrowing powers being exercised to deliver that vital road project.

The hon. Gentleman will also know that during the recent rugby world cup, many demands and calls were made for that relief road. That is why, as I have pointed out, it was sad that that project was cancelled in 1997, following the previous Government’s decision to deliver that road.

Craig Williams: This is not just about the big projects. Our capital city is still without a ring road, and the eastern bay link has been on the cards for many a year. Even when it comes to smaller capital projects, the Welsh Government just do not get on and deliver.

Alun Cairns: My hon. Friend highlights another infrastructure project that has been called for. I can certainly remember that project from before the turn of the century. Businesses would welcome it. Bear in mind the resources available: the 16% increase in capital spend gives the Welsh Government the opportunity and the power. Instead of focusing on some of the issues raised today, this debate should focus on delivery by the Welsh Government, because all the resources have been put in their hands. The spending review saw more than just economic investment in skills and infrastructure.

Glyn Davies: On the implications of the autumn statement beyond economic development, one of the consequences that was not, I think, specifically announced in the Chamber on that day was a very big cut to the support for Sianel Pedwar Cymru, the Welsh language channel, from the Department for Culture, Media and Sport. Does the Minister share the disappointment that those of us who love the Welsh language—I know that that includes him—feel about that huge reduction in support? It may have an implication for the BBC’s support for S4C. It is particularly disappointing for the Minister and me because of our party's record in stimulating the Welsh language and S4C over the past 30 years.

Alun Cairns: My hon. Friend raises an important point. S4C is crucial for the vitality of the language, and it creates social, cultural and economic opportunities. It would be wholly improper for me to provide a running commentary on the charter renewal negotiations. They are ongoing, but I am pleased to hear that Tony Hall said that broadcasting in the nations needs to be protected by the BBC, and I would hope that that would extend to S4C.

Susan Elan Jones (Clwyd South) (Lab): The Minister seems to have forgotten a line from his party’s general election manifesto, which said that if elected, his party would safeguard the funding and editorial independence of S4C. How does he square that commitment with what happened in the comprehensive spending review?

Alun Cairns: The hon. Lady needs to recognise that the amount of funding from DCMS is relatively small. The proposal to cut from £7.6 million to £5 million over an extended period of time provides an opportunity for S4C to make its contribution to the savings. The spending review proposed £400,000 of funding savings from S4C in the first year, but she needs to recognise that negotiations with the BBC are ongoing, and to recognise the statements coming from Tony Hall. We welcome those statements and hope that the BBC will be able to deliver on them.

The Welsh Government’s total funding is underpinned by our commitment to introducing a funding floor, as the hon. Member for Neath said. I would have hoped that she would have welcomed the funding floor, because it was only two weeks before the autumn statement that there was a debate in this Chamber about the need for a funding floor. There was doubt that it would be delivered, but a funding floor of 115% will be introduced. That is well within the Holtham commission’s fair funding range, and I would have hoped that that would be welcomed by the hon. Lady.

Christina Rees: I did welcome it, but there are too many provisos in there.

Alun Cairns: The surveyor and architect of fair funding for Wales, Gerry Holtham, analysed the position and came up with a range of solutions. After the autumn statement, he said that it was a fair settlement. That is the fundamental point. There will be political commentary from all around, but the person commissioned by the Welsh Government to provide the assessment and establish the financial relationship between the UK Government and the Welsh Government has said that it is a fair settlement, and that is testament to the strength of the Administration in Westminster, which has delivered on something that has been talked about, but never delivered, by the Opposition.

Huw Irranca-Davies (Ogmore) (Lab): My apologies, Mr Hollobone, for arriving a minute into the debate. On the 11.5% Barnett floor, why is it only for the term of the Parliament? What is the Government’s thinking behind that? The Minister will be aware of the worry that there is no long-term commitment. I am sure he will say, “Governments can only bind one Parliament”, but what is his thinking, long term?
Alun Cairns: Having been a Minister, the hon. Gentleman will know that no Government can bind another Government, though I would largely welcome a Government that could bind a Labour Administration, hopefully in the long-term future, to prevent them from pursuing the sorts of policies that they would want to introduce. Clearly, that is not how democracy works. It is obvious that this Administration can only plan for this Administration, and it would be wholly wrong and inappropriate to come up with commitments that bind any future Administration. The hon. Gentleman tried hard to draw something from me, but I hope he will respect the argument that he would be making, were he standing in my position.

I hope that Opposition Members recognise the commitment. The surveyor and architect of fair funding said that this was a “very reasonable” and fair settlement. Any political rhetoric on the issue needs to recognise the comments of that independent commentator.

Another element of the autumn statement enabled the Welsh Government to alter Welsh rates of income tax without a referendum. That offers exciting opportunities to attract new investors, and tax powers to reform the Welsh economy. The Welsh Government can take on more responsibility for how they raise money, as well as how they spend it. The National Assembly will finally take its place alongside other mature legislatures by being accountable to the people it serves. The new tax-raising powers put important fiscal levers in the hands of the Welsh Government, which they can use to grow the Welsh economy, to deliver new opportunities and to attract new investment.

Silk estimated that a 1p cut in the higher rate of tax would equate to a drop in revenue of £12 million. That is only a little more than the Welsh Government reportedly lost selling land in Monmouthshire, for example. Think of the opportunities that the cut of one penny could create: tens of millions of pounds might be spent on business support, or other discrete areas of the Welsh Government. People can now make a comparison: should they pursue one policy, given its cost to the taxpayer, or another, such as reducing the rate of income tax to attract investors and entrepreneurs to Wales?

Huw Irranca-Davies: The leader of the Conservative party in Wales has opened up the front on this matter by proposing a 5p drop in the top rate of income tax. That would equate to £40 million or £50 million, which is not a drop in the ocean in terms of the Welsh budget. It is curious that the leader of the Conservative party in Wales thinks that the leader of the Conservative party in Wales thinks that the best way to incentivise entrepreneurship, rather than investment in infrastructure, the innovation funds and everything else. Why does it have to be a cut in the top rate of tax? How many people on the frontline of our public services, including nurses and the police, have already been cut? Have the Conservatives made those calculations when committing to a 5p cut in the top rate of income tax?

Alun Cairns: The hon. Gentleman is demonstrating his misunderstanding, because he compares capital projects with revenue projects. The rate of income tax would affect revenue projects only. These are the sorts of policies that could be presented in a manifesto. People can choose whether they want to see money spent on pet projects of the Welsh Government or a cut in income tax. People will make their choices according to their objectives, but it is up to each political party to make its case. The whole point about the autumn statement is that it empowers the Welsh Government to make the case on whether it should be spending more or less.

Susan Elan Jones: Does the Minister think that Jobs Growth Wales is a pet project of the Welsh Government?

Alun Cairns: It is up to people to make judgments on what are pet projects. The point I am making is that we are in a serious debate. The opportunity to cut income tax rates is an opportunity to attract more investors and entrepreneurs to Wales.

In the 20 seconds that remain of the debate, I want to scotch any concern about the Barnett consequentials for HS2 funding in the autumn statement. The hon. Member for Carmarthenshire East and Dinefwr (Jonathan Edwards) has misunderstood the tables presented in the statement. We will happily go through it and write to him with the detail.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.
Specialist Neuromuscular Care and Treatments

[MR GRAHAM BRADY in the Chair]

2.30 pm

Mrs Cheryl Gillan (Chesham and Amersham) (Con): I beg to move.

That this House has considered access to specialist neuromuscular care and treatments.

Mr Graham Brady (in the Chair): Mrs Gillan, you have the opportunity to speak to the motion.

Mrs Gillan: Thank you very much, Mr Brady. I was not sure whether you were going to say something more from the Chair before I spoke again. May I welcome you warmly to the Chair? Perhaps we will get through this debate together without knowing too many details about the procedure.

I also welcome the Minister to his position. When one is a Minister, one sometimes finds oneself in debates where it is déjà vu all over again, as they say. I am afraid that this is probably going to be one of those debates, but it is no less serious than the debate that we had last week on this subject, and I am grateful for the opportunity that the House has given me to reinforce that debate, by allowing this debate today. I see colleagues in the Chamber who were also here last week, and they will know how passionately I feel about this subject; indeed, many of my colleagues, from all parties in the House, feel passionately about it.

I really am delighted to have an opportunity to speak about this subject, because as I think we all know, there are more than 60 different types of muscular dystrophy and related neuromuscular conditions. It is now widely accepted that approximately 1,000 children and adults for every 1 million of the population in the UK are affected by these muscle-wasting conditions, and it is estimated that some 70,000 people right across the UK are affected.

I appreciate that there are other areas that we could discuss under this topic, and I am sure that we will hear from colleagues about them. However, I will use this opportunity to concentrate on muscular dystrophies such as Duchenne muscular dystrophy, on which I have been working hard with my constituents, the Hill family, in order to gain access to a drug called Translarna.

Around 2,500 children and adults in the UK have Duchenne and almost all of them are male. The condition is caused by the lack of a vital muscle protein called dystrophin. It leads to muscles weakening and wasting over time, and to increasingly severe disability. The vital heart and breathing muscles are affected, which often causes devastating cardiac and respiratory difficulties. In older patients, assisted ventilation can be required, which necessitates 24-hour care. Some patients have to undergo a tracheostomy procedure and, sadly, few people live with this condition past their 30th birthday.

Duchenne has a huge impact on families and on the individuals who suffer from it. Only about 100 boys are diagnosed with it every year in the UK, but it is hard to overstate the devastation to the individual and the surrounding family that it causes. The diagnosis is really hard to come to terms with, and the family must deal with huge challenges as the condition progresses and the patient grows older. It usually leads to full-time wheelchair use, surgery for scoliosis, which often involves inserting iron rods into the patient’s back, and the use of full-time assisted ventilation.

As the Minister knows, there is a very brave little boy who is my constituent. He is called Archie Hill and his parents, Gary and Louisa Hill, together with his brother, Leyton, have campaigned tirelessly for access to Translarna. To put things in context for my colleagues who are here for this debate, I can do no better than to use the words, once again, of Gary and Louisa Hill, which I hope will help people to understand the devastation that this condition causes:

“Being told your child will probably die before you, has to be the most devastating thing you can tell anyone. Archie was diagnosed in 2008. Over the next couple of years we became very reclusive, barely getting out the car at school drop off, sometimes not even answering the phone...we wanted to grieve on our own (grieving is not too strong a word). We’re angry, we look at other families and wonder why us?”

They wonder why it has happened to their beautiful child. They blame themselves, even though they know it is not their fault.

The emotional effect on siblings is really apparent, although I have to say that, having met Leyton, I know he is a fantastic support to his brother and to his mother and father. He is an integral part of this team and should be equally praised for his courage and perseverance. I know that he struggles with his concentration, and that he is deeply affected by his brother’s condition, but he is also a very brave little boy coping with this in his family.

Archie faces huge day-to-day challenges. His parents say:

“He is taken out of lessons for physio on a daily basis. He suffers from…mood swings”.

I find that hardly surprising. They go on:

“Every so often he will ask us questions about his condition; does it only affect my legs? Do I always have to take this medicine? Why do I have to wear the night splints?”

He asks all the sorts of questions that a child of his age would ask their parents when they knew that they were suffering from this condition.

Despite that, Archie has great stamina, and he has spent whole days here campaigning, marching up to Downing Street and telling the Prime Minister what he wants and what the Prime Minister should do about it. Quite frankly, he is one of the pluckiest little spirits that I have ever met in my life.

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman) indicated assent.

Mrs Gillan: I see the Minister nodding his head; I know that he agrees; anybody who has met Archie will know that what I am saying is true.

It is not just Archie who is affected by this condition. Sue Barnley, whose son Harry would benefit from Translarna, says:

“If Harry could get Translarna now whilst he is the best he is ever going to get, ie not gaining any more skills, only deteriorating then this will enable us to have more fun on a day to day basis. We gain a lot of support from our family and friends already, this will only increase as time goes on.”
She goes on to say:

“...it seems cruel that the drug is there to make a massive difference to a child's life, yet it is totally out of reach. Living with Duchenne is like living under a very dark cloud, we as parents know what Harry's...future holds, to have some extra time living for the 'here and now' would make a BIG BIG difference, time to know what Harry's...future holds, to have some extra time living for the 'here and now' would make a BIG BIG difference, time to know what Harry’s...future holds, to have some extra time living for the ‘here and now’ would make a BIG BIG difference, time to know what Harry’s...future holds, to have some extra time living for the ‘here and now’ would make a BIG BIG difference, time to know what Harry’s...future holds, to have some extra time living for the ‘here and now’ would make a BIG BIG difference, time to know what Harry’s...future holds, to have some extra time living for the ‘here and now’ would make a BIG BIG difference, time to know what Harry’s...future holds, to have some extra time living for the ‘here and now’ would make a BIG BIG difference, time to know what 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to develop clinical guidance on the assessment, diagnosis and referral of uncommon neurological problems. Muscular Dystrophy UK attended the initial scoping workshop on 11 November and will be participating in the consultation, which I understand has already started. While muscular dystrophies and neuromuscular conditions were listed as among the many conditions covered by the guideline and despite past assurances from NICE, there is concern that the focus on muscle-wasting conditions might be minimal unless the complexities of the conditions are highlighted. Given the internationally recognised standards of care for Duchenne and spinal muscular atrophy, it is disappointing that the NICE guidelines that are being developed are far more generic than the original guideline proposed by NICE to cover uncommon neuromuscular conditions in a letter to Muscular Dystrophy UK in November 2013.

Muscular Dystrophy UK has proposed that the guidelines should address the following: paediatric neuromuscular services specifically for Duchenne muscular dystrophy, in conjunction with current guidelines; the use of steroids as effective therapy in terms of the age when the optimal effect can be achieved, whether there should be a continuous or intermittent dosing regime, and how to manage the side effects; spinal surgery to correct or prevent scoliosis, with evidence regarding the optimum age and management pre and post surgery; and respiratory support, with a comparison of the evidence regarding invasive and non-invasive interventions, including comparisons with experiences in Denmark, where evidence suggests that men with Duchenne are living into their 40s because of the relatively high standard of respiratory support. So far as adult neuromuscular services are concerned, the guidelines need to address: diagnosis and the importance of GPs recognising the conditions, making early referrals and ensuring effective links from primary into tertiary care; respiratory support, as I have talked about before; and cardiac support, including regular monitoring to detect and address the deterioration of the heart through the progression of muscle-wasting conditions.

High costs can be involved in unplanned emergency admissions due to Duchenne and other muscle-wasting conditions, and in living with such conditions. There is a cost attached to not taking action to implement preventative care. Access to specialist multidisciplinary care, including access to respiratory, cardiac and physiotherapy support, can contribute to reducing avoidable, unplanned emergency admissions to hospital. A clinical audit of emergency hospital admissions that was led by Professor Mike Hanna revealed in June 2012 that 40% of these costly admissions could have been prevented if patients had been able to access expert tertiary care, specialist physiotherapy and — this is the worst finding of all — vital medical equipment. It has been estimated that addressing those issues could save the NHS more than £32 million a year as the appropriate proportion of NHS spending on neuromuscular services.

The cost of living with Duchenne is enormous. In the first study of its kind, academics found that the overall care for each patient with Duchenne cost the UK economy about £71,000 a year, giving a national total of £120 million. That survey was led by Newcastle University and a team in Sweden. Some 770 patients and their primary caregivers in the UK, Germany, Italy and the US were asked to complete a questionnaire on their experience of living with Duchenne and its impact on their need to access medical care, employment, leisure time and quality of life. The direct cost of the illness across all countries was at least eight times higher than the average health expenditure per person, and the figure for the UK was 16 times higher. The overall figures included medical treatment as well as the cost associated with the loss of employment among caregivers. In the UK, nearly half of caregivers reduced their working hours or stopped working completely owing to their relatives’ Duchenne muscular dystrophy. I therefore have several questions that I hope the Minister will answer during his winding-up speech.

When we discussed access to medicines last week in Westminster Hall, the Minister mentioned that he had made contact with NICE about both Translarna and Vimizim. I hope he feels that he may have reached a point with NICE such that he can talk about those drugs. I understand that they are used in similar situations, so if there is good news about Vimizim, we hope there will be good news about Translarna, and vice-versa.

Will the Minister provide more details on ensuring standards of care for muscular dystrophy and neuromuscular conditions? I really hope that clinical trials will be developed, so will he say a little more about that? I also want him to ensure that NICE gives more prominence to muscular dystrophy and neuromuscular conditions in the development of the uncommon neurological conditions guidelines, as was outlined in the original proposal.

Lastly, I hope the Minister will join me in congratulating Muscular Dystrophy UK on its work to develop information and resources for people with muscle-wasting conditions and to support health professionals through its “Bridging the Gap” project. More than 400 GPs and 150 physiotherapists completed the online learning modules about muscular dystrophy. The charity has sent out 4,500 alert cards for specific muscle-wasting conditions and 300 care plans, which is a positive step forward to improve how we treat and look after our patients with Duchenne.

I finish with a plea to the Minister. When I asked for this debate, as he knows, it was entirely based on trying to get Translarna cleared for Archie Hill. The Hill family went on holiday today, I think shortly before the debate began. I do not know what the Minister can do to speed the process along but, for the Hill family and Archie, and for all the other children and their parents at this time of year, if the Minister could ask NICE to bring forward a positive decision on Translarna, it would be the best Christmas present that any parent or child could get.

Several hon. Members rose—

Mr Graham Brady (in the Chair): Order. Five or six Members want to participate and I want to get on to the winding-up speeches by no later than 3.35 pm. Although there is no formal time limit on speeches, if Members can keep their remarks to around six or seven minutes, we will be able to accommodate everybody.

2.53 pm

Rachael Maskell (York Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Brady. I congratulate the right hon. Member for Chesham and Amersham (Mrs Gillan) on speaking with such passion
once again about her constituent and neuromuscular disorders. Such disorders often do not receive the profile of other medical conditions, yet for each of the 70,000 people affected, they are all-encompassing. I want to talk about a range of services and the challenges within them. I recognise that the conditions affect adults as well as children. I declare my interest as a physiotherapist who has worked in this field in the NHS for 20 years and is registered with the Health and Care Professions Council. I want to examine three themes: specialist services and how they are delivered; transition; and a timely response at the time of need.

I will deal first with specialist services. A multidisciplinary team is essential for delivering services to people with neuromuscular disorders, but access can often be challenging. District hospitals have teams of staff who specialise in paediatrics, neurology or other fields, but those people might not have the specific skills that are needed when dealing with neuromuscular disorders. Practitioners are practised in the principles of such conditions, but might not be as familiar with particular syndromes as those who are, so many—60 or more, as we have heard. This situation is likely to be exacerbated in the community when general practitioners and community physios do not have the specific skills, so it is important to ensure that people with these conditions can access those with the right skills who understand the pathology of the disorder and the specialist treatment that is required.

For instance, there are two specialist centres in London and one in Oxford for the whole of the south-east, so people have to travel vast distances to consult a specialist team. Owing to the nature of their disability, that can be very challenging, and the centres can even prove to be inaccessible, especially as their disease advances. How do we bring specialist services to those with neuromuscular disorders? How do we train staff to provide optimum care in the community, and how do we provide a rapid self-referral service when that is needed?

If I take muscular dystrophy as an example, paediatric patients in York benefit from Leeds general infirmary’s outreach service. That provides an opportunity for families to meet specialist practitioners but, obviously, some have to travel to those services. Will the Minister ensure that funding for that outreach hub-and-spoke model of service provision will continue and that clinicians will be able to travel to deliver their services, either individually or as a team?

It is important that services are placed in appropriate locations. For example, if a patient will benefit from hydrotherapy, we need hydropools to be available. Anisa Kothia, a member of the York muscle group, has a son, Yusef, who has Duchenne muscular dystrophy, and hydrotherapy is a vital component of his treatment. It relaxes his muscles so that his limbs can be taken through their range of movements, and the buoyancy of the water helps his movement. Will the Minister support a national review between the Department of Health and the Department for Communities and Local Government into hydrotherapy provision and ensure that any deficits that there are—

Ongoing services rely on clinicians with less of a specialism, however, so that requires professionals to be trained and the provision of regular updates, which is why Gita Ramdharry, associate professor at St George’s, University of London, and Kingston University, has been working with Muscular Dystrophy UK to develop new online physiotherapy training. Will the Minister set aside resources to ensure that we can have specialist online training to equip professionals to provide the optimum treatment? Obviously, more specialist care training is also needed which, for physio, can be very hands-on.

I have had discussions with senior clinicians in other fields about global medical education. I think that that is relevant for neuromuscular disorders, because such disorders often require a global view that enables recruitment from around the world to participate in webinars, to examine case studies and academic papers, and to demonstrate learning by making a submission. We need to take medical training to another level, so will the Minister look at that more deeply, particularly with regard to neuromuscular conditions?

Before I move on, I want to highlight that much of the care for long-term progressive conditions is provided by the family. Good self-management is key, as Labour’s expert patient initiative has proven. If the professional knows the patient and their condition, the treatment will be optimal and will provide the best support. For example, a chest infection often accompanies a neuromuscular disorder, and a chest physio who knows the patient will know how best to support sputum clearance with a combination of the best postural drainage, manual support, and expectation or suction techniques. Knowing exactly what the patient needs is critical, and can be life-saving.

All physios have the competencies required to treat a patient, but knowing the individual can make the difference. Rapid access to services can be transformative, and self-referral is very important, so will the Minister ensure that all services provide rapid-access routes to the appropriate clinicians and that all patients can self-refer, rather than having to go through the normal access channels? In north and west Yorkshire, we have only one neuromuscular care adviser to cover more than 3,500 adults and children. Will the Minister recognise the need to provide additional professionals in that role, including in north Yorkshire?

I have previously talked about the need to review the transition between child and adolescent mental health services, and adult mental health services. We should do the same for neuromuscular disorders, because using someone’s age as a measure is arbitrary. The pathology of Duchenne muscular dystrophy is more likely to be understood in paediatric services than adult services, owing to the number of children who, sadly, still do not make it to adulthood. A person’s medical team and physios know that individual and know how to progress their treatment. It is entirely arbitrary and nonsensical that someone’s birthday should determine that they have to transfer to another team.

Continuity of service provision is important. The condition of those who do reach adulthood is often at an advanced stage, so they need continuity. The findings in the field are that young adults are often lost in the service and then re-emerge later with problems that were preventable. Will the Minister take a serious look at the interface between paediatric and adult services right across the Department of Health, and particularly with regard to neuromuscular disorders, because surely specialism should override age?
We should be making a timely response to need. A worsening situation has been observed across the spectrum of neuromuscular disorders. It has been seen by clinicians in practice, and now constituents are writing to me about it. Orthotics, wheelchairs and equipment must be in place when they are needed. Infants and children grow, and disease processes may degenerate, so the combination of the two means that expediency is important. Patients are waiting far too long for appropriate equipment, and that is essentially an issue of under-resourcing and poor prioritisation.

If someone is measured for a chair, they need that chair, but people are waiting month upon month before their chair arrives. While they are waiting, they will be positioned inappropriately and might not even have enough support for their frame. That can exacerbate pain, as well as compromise a patient’s musculoskeletal situation and, dangerously, their respiratory function. There is absolutely no excuse for that. When a chair arrives, a patient needs it, so we need to ensure that we get the right equipment in the right place at the right time.

Planning for what equipment will be required is part of the management process, because people must always be prepared for the next stage, and the outsourcing of services has made the situation far worse. With life-limiting conditions, there is no time to wait. Will the Minister agree to carry out an urgent review of the situation? Will he ensure that, starting on 1 April 2016, there will be a waiting-time marker for the renewal and provision of equipment so that the time between the initial request for an assessment and the patient receiving the equipment is measured?

For someone with a rare condition, their future depends on the whole NHS and care service working around them to provide optimum support. I have not touched on research and pharmaceuticals, nor on advances in science, but there are things that can be done immediately that can really change someone’s outcomes. We need the best provision and to give individuals hope to ensure that we can extend their life and improve their quality of life. I look forward to hearing the Minister’s response.

3.4 pm

Caroline Nokes (Romsey and Southampton North) (Con): As ever, it is a pleasure to serve under your chairmanship, Mr Brady. I pay tribute to my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan), who secured this important debate today. It is on a recurring theme which she brings us back to time and again. Not only does she work tirelessly to highlight the case of her constituent, Archie Hill, but she is extremely knowledgeable, so I will endeavour not to repeat any of her comments because I want to give other Members the chance to contribute.

Like my right hon. Friend, I have a constituent who suffers from Duchenne muscular dystrophy. Jagger Curtis is a pupil at Romsey Abbey primary school and is just eight years old. I have highlighted Jagger’s case in this Chamber before and I have raised it twice at Prime Minister’s questions, but, like Archie, Jagger is still waiting for an answer on whether he will be allowed to have Translarna. I will focus briefly on the issue of treatment, but mainly I want to echo my right hon. Friend’s calls, asking when families such as Jagger’s can expect to be notified of guidance from the National Institute for Health and Care Excellence on access to Translarna.

I know the Minister is aware of the time sensitivities of access to this drug—it has to be prescribed while the patient is still mobile—so I ask him to consider meeting me and my constituents, Jules Geary and James Curtis, who are Jagger’s parents, to discuss how the process might be accelerated. It might not necessarily be accelerated now, for their son, but it should be for the other hundred boys who will be diagnosed with Duchenne muscular dystrophy every single year. We have been waiting many months for a decision on Translarna, and every deadline appears to result in a decision to prolong matters further. There are concerns about the clinical trial capacity for drugs developed to assist neuromuscular conditions; will the Minister please assure me that he is actively promoting the network of specialist muscle centres as a means to overcome that problem?

Other issues associated with Jagger’s care have also raised huge concerns. He has had to wait far too long for his specialist wheelchair, and there seems to be little understanding that the chair is a lifeline for Jagger and his parents. Last week he went on holiday to Tenerife, and his wheelchair arrived literally just in time—the very day before he went on holiday—despite the fact that it was ordered back in May. The hon. Member for York Central (Rachael Maskell) referred to the fact that children grow and change, and their needs change. It seems to be an absolute tragedy that a child can wait all those months, and then by the time the chair arrives the danger is that it will no longer be correct for their condition.

Jagger still has his mobility, but his parents have done an arguably very difficult thing in making sure that he has that chair. Inevitably, as a child with a condition in which his muscles deteriorate, he tires really easily, so that chair is his lifeline and his access to continued mobility now and in future. He is still suitable for treatment with Translarna—he is one of the boys who has the nonsense mutation—but his family feels as though the clock is ticking very quickly.

Muscular Dystrophy UK has highlighted the problems with wheelchair provision throughout the country. Clinical commissioning groups are now responsible for commissioning wheelchair services. I am really conscious that in west Hampshire there have been delays for many people, not just Jagger. For those with neuromuscular conditions, as the hon. Member for York Central said, it is all about getting the right chair at the right time. It can be particularly devastating for children to have to wait for a chair that enhances their freedom.

I recently saw that Jagger’s mother had posted on Facebook a picture of him proudly showing off his new chair. However, it also said that the family had launched a GoFundMe page to buy a powered sitting and standing chair to enable Jagger to live his life as fully and actively as possible. It is heartbreaking that they are trying to fund that through GoFundMe because they do not have the confidence that the CCG is going to provide that sort of facility for them.

In the south-east we lag behind the rest of the country in the provision of neuromuscular care and adviser support. As we have heard, there are two specialist treatment centres in London and one in Oxford. That is
a two-hour journey for a child in a wheelchair, coming via Waterloo, and his parents tell me that it is incredibly difficult for them to do that whenever Jagger needs to come to London for treatment. There is also a problem with specialist guidance. These families are looking for support—they need support, advice and information.

We are lucky that in Romsey we have brilliant GPs, but Jules Geary told me the tale of trying to get Jagger diagnosed. As a first-time mum, she was often dismissed as a worried mother, when in fact she was the one who knew her son best and knew that there was a problem. I do not blame the GPs at all, because if 100 boys are diagnosed every year, one would not expect a GP in Romsey to see it very often. It was not until James read an article in the Daily Mail about Duchenne muscular dystrophy that he pointed his finger and said, “Those are the same symptoms that Jagger has.” They took that article to the GP, and it was only then that the specialist tests were done on Jagger.

I know that we keep returning to this subject, but that is because it is important. It is right that we keep returning to it. Quality of life, especially for children, is crucial. I hope the Minister will look round this Chamber this afternoon and hear the cross-party and apolitical calls for help for those with such conditions, and I hope he will address some of the points that we raise.

3.10 pm

Ms Margaret Ritchie (South Down) (SDLP): It is a pleasure to serve under your chairmanship, Mr Brady. I congratulate the right hon. Member for Chesham and Amersham (Mrs Gillan) on securing this debate on a vital issue that affects many young people throughout the UK.

As the right hon. Lady said, neuromuscular diseases come in many different forms. In fact, there are about 60 different types of muscular dystrophy and related neuromuscular conditions, which makes it difficult for the NHS to provide clear-cut statistics on the number of people affected by such diseases. However, research undertaken by Muscular Dystrophy UK suggests that out of every 1 million of the UK’s population, approximately 1,000 children and adults are affected by such muscle-wasting conditions. On that basis, we can estimate that some 70,000 of our constituents, of whom approximately 2,000 live in Northern Ireland, are affected by those conditions.

Another way of totalling the scale of the issue is to look at the admission rates of those with neuromuscular diseases to accident and emergency departments. Muscular Dystrophy UK undertook work on that issue and found that in Northern Ireland in 2011, 787 people with a neuromuscular condition were admitted to A&E departments requiring emergency treatment, at an estimated cost of £2.2 million. Those figures are broadly in line with the GB average. There were 28,000 emergency admissions in the UK, at a cost of £81 million. Relying on the emergency services to fill the gaps in treatment for people with such conditions robs people of their independence and costs the NHS much more than a well-designed system that helps people to manage their conditions and avoids emergencies.

I am sure everyone in this Chamber is in agreement on this issue and wants the best possible treatment and care to be provided to people living with the effects of this cruel disease. Unfortunately, we are not there yet. There is still much work to do—in particular, on an issue that the right hon. Lady already referred to: Duchenne muscular dystrophy and the need for Translarna to be commissioned by NICE and approved by its guidelines. It is important that that happens, because Translarna is already in use in France, Germany, Italy and Spain. Families in those countries can use it, but families here are waiting for it.

Will Quince (Colchester) (Con): One of my constituents has two sons with Duchenne. Does the hon. Lady agree that it is deeply regrettable that they are considering moving to France and commuting back to work so that their sons have the vital access to those drugs?

Ms Ritchie: I thank the hon. Gentleman for his intervention. I agree. His point illustrates that we urgently need a decision from the Minister. I hope the Minister provides us with some welcome information on that issue. It is deeply regrettable that families will go through Christmas not knowing for sure whether the drug will be approved. In the new year, NICE’s decision must not be delayed further. We must end the difficult wait of those families and children.

In Northern Ireland, there has been a commitment for more adult neuromuscular nurse specialists and adult neuromuscular consultants. I share the hope that, when combined with increased care adviser support, the new specialists will begin to improve our currently overstretched services, although there are still valid concerns about how that can be carried out effectively in the context of broader reorganisation and funding scarcity. If we are to achieve the standard of care we all want, much more must be done to co-ordinate better and join up services to ensure patients with muscle-wasting conditions get the help they need efficiently and effectively.

Before I conclude, I want to mention one of my constituents, a lady called Michaela Hollywood, who is wheelchair-bound and was born with spinal muscular atrophy. She was born without ears and is permanently in a wheelchair. She is now 25 years old. She received a Points of Light award, and on Thursday last week she was with the Prime Minister when the Christmas tree lights were turned on in Downing Street. She is on the BBC’s list of the 100 most inspirational women. She received her undergraduate and master’s degrees from Ulster University, and she hopes to go back to do her PhD. She is a lady of immense capacity. She is a campaigner for young people like her with muscle-wasting conditions and, although she spends every day of her life in a wheelchair, she very much enjoys every one of those days because she is a constant campaigner with enormous zeal for life.

Michaela gave evidence to the all-party group on muscular dystrophy in the Northern Ireland Assembly for its report on specialist neuromuscular care. What she said is most important, because it highlights the need for joined-up Government thinking, whether here at Westminster and in the Department for Health or in the devolved Administrations. She said:

“There’s physiotherapy and hydrotherapy, trying just to cover everything. I do receive physiotherapy but it’s a tricky issue because when you’re under 18, with a neuromuscular condition,
you have respiratory physio in the community; when you’re over 18 and in the community, with a neuromuscular condition, you’re with disability physios, even though you’re deemed as having a respiratory problem. So that I think is something that is a prime example of the disjointed care that we’re receiving. If we have one specialist multidisciplinary team…that would make things so much easier. If we had a physio that concentrated on neuromuscular diseases but also had experience within respiratory areas, that would make things easier. Also, if we had a cardiologist who pretty much had a good knowledge all round, that would help too.”

Michaela’s words make the case for a joined-up service better than any of us could, so I will end by simply reiterating her appeal for specialist multidisciplinary teams for the treatment of muscular dystrophy to be established. I call on NICE to make its decision on Translarna with the utmost urgency. I hope the Minister will give us some favourable answers to alleviate the distress that is felt by many people throughout the UK.

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in this debate. It is always a pleasure to follow the hon. Member for South Down (Ms Ritchie), who made an impassioned plea on behalf of her constituent. Every one of us has constituents who suffer from Duchenne muscular dystrophy and other diseases and problems, so it is always good to make a plea on behalf of them in this Chamber. As always, it is good to see the Minister and the shadow Minister here.

I congratulate the right hon. Member for Chesham and Amersham (Mrs Gillan) on setting the scene for us all. She clearly outlined the issues, and asked questions of the Minister that we all endorse and support. I thank all other Members who have spoken. I am my party’s spokesperson on health, and I hope to find out about promising developments on the mainland that can be taken back to Northern Ireland, and that thoughts from Northern Ireland can be explained to the Minister. Perhaps the combination of the two can help us to look forward together, in ways that are to our advantage.

As other hon. Members have said, there are some 60 different types of neuromuscular condition, and it is estimated that around 60,000 to 70,000 people in the UK live with neurological conditions that affect their muscle function. Duchenne muscular dystrophy has been mentioned in particular. A couple of my constituents have that condition, and I am aware of the issues. At an event at the Methodist central hall across the way, people with the condition from across the United Kingdom of Great Britain and Northern Ireland clearly explained their needs, the issues—such as the massive advances in medical technology—and the best approaches. There are different levels of Duchenne, and what is medicine for one may not be medicine for another; that is the point I am trying to make.

In Northern Ireland, an estimated 1,600 people in the Southern Health and Social Care Trust area alone are diagnosed with neurological illnesses each year. That is equivalent to the number diagnosed with a major cancer; the conditions we are debating are of as great a relevance as some better-known ones. An estimated 34,000 people in Northern Ireland suffer from a disabling long-term neurological or neuromuscular condition such as epilepsy, multiple sclerosis, Parkinson’s disease, or one of the rare disorders such as motor neurone disease or muscular dystrophy, including Duchenne muscular dystrophy.

Neurological symptoms such as headaches are one of the most common reasons for seeing a general practitioner, and they account for up to 8% of emergency department visits.

Last year, a new dedicated out-patient centre for neurology, with some responsibility for neuromuscular issues, was opened in Northern Ireland. That has been a positive development in the Province, helping with the nationwide momentum for access to treatment, and better treatment, for those living with neurological conditions. The new facility helps us to move towards meeting some of the latest standards in caring for people with long-term neurological and neuromuscular conditions. Since it opened, feedback has been very positive. Improved access to a modernised facility makes life much easier for patients and greatly improves their overall experience of their care.

I understand that the proposed multidisciplinary team will include neuromuscular consultants, neuromuscular physiotherapists and speech and language therapists, along with other care professionals. One of the key service outcomes, which I welcome, is that all patients with long-term neurological conditions have an individual care plan. The hon. Member for Romsey and Southampton North (Caroline Nokes) commented on access to wheelchairs; it is important for each individual to have a wheelchair that suits them. That might seem a small thing to some people, but to the patients it is massive. With 60,000 to 70,000 people in the UK living with neurological conditions, we must take those conditions seriously and prioritise our responsibility to those living with them.

A landmark decision could end the agonising wait for the delivery of the treatment that we are talking about to all those eligible to benefit in England, Wales and Northern Ireland. For those in Northern Ireland who benefited from the dedicated out-patient service I mentioned, I am sure this would be an additional boost. Nation-wide, the momentum is now in favour of those living with neurological conditions. That may not always be how it feels, but there is a step forward, and we have to look at that, and at how to deliver that better. Although the move is very well intentioned and welcome overall, concerns have been raised and reservations expressed.

I know that the Minister will respond to what has been said about the NICE conditions. Lately he seems regularly to make particular reference to NICE in responding to debates in Westminster Hall and the main Chamber, and I think that is what Members are interested in. There is a need for a specific NICE response. It has asked for further clarification from PTC Therapeutics of the degree of benefit that its drug Translarna provides in the treatment of a type of Duchenne muscular dystrophy.

DMD is one of a group of muscular dystrophies, which are inherited genetic conditions that cause the body to produce too little dystrophin, a substance crucial for muscle functioning. Seeing some of the young patients who have the condition focuses one’s attention quickly on how critical the availability of the medicine is. The condition leads to changes in the muscle fibres, which gradually weaken the muscles, resulting in an increasing level of disability. The decline in physical functioning in DMD leads to respiratory and cardiac failure and eventual death, usually before the age of 30.
Ataluren is the first licensed treatment for DMD that addresses the loss of dystrophin, the underlying cause of the condition. It has a conditional marketing authorisation in the UK for the treatment of DMD. The families of children affected, and Muscular Dystrophy UK, have campaigned for NHS England to make the drug available, since it became the first EU-approved drug for tackling Duchenne muscular dystrophy last August. The condition affects 2,500 people in the UK, causing increasingly severe disability and cutting lives short. It would be useful if the Minister and his Department could address NICE’s concerns, as it has asked questions. The right hon. Member for Chesham and Amersham referred to NICE and outlined four or five questions. I think that the focus that will emerge from the debate will be on how to improve the NICE guidelines and improve access to drugs throughout the United Kingdom of Great Britain and Northern Ireland.

Whenever I attend health debates in Westminster Hall, I ask whether we can have not just a regional strategy but a UK-wide one, bringing Northern Ireland, Scotland and Wales together. Will the Minister consider that? The four regions can benefit from each other’s knowledge. Collectively, we can do better.

3.26 pm

Mrs Madeleine Moon (Bridgend) (Lab): I want to speak not so much about Duchenne muscular dystrophy as about Parkinson’s disease and motor neurone disease—particularly the latter, which is also a neuromuscular condition. I will consider the problem of getting appropriate diagnosis and in-care support from neurologists. That is critical. We have already heard about the difficulty that those living in the wrong part of the country have in obtaining a quick diagnosis and the right support as they progress through the condition.

Neurological disorders account for up to 20% of acute medical admissions, and there are more than 60 different neuromuscular conditions. I was helped to understand the patchwork problem that people experience in getting access to neurological advice, support and guidance by a report commissioned in 2014 by the Association of British Neurologists. With 60,000 to 70,000 people in the UK living with a neuromuscular condition, there is considerable pressure on neurologists, and on specialist diagnosis and support. In 2011, a joint report of the ABN and the Royal College of Physicians, “Local adult neurology services for the next decade”, recommended that all relevant patients be admitted to hospitals that had an acute neurological service led by consultant neurologists. We are nowhere near that position now.

In 2014 a survey by the ABN found that the likelihood of a patient with a neurological problem being seen by a neurologist varies dramatically depending on where they live. The availability of a neurological review varied according to the type of hospital the patient was admitted to—whether it was a neuroscience centre, a neurology centre or a district general hospital, with or without neurological support. It was significantly better to be seen at a neuroscience centre, where there was support on 91% of days. Those who went to a neurological centre got support from a neurologist on only 80% of days. District general hospitals with a neurologist based at them had access to a neurologist on only 58% of working days. In contrast, access for patients at district general hospitals with no resident neurologist was available on only 32% of days. That is totally unacceptable, when we know that access to such neurological support dramatically changes the impact on a patient; there is an effect on their capacity to continue their life, and on their prospects of being discharged from hospital with a good quality of life.

I am concerned about the fact that access to CT and MRI imaging varies between hospitals. MRI was available 24/7 at only 30% of sites in the UK. The 2014 study identified a wide variation in access to specialist services for patients presenting with acute neurological disorders. As liaison neurology services change the diagnosis and management of a high proportion of patients, improving outcomes and reducing length of stay, there is an opportunity to improve both patient care and cost-effectiveness.

The all-party parliamentary group on motor neurone disease recently heard emotional and dramatic evidence from Mark and Katy Styles. Mark worked in local government and Katy was a secondary school teacher before she gave up work to become Mark’s full-time carer. Mark has a form of motor neurone disease called Kennedy’s disease, which is slowly progressive and genetic, passed from mothers to sons. He lives in Canterbury, and they have to travel to University College hospital in London to see a neurologist. That is nonsensical. Support should exist locally, because his condition may soon deteriorate to the extent that he cannot access the neurological support that he and his wife need. When Katy was working, she earned £150 a day. She now gets £67 a week to provide the on-duty, 24/7 care that her husband needs. We must recognise the invaluable work of carers and ensure that they get the necessary support.

Some 30% of people with motor neurone disease will die within one year of diagnosis. It is absolutely critical that they get rapid access to help and support for their condition. I will not repeat all the words that have been said about access to wheelchairs, but I stress that if someone with MND has the wrong wheelchair, they may not be able to communicate that. An ill-fitting wheelchair causes acute pain, and someone with MND may lose their speech and the ability to move their hands and upper limbs. They cannot communicate that they are in pain or distress, so the provision of wheelchairs is critical.

The APPG commissioned a report last year called “Condemned to Silence” about access to communication support. The issue is not money, because the Government have put money in place for communication support; it is poor roll-out, and something must be done to improve it. I look forward to hearing from the Minister what steps are being taken to ensure that people are not condemned to die without access to communication support, which they need to talk to their loved ones and carers about their needs, and to avoid suffering the indignity of being unable to communicate if they are admitted to hospital.

I have two final points. First, access to care support is critical as conditions deteriorate. People cannot wait for further assessments, or be put on waiting lists for care support, because they often need double-handling care support. If people are not to be condemned to lie in beds, support must be available immediately. Access to hoists and high-low hospital beds is often delayed.
We must get faster at providing them. Secondly, access to finance to research such conditions is vital if we are to give families hope, and a sense that time and research will give them—perhaps family members, who may inherit a condition—a better life in the future.

3.33 pm

Richard Arkless (Dumfries and Galloway) (SNP): I thank the right hon. Member for Chesham and Amersham (Mrs Gillan) for securing a debate on a subject that clearly touches many people for various reasons. It is also of course a pleasure to serve under your chairmanship, Mr Brady. Those Members who know my background as a lawyer and a businessman may be forgiven for asking, “Why are you here to speak about neuromuscular diseases?” I am not a member of the SNP health team, which is lucky to have the profound experience of my hon. Friends the Members for Central Ayrshire (Mr Whitford) and for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), but I am developing something perhaps even more important and certainly more profound: I am living with motor neurone disease within my family.

If I can declare an interest of sorts, Mr Brady, my mother has motor neurone disease and, if Members will allow me, I will restrict my comments to that experience. I do not mean to sideline the 59 other important neuromuscular diseases; I want to ensure that what I say comes from a real place, not just a bunch of briefing notes. That notwithstanding, I want to add my voice to the calls to the Minister to persuade him to get Translarna approved as quickly as is humanly possible. I know that he looks sympathetically on that cause, and we have heard many vivid stories today about how it would affect people quickly.

Like everybody, I would lay claim to my mother—and indeed my wife—being the best that there is. She is the most selfless, dedicated mother in the world. She has literally lived her life for me, my brother, Nicholas, and my baby sister, Poppy—a baby who is now in her twenties. We have been her life. She has lived her life exclusively for us. My brother and sister and I will always be grateful for that. My mother was diagnosed 20 months ago. She kept it a secret with my dad for 16 of those months—thank goodness that she has my dad, with whom she has an unbreakable bond—so I always be grateful for that. My mother was diagnosed 20 months ago. She kept it a secret with my dad for 16 of those months—thank goodness that she has my dad, with whom she has an unbreakable bond—so I have only been living with it for a few months. It is difficult and, as may become obvious during this speech, extremely raw.

During those 16 months, we witnessed the deterioration of my mother’s speech and joints. She explained the speech by way of fictional dentures that she had apparently had implanted. She explained the hands with reference to a historical arthritis problem in our family. Both were plausible and not really questioned up until the point that she decided to tell us. She did not tell me, my brother or sister or our extended family until after I was lucky enough to be in this place and make my maiden speech. She was determined that I should pursue my dream, and of course her dream, of making Scotland a better nation. I suspect that what she really wants now is a second referendum before it is too late, but I suppose that you get the point.

I will return to my mother later, but I want to pick up on some points made by other Members in this enlightening and touching debate. The right hon. Member for Chesham and Amersham is right to say that there are 60 different types of neurological disease, and I hope that she will forgive me for indulging myself with only one of them today. She talked about the Hill family, particularly Archie. I have this vivid image in my mind of Archie running up to 10 Downing Street and giving the Prime Minister what for—if only all of us could get that opportunity.

The speech of the hon. Member for York Central (Rachel Maskell) was touching indeed. She brings a wealth of practical experience, to which the Minister ought to listen carefully. I was particularly captured by her assertion that equipment needs to be made available when needed. It needs to be the right equipment in the right place at the right time, because time moves too quickly with such diseases. I hope that the Minister will pay careful heed to the hon. Lady’s practical experience, which has substantially benefited the debate.

I was particularly touched by the story of Jagger from the hon. Member for Romsey and Southampton North (Caroline Nokes). I hope that he enjoys his break in Tenerife and that the Minister will listen to calls for Translarna to be approved as soon as possible.

The debate has been consensual so far, and I want to take the politics out of what I am going to say. I want to touch on some things that Scotland is doing well on motor neurone disease, but I do not mean that to be a criticism of the UK Government. I hope that everybody’s ears are open. If we are doing things right, I sincerely hope that the UK can learn. If the UK is doing things right, my ears are open and Scotland can certainly learn. There is no politics in this whatsoever. As an aside, as new Member I have been frankly dismayed at how health services are politicised by both sides of the House. I have become increasingly amenable to the suggestion that perhaps the health service should not be run by politicians at all, but by people who have at heart the interests of the people whom we are here to serve.

Motor neurone disease is a neurological degenerative disease. In simple terms, the mind is fine and continues to operate with full function, but the body gradually gives up. The signals do not go from the mind to the body to make it work: that is how I think of it. Patients are affected differently. My brother-in-law died from it a couple of years ago, and his limbs were affected first. His legs started to give way for no apparent reason. However, my mother’s speech was the first thing to go—this was a lady who liked to talk, who seriously touch on some things that Scotland is doing well on motor neurone disease. Over the past year we have announced that we will double the number of motor neurone nurses. We are very much in the early stages, but the Scottish Government have provided funding to local authorities to ensure that things happen. At the moment local authorities are recruiting and assessing the need, and I hope that process will be speeded up as we go on.

That funding is a recognition of the difference that specialist nursing can make to motor neurone disease. My mother has to rely on a motor neurone nurse who comes from another region and who can only come on a part-time basis. A very proud woman, she was initially most reluctant to consider any form of help, but she has since come to realise what a benefit the nurse is. She has
asked me to take up the cause of getting more motor neuromuscular nurses throughout not only Scotland, but the rest of the UK—we are all human beings, despite our political views.

The change in Scotland has been praised in all quarters. Huge thanks are due to people such as Archie and Jagger. In Scotland a gentleman called Gordon Aikman, Christina McKelvie MSP, and all the staff at MND Scotland have done an incredible job of persuading the Government of the immediate need for those services. We have committed to giving a free voice box on the NHS and to paying families directly for support, not as a patronising gesture to pay people to look after their relatives, but to ensure that support is available if needed. We have also increased investment in palliative care.

I live in a town called Stranraer. The UK average is two people with motor neuromuscular disease per 100,000; the Stranraer average is 13 per 10,000—an astronomical figure. I have asked the chief executive of our local health board to figure out exactly why—

Mr Graham Brady (in the Chair): Order. I am sorry, the hon. Gentleman must resume his seat. I am loth to interrupt a very personal story, but we need to leave time for both the official Opposition spokesperson and the Minister to wind up. I have allowed more than eight minutes, and I am keen to allow the same to the official Opposition.

3.42 pm

Barbara Keeley (Worsley and Eccles South) (Lab): It is a pleasure to speak in the debate with you in the Chair, Mr Brady.

As others have done, I congratulate the right hon. Member for Chesham and Amersham (Mrs Gillan) on securing the debate. She gave a moving account of the Hill family in the light of Archie’s diagnosis and of the impact on Archie and his family of Duchenne. We have also heard excellent speeches from my hon. Friend the Member for York Central and rare cancers.

The all-party group for muscular dystrophy has carried out essential work to raise awareness and understanding of the needs of people living with muscular dystrophy and other neuromuscular conditions. I congratulate the APG on the quality of its inquiries and reports. The right hon. Member for Chesham and Amersham also paid tribute to the work of Muscular Dystrophy UK, and I join her in that tribute.

Providing access to treatment for people with muscular dystrophy is complex, because it is a rare condition. There are challenges in delivering localised, specialised care to people who have multiple, complex needs, but that cannot be an excuse for poor-quality care. As we have heard, some 70,000 people are affected by a neuromuscular condition in the UK. We must ensure that the NHS delivers equal treatment for equal need and that those with complex needs may have access to the treatment and support necessary to help them achieve the best quality of life possible.

In 2009 the APG’s Walton report showed clear deficiencies in the provision and planning of, and access to, care for people living with neuromuscular conditions. It found cases where care was “inadequate and not acceptable”. Although the report offered many sensible recommendations to improve the quality of care, the potential for progress was limited by the coalition Government’s reforms of the NHS under the Health and Social Care Act 2012.

Given those reforms, the APG undertook a six-month inquiry that considered their impact, releasing another report in March this year. Sadly, the reorganisation of the NHS and other reforms had done little to improve access to and availability of treatment for patients with neuromuscular conditions. Sadly, in fact, the reforms had made it even harder for patients to access support as a result of significant regional variations in the commissioning and funding of services. That is the nub of what I want to say.

There is a failure to join up services, and confusion about responsibilities and processes is a common theme. The hon. Member for South Down gave us an excellent quote on that lack of joined-up services. At the national strategic level there has been no specific mention of neuromuscular conditions in the five-year forward view, nor anything in the consultation document on the draft NHS mandate, which suggests a failure to recognise the specific needs of such patients at the strategic level. In fact, the five-year forward view groups together rare diseases and cancers, but there is a great deal of difference between all the conditions that we have discussed today and rare cancers.

There is a lack of clear guidance on which bodies in the NHS fund certain services and, as we have heard, sometimes people are not even receiving crucial respiratory support. Locally, there were examples of clinical commissioning groups failing to fund sessions of specialist neuromuscular physiotherapy or to provide sufficient funding for people to receive the right wheelchair at the right time. That is clearly so important and was mentioned by my hon. Friend the Member for York Central and the hon. Member for Romsey and Southampton North. It must be right for a child to have a comfortable chair while growing up.

The coalition Government’s reforms have also contributed to a delay in decisions on the availability of drug treatment for Duchenne muscular dystrophy, a life-limiting illness that affects about 2,500 boys and adults. The right hon. Member for Chesham and Amersham talked about that so well. To have to wait with a condition such as Duchenne for a decision on the drug Translarna is clearly agonising. It is a shame that the issue has been caused by NHS England halting its assessments to review its processes. I was not present at a Westminster Hall debate last week in which I understand that the Minister present said that he was “hopeful” that access to the drug would become available:

“...I am hopeful about Translarna....NICE has been consulting on the process, and I believe the company has been engaging with NICE on pricing. I am hopeful that there will be a decision in the next few months” — [Official Report, 8 December 2015; Vol. 603, c. 274WH.]

As he went on to say, however, the decision is not in his gift.

I hope that the Minister’s optimism is well founded, because as we have heard today it must be recognised that time is an important factor. The decision is different
from some others, because the timing can affect the benefit that the boys will receive. I wish to ask, as everyone else has done, about that decision, and what he is doing to ensure that delays do not happen again. We must ensure that system of wider support is available for patients and their families and carers. In some cases people need 24-hour support and care; homes must be adapted; physiotherapy, speech and language therapy, and occupational therapy need to be available; and carers need access to the right advice and support, as has been said.

I am concerned, like others, that the Government’s failure to protect social care funding and other non-NHS health funding, such as training budgets, will mean that that wider network of support is not available when needed. The Walton report highlighted issues with social care back in 2009, but since then the number of people with access to publicly funded social care has fallen by 25%. The availability of the right support for people with specialist care needs is unlikely unless we have a sustainable funding settlement for both the NHS and social care. The difficulty with recent funding announcements, if the Minister intends to refer to them, is that the 2% social care precept and the better care fund are back-loaded funding mechanisms, with nothing this year and little next year.

We have heard about the regional differences in access to care. The Walton report highlighted that there were only 13 neuromuscular care co-ordinators when 60 were felt to be needed. My hon. Friend the Member for York Central said that there was only a single neuromuscular care adviser in North Yorkshire; in fact, no neuromuscular care adviser support is available for adults living with such conditions in Greater Manchester or the surrounding areas of the north-west. That is in spite of the fact that an estimated 8,100 people with a muscle-wasting condition live in the north-west. There is a need to ensure that clinical commissioning groups and other regional health organisations are aware of their responsibilities. Sadly, the findings of the 2015 APG report suggest little progress in the issue of unequal access.

Given the devolution deals on health and social care in certain parts of the country, will the Minister assure us that the inequalities in specialised services that we have heard about will be addressed and that the relevant bodies will be made aware of their responsibilities, which they do not seem to be at the moment? The debate has highlighted the fact that we have ingrained problems in our health and social care system. The lack of a sustainable funding settlement for social care and other recent reforms have led to fragmentation and instability in services. That means that inequalities in care sadly will continue. I urge the Minister to consider in full the most recent report and recommendations from the APG. We must ensure that people with neuromuscular conditions receive the care that they need, and that those inequalities in care are addressed.

3.49 pm

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): It is a pleasure to serve under your chairmanship, Mr Brady. I am left with 10 minutes in which to try to deliver my speech and the answers that I have carefully prepared while listening to colleagues’ comments. If I run short of time, I will undertake to write to everyone in the Chamber with answers to the points raised.

I start by paying tribute to my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) for securing the debate. She is a tenacious advocate on this issue, as on others. I join her in paying tribute to Archie and his family. I have met patients who suffer from these diseases and their families, and one’s heart goes out to them. One wants to pay tribute to the bravery with which they deal with their conditions. As is so often the case in the history of medical progress, the families, patients and carers are those who advocate and, in the end, win through to make their point heard, with the help of colleagues from across the House. My right hon. Friend eloquently paid tribute to the families of children with these disorders and diseases who, in many ways, suffer every bit as much as the patients who show such incredible fortitude. She asked me last week whether I would give her an A grade for effort and persistence. I will happily give her an A-plus in this end-of-term summary, but the people to whom we really want to give an A-plus are NICE and NHS England.

I want to touch on some of the excellent points that were raised. My right hon. Friend raised Vimizim and Translarna, so I will say something in detail about the timing of those decisions in a minute. She also made an important point about standards of care across the NHS in clinical trials, which was mentioned by numerous colleagues, and the importance of NICE giving more prominence to the time aspect of these conditions, which are unusual because they can deteriorate with every week’s delay in getting treatment.

The hon. Member for York Central (Rachael Maskell) gave us the benefit of her front-line clinical expertise. In case I run short of time, I shall say now that I will happily convene a meeting at the Department of Health with officials from my Department and NHS England, to which I invite colleagues from all parties who want to discuss the issues she and others raised about front-line care, because a range of practical issues about such care has been raised, in addition to access to drugs, and giving colleagues the chance to raise such points on behalf of their constituents would represent a powerful opportunity. The hon. Lady talked in particular about training and the interface of paediatric and specialist services, which I come across in connection with numerous different specialist conditions.

My hon. Friend the Member for Romsey and Southampton North (Caroline Nokes) spoke passionately about James, Jules and Jagger Curtis, and the importance of expediting those particular decisions and quicker assessment, as well as adoption in general. That is a passion of mine, which was why I launched the accelerated assessment, as well as adoption in general. That is a passion of mine, which was why I launched the accelerated assessment, as well as adoption in general. That is a passion of mine, which was why I launched the accelerated assessment, as well as adoption in general. That is a passion of mine, which was why I launched the accelerated assessment, as well as adoption in general. That is a passion of mine, which was why I launched the accelerated assessment, as well as adoption in general. That is a passion of mine, which was why I launched the accelerated assessment, as well as adoption in general. 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devolved Administration in Northern Ireland put in place a similarly enlightened commissioning process.

The hon. Member for Bridgend (Mrs Moon) raised the broader issues of Parkinson's and neurological disorders, while the hon. Member for Dumfries and Galloway (Richard Arkless) spoke passionately about his mother's suffering. Before I came to Parliament, I worked in Scotland and, as he highlighted, in this area, as in several others, Scotland pioneers some of the clinical commissioning work. The supreme irony of the debate was brought to light by his request that we depoliticise the NHS. For me, one of the greatest steps following the Health and Social Care Act 2012 was the separation of the NHS from the Department of Health. NHS England now operates under its own arm's length management, subject to a mandate from Ministers.

We do not control the NHS—believe me that if, for one afternoon, I could do that, I wish it was now. I would love nothing more than to pull the lever and give all these children the drugs that we all want them to get before Christmas, but that is not in my gift, and I suggest that it is in all our interests that it is not. It is right that such decisions are taken by NHS England and clinical professionals, advised by the very best people at NICE.

Barbara Keeley: It is important that the NHS mandate covers these conditions because at the moment it does not. Something must be done to make sure that they are covered.

George Freeman: In the few minutes I have available, let me say a few things about the main issues raised. I pay tribute to Muscular Dystrophy UK, Robert Meadowcroft, Emily Crossley, the Duchenne Children's Trust, Action Duchenne and all the other organisations that work so hard in this area, and specifically on the two or three key drugs.

I remind the House that the decision from NICE on Vimizim is due before the end of the year. Without breaching due process, I have asked that, if that decision is in the pipeline, it can be made as quickly as possible, ideally before we all break up for the Christmas holidays. That is not in my gift, but I made that request. Similarly, I have requested that the Translarna decision, which I believe is due in February, is similarly expedited. However, again, that is not in my gift, and while during the year the Prime Minister and I have urged NICE and NHS England to do everything they can to expedite their decision making on those drugs, we do not have the power—rightly, in my view—to step in and breach process. It is fair to all patients in the NHS that decisions are taken properly.

Mrs Gillan: The Minister has given us a sympathetic hearing and I know that he has done everything in his power to try to bring forward that decision. Quite rightly, it is not his decision to make, but, through him, may I appeal to the men and women who are making that decision? If they have any humanity about them, they ought to make a positive announcement before Christmas.

George Freeman: My right hon. Friend made the point more powerfully that I could. On Vimizim, I am delighted that BioMarin, the company concerned, has, following exhortation from government and others, sat down with NHS England and gone through pricing flexibilities. I have been able to grant an access agreement. The drugs are incredibly expensive, which is what makes NICE's work difficult, so if anyone from PTC Therapeutics, the company responsible for making Translarna, is watching, I urge them to sit down with NHS England and adopt a similar approach.

On specialist commissioning, we lived through and focused on difficult decisions, and this summer NHS England agreed to 23 new treatments, including Duodopa, which controls the symptoms of patients with Parkinson's disease, wider access to proton beam therapy, and extending treatment with ivacaftor for cystic fibrosis involving G551D mutations.

We live in an age of extraordinary biomedical progress, but budgets struggle to keep up with the rate of progress that our scientists and researchers make. I know that this is of little comfort to my right hon. Friend and to Archie and his family, but I hope that hon. Members agree that, in deciding which treatments should be procured on behalf of us all, due process must apply. However, I share their frustration, which was why I launched the accelerated access review, which will report independently to me in the spring. That substantial piece of work is examining whether we can do more to embrace breakthroughs in genomics and informatics to give NICE and NHS England new flexibilities to speed up how innovations for patients are assessed, as well as to explore new pathways and flexibilities for different models of reimbursement to get innovation through quicker.

I want to pick up the point that was made about specialist neuromuscular care. The truth is that there are few curative treatments for most of these diseases, so we are talking about the importance of routine care for people that is provided by local primary and secondary care services via local CCGs. However, a number of specialist services have been designated among the 146 that NHS England is responsible for commissioning nationally, which are set out in legislation and commissioned directly by NHS England through 10 area teams. Twenty-five specialised neurological treatment centres across England ensure that patients can access high-quality neurological care where they live.

As I said, I will be happy to convene a meeting in the Department with officials and NHS England to talk about how we can address some of the practical issues raised when providing front-line, integrated services. I fear that the clock is against my being able to go through the 22 questions for which I had answers prepared, so I close by saying that while we all would want to pull a lever to make this happen quickly, the truth is that we need a system that is rigorous, robust and evidence-based, but quicker, in recognition of the effects on these patients.

Motion lapsed (Standing Order No. 10(6)).

4 pm

Sitting suspended for a Division in the House.
**Weymouth to Waterloo Rail Line**

*Mrs Madeleine Moon in the Chair*

4.11 pm

Richard Drax (South Dorset) (Con): I beg to move, That this House has considered the Weymouth to Waterloo rail line.

It is a pleasure to serve under your chairmanship, Mrs Moon, and a great pleasure to see the Minister here, whom I regaled, for half an hour of her precious time, only about two hours ago, so I thank her for that. It is very nice to see her in her place.

Welcome to a number of colleagues, and to a right hon. colleague, my right hon. Friend the Member for West Dorset (Mr Letwin); it is a particular pleasure to see him here. I will talk for about 10 minutes, then another colleague would like to say something, and I think others want to intervene. After that, the Minister will obviously respond.

I start by saying that Dorset is one of the most beautiful and unspoiled counties in the country, with a Jurassic and world heritage coastline that is the envy of the world. That combination of sea, coast and countryside attracts millions of visitors and tourists. At the height of the summer, the road system struggles to cope and frequently does not. That is not to say that we are all crying out for a motorway—indeed, the lack of one is part of the attraction. However, we simply cannot sit back and depend on seasonal jobs, which do not provide a secure enough career and future prospects for many of our constituents. We need to attract investment into the area, and rail connectivity is key. The lack of it already makes things very hard for those who live and work in Dorset, thwarting many ambitious plans.

Take Portland port, which is a growing port: commercial road traffic there is expected to treble in the years ahead, and the number of visiting cruise ships continues to rise, dropping off countless thousands of customers, who then go into all our constituencies. In the centre of my constituency, a newly announced enterprise zone on the outskirts of Wool is expected to generate thousands of jobs—so too, hopefully, are our expanding marine and engineering industries, new museums and tourist attractions.

For all those to work, we need to improve our infrastructure, and with little scope for more roads, for reasons I have explained, rail is the only option. There has been a railway line to Weymouth for 148 years. The terminus, originally designed by one of Brunel’s assistants, sits only yards from the resort’s golden beaches. The line was decisive in opening up the town, which was first made fashionable by George III and his followers in 1789, hence the façade. It is not hard to imagine the scene as the early tourists enjoyed the waters from their wheeled bathing huts. The same train continued to the Channel Islands ferry terminal at the mouth of Weymouth harbour, winding its way through the town, led by a man waving a red flag to clear the way. Times have changed, but the significance of rail travel has not, and if we are to ensure that both Weymouth and Portland can thrive today as they did back in the 19th century, some imaginative thinking is required.

Two trains an hour serve Weymouth from Waterloo. Typically, they take three hours to travel only 130 miles, so the time is considerable. There is an infrequent and sporadic service to Yeovil and Bristol. With the aim of speeding up trains to Weymouth, I began to investigate the various possibilities with South West Trains. We came up with three options. The first was to run a faster, third train in each direction on the current route via Bournemouth and Southampton, but that would require substantially more power, platforms and rolling stock, making it expensive and, due to the bottleneck in the New Forest, essentially unworkable. Even if multimillions of pounds were spent on new electricity substations, the increasing number of passengers from projected new housing developments would give any franchisee little flexibility to drop a station in order to generate faster journey times on a line that is already run to capacity.

The second option is to make one of the two hourly London trains “fast” and the other “slow.” However, the negative impact on intermediate stations effectively rules that out. The third option is via Yeovil, and I and many others—not least the colleagues sitting around these tables—believe that that is a goer. With much of the infrastructure in place, it is more affordable and has major advantages. It would: reduce the journey time from Weymouth to London to two hours and 25 minutes; provide more room for passengers on the existing line through Bournemouth and Southampton; expand capacity and business opportunities across a number of south-western constituencies; connect Dorset to Heathrow—I sorely hope that the planned expansion there eventually gets the go-ahead—and take up some of the ample capacity on the Weymouth-to-Bristol line.

The proposal would mean an additional service to Waterloo via Yeovil and Salisbury, with reduced stops, calling at Weymouth, Dorchester West, Yeovil Junction, Salisbury and London.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I am very grateful to my hon. Friend for giving way and for securing this important debate. Does he agree that if the new route via Yeovil goes ahead, it still has the potential to benefit my constituents, who neighbour his, by increasing capacity on the trains, hopefully thereby increasing rail use and relieving a great deal of pressure on our roads, particularly in and around Wareham?

Richard Drax: I entirely agree. As my hon. Friend well knows, the charity railway, which will be linked from Swanage to the main line through Wareham, will also play its part, which is very good news. And yes, that will relieve pressure greatly on the line through his constituency. I have also heard today that he and others are looking at a new metro service running between Christchurch and Wareham, or something of that nature. In itself, that will take up more capacity on the line, which makes my plan less workable, although his constituents will be able to travel backwards and forwards more efficiently and more ably, which is very good for him and others.

The work needed for the third proposal would be relatively minimal—certainly less than would be required on the Bournemouth-to-Southampton line. That work includes some short stretches of new track, enhancements to platforms at Weymouth, Yeovil and Salisbury, an increase in the speed limit on parts of the line, and the extension of a footbridge. I—or we, I should say—believe that none of those is impossible.
John Glen (Salisbury) (Con): Does my hon. Friend not recognise the absolute imperative, however, of having clarity about the infrastructure costs required, and particularly the cost of dualling the track between Yeovil and Salisbury, which would be key to unlocking a secure future for his plans?

Richard Drax: My hon. Friend makes a very good point. In fact, it is key, as the Minister well knows, because this is a point that we raised with her only an hour or two ago. I say to her gently and humbly that if Network Rail could possibly do the study and come back with some sort of affordability plan, that would help us. We went away from the meeting that the Minister kindly held feeling very positive. At the moment, the local enterprise partnerships all down that line—this is the plan—would be very keen to draw up some sort of business plan and come back to her. What we do not want—my hon. Friend the Member for Salisbury (John Glen) mentioned this—is to do all the work, and for Network Rail to come back and say, “That’s not how we did it,” or “They have missed out this or that,” or “They haven’t put this into the equation.” That would be unfortunate, particularly if a great deal of money was spent on the report that the LEPs are considering drawing up. Some clarity from the Minister at the end of the debate would be most helpful.

It is estimated that the plan for a service via Yeovil would take between three and five years to complete; as with all these things, it would not happen immediately, but it chimes with the Dorset local master plan to reconnect the south and north of the county by train for the first time in almost 30 years, and to link Dorchester and Weymouth to Exeter in the west. As the Minister knows, the Members to my west, east and immediate north are all involved in this potential project and would benefit equally. We are all in this together.

I and many others believe that the proposal would have a dramatically beneficial effect on Weymouth and Portland and, as discussed earlier with the Minister, the whole region. Weymouth and Portland would be connected to a vital east-west arterial route, and that would promise better access for businesses, visitors and tourists, and hopefully generate more investment in the resort.

It is lovely to see my right hon. Friend the Member for West Dorset here. Dorchester would play a key role because it is in a key location. With the housing on the Prince of Wales’s land—this was discussed with the Minister earlier—and other developments across that part of the world in the years ahead, we must have an updated, modern railway system; otherwise, we will simply not cope.

Mr Oliver Letwin (West Dorset) (Con): It is absolutely true that my constituents in Dorchester and Sherborne, and indeed those between them, would hugely welcome the plan that my hon. Friend is describing. Does he agree that if we could get the LEPs to co-ordinate with Network Rail on the specifications of the report, we should be able to establish a very strong business case?

Richard Drax: I entirely agree with my right hon. Friend. It would be useful to have some clarity from the Minister. We are very willing to help out and to do our part, but some guidance from Network Rail would be hugely helpful, so that it does not say that all the work that we have done does not come up to scratch. Some negotiation between the two parties would be hugely beneficial.

The knock-on effect—all good—would be dramatic for train times. Pending a study, it is estimated that Weymouth to Waterloo would take two hours, 25 minutes; the typical time now is three hours. If there was a direct service from Salisbury to London, that time could be reduced by a further 10 to 15 minutes. That would have a knock-on effect for the rest of the region. Yeovil to Waterloo would take two hours; Honiton to Waterloo would take two hours, 30 minutes; Exeter to Waterloo would take two hours, 50 minutes; and north Devon—a crucial area that is growing and has very little rail network—to Waterloo would take three hours, 55 minutes. If the non-stop Salisbury to London service introduced a third service in the hour, it would greatly reduce the time—by another 10 to 15 minutes. My hon. Friend the Member for Salisbury is very keen on that.

I have done the train journey to Weymouth in my constituency; three hours is a long time for visitors and businesses, and is beyond daily commuting. What we need, as I am sure the Minister knows, because she has been to my part of the world many times, is to break away from the seasonal hole. It is important to my constituents; they can have longer-term careers and prospects only if we attract investment. I have said, and will say again, that because of the inability to improve our roads dramatically—we can tinker at the edges—rail connectivity really is the key, just as it was for George III and his team. If it was good enough for him, it is good enough for my constituents.

As the Minister knows, the Yeovil option has the support of the local chamber of commerce and the local enterprise partnerships up and down the line. I know of two that are behind it, and further work has been done. I cannot see them not being involved. Weymouth and Portland Borough Council, North Dorset District Council, bordering LEPs and councils, my right hon. and hon. Friends who are sitting around me, and many others who are not here would benefit. I am sure that those who are not here would have been here, if they could.

Bringing these huge benefits to so many for a relatively modest investment in railway terms—the Minister said how amazing it was that even a little work costs a lot of money, but in railway terms, this would be a fairly modest investment—would be an achievement that we could all be proud of. Dare I say that as Conservatives—I am proud that we have a Conservative Government—we always go on about jobs, prosperity, wealth and the northern powerhouse, which I totally accept and am totally behind, as I am sure are my colleagues, but how about the south and south-west powerhouse? It depends so much on rural activities, and we need all the help we can get.

I have requests for the Minister. First, will she consider commissioning Network Rail, with the LEPs, if indeed that is the way we go, to undertake a study to look at this idea? Secondly, will she instruct the Department to include the scheme in the south-western refranchising specification, if indeed that is possible? I believe this project is innovative, affordable and doable, and has far-reaching benefits for my constituents and those represented by MPs who are here, and those who are not here. Let us not forget that one of them—the right
hon. Member for Exeter (Mr Bradshaw)—is a Labour MP; I am sure that if he knew this debate was taking place, or could attend, he would be just as keen on the project. I hope that the Government will play their part in making it happen.

Mrs Madeleine Moon (in the Chair): Before calling Mr Fysh, I alert him to the fact that he has an allowance of four minutes before the Minister needs to sum up.

4.27 pm

Marcus Fysh (Yeovil) (Con): Thank you, Mrs Moon. It is a great pleasure to follow my hon. Friend. The Member for South Dorset (Richard Drax). Delivering jobs and opportunities to the south-west is at the centre of my mission as an MP and a major focus of our Government. Somerset is a key gateway to the south-west and presents substantial economic opportunities, including in Dorset, as we have heard.

The Government are spending a massive amount on dualling the A303 and A358 corridor, and this scheme would be a perfect complement to that. It would enhance the prospects for jobs as well as networking our centres of economic growth to allow them to grow more rapidly together than would otherwise be the case. Double tracking the line between Templecombe and Salisbury is essential for that and could unlock substantial further growth. Importantly, it would help a great deal while the A303 work is being carried out because that will probably cause serious congestion that might otherwise present a substantial challenge to the area.

It is important that the analysis of the potential upgrade is carried out in a joined-up way with, and at the same time as, the current analysis on double tracking west of Yeovil. Network Rail is undertaking that analysis as part of its investigation into increasing the resilience of the south-west peninsula. It is hard to think about how trains will be scheduled and what enhancements are necessary without looking at capacity over the whole route at the same time.

South Somerset, of which Yeovil is the key town, has ambitious plans for growth in housing and industry, and would be greatly enhanced by the plan for better rail connectivity, which could bring Yeovil closer to London by up to 40 minutes. That would represent a real step change with knock-on benefits for the whole of the south-west, including Devon and the rest of the south-west peninsula. I cannot emphasise the idea of networking enough. Whenever I have looked professionally at economic projects around the world, the element of new public infrastructure to connect places and reduce journey times, thus raising economic potential, has been a major feature. This is a major plan for jobs and opportunities in the south-west, so we must grab it with both hands.

4.30 pm

The Parliamentary Under-Secretary of State for Transport (Claire Perry): It is a pleasure to serve under your chairmanship, Mrs Moon. I congratulate my hon. Friend the Member for South Dorset (Richard Drax) on securing this debate and everything that he said, but will the Minister indulge me and reiterate that she supports the large improvements that will be required over the years to come at my station in Woking, which is on the line?

Claire Perry: Indeed; I would be happy to support that. I was going to come on to say that the Weymouth and Waterloo termini are at either end of the south-west main line. That line has the third-rail system, which is rather old electrified technology, and we know that that is one reason why its trains run more slowly than on lines with overhead technology. My hon. Friend raises an important point. Ultimately, the aspiration is to bring all electrified track up to the state-of-the-art level, which would include the investments that he references.

As we heard, journey times on the line are anywhere from two hours 40 minutes to three hours. My hon. Friend the Member for South Dorset came to see me well before the general election to discuss the idea of upgrading the electrical supply along the line to provide a power boost. Some work has been done and, as he rightly said, it is difficult to see the cost-effectiveness—the business case—of those specific investments. As he is a person who does not give up easily, he therefore turned to option 2, which is the idea of connecting that line with the one running through Yeovil, thereby allowing a diversionary route that, of course, would benefit stations in Yeovil and Salisbury, which are represented by hon. Friends in the Chamber. That proposal is interesting, and we had an excellent session this afternoon to run through what would actually need to be done to deliver the journey time improvements that we want. We want to deliver the increased frequency and decreased journey times that would deliver the economic benefits about which we have heard a great deal.

As we know, this is a vital franchise area for the country. Waterloo is the busiest station in the UK. This franchise carries millions of people every year, which was why we announced this year that we would have a franchise competition with a view to getting a new operator in place for 2017. This is a fortuitous time to be discussing infrastructure, because the franchising opportunity gives us a chance to look at what we really want to achieve for the whole of the south-west network. There are proposals to introduce faster trains, and perhaps diesel or bimodal trains, which might be something that bidders come back with to deliver improvements to journey times overall.

There is also the question of how to get investment for infrastructure. My hon. Friend spoke about this, and I am always amazed by how expensive it is to do things on the railways. However, we are talking about a small set of projects—this is not something of the scale of the Great Western electrification. We have clearly signalled our desire not to route all railway investment...
through Network Rail, but to use the train operating companies as the commissioners, as well as the operators running on the network. We have an example of that, because FirstGroup is already taking the lead role in the Selby to Hull electrification project.

While we are going through the franchise process, there is an opportunity to engage with the bidders and determine their appetite is to deliver improvements. Of course, the question is: what is the cost to them? My hon. Friend is right that one cannot set out the business case without knowing the cost. In all honesty, I do not want to burden Network Rail with any more projects at the moment, given its enormous challenge of delivering the projects that we have already set out, but I will discuss with my officials a way of trying to get a better analysis of at least what the range of costs might be for these improvements. We can then start to build a case that takes account of those costs and examines the benefits that improvements to journey times and greater connectivity could deliver.

What was so refreshing in today’s meeting—I pay tribute to my hon. Friend, as well as others who attended—was that we had the local enterprise partnerships and local councils present, as well as MPs assiduously representing their constituents. All were thinking about how this network might look for the region, and that is the way to crack the investment conundrum. I have become aware that it is often surprisingly difficult to generate a business case for transport investment. The Jubilee Line extension, High Speed 1 and the M25 were all things whose benefits people in my position many years ago had to struggle to get recognised.

If we start to bring in the broader benefits, such as the housing that these transport improvements could underpin, the businesses that would move to the area and the local growth that could be unlocked, we could really start to capture the value that transport investment can bring. The right way to do that is to engage from the bottom up with the local enterprise partnerships and the council, which can then pull through investment for the benefit of their towns, cities and region.

I therefore urge my hon. Friends, working with their LEP and local council colleagues, to get this issue into the consultation for the franchise, which will run until 9 February. I know that my hon. Friend the Member for South Dorset is not going to come up with a wish list. Any proposal will be targeted, but we could look at that as something that could be put into the franchise competition for the bidders. Then, by the way, we would be starting to get some competition around the bidding process, which could only be to the good.

In the longer term, as I said, there is an aspiration to improve the electrification right along the line, but we need to be in the business of the delivery of infrastructure. For too long, many Governments have been in a “jam tomorrow” place. Now, we have a fully funded list of improvements and projects that Network Rail will deliver over the next four years, after which we can start to bring together the investment horizon for the future.

What is so refreshing about this debate and the amount of work that went into preparing all the documents that my hon. Friend brought to our meeting is that we are not only spending a record amount on the railways—it is the biggest investment programme since Victorian times—but spending it in the way that most benefits local communities. The investment is being not pushed out by the Department for Transport, but pulled out by those in the regions, because without good transport investment, it is not possible to grow a local, regional or national economy.

I commend hon. Members for attending the debate and speaking so passionately for their railways, and I commend my hon. Friend the Member for South Dorset for all his work. I undertake to consider whether we can come up with a way of getting the numerical range to which I referred so that we can at least start to have a more detailed conversation as the franchise period progresses.

Question put and agreed to.
The cuts have removed legal aid from nearly all family law cases and led to a sharp increase in the number of litigants in person. In the first quarter of this year, 76% of private family cases involved at least one party who was not represented. The Personal Support Unit, which has an office at Cardiff Crown court and which offers advice to litigants in person, has seen the number of people accessing its services more than double from 20,000 in 2013-14 to an estimated 50,000 this year. The idea that someone who has had their children taken away from them and who may be fighting allegations of domestic abuse is able to defend himself or herself as well as a lawyer could be ridiculous, but that is the reality of the two-nation justice system.

Ian C. Lucas (Wrexham) (Lab): I am grateful to my hon. Friend for raising the important subject of litigants in person. I have spoken to court staff and judges who are deeply concerned about the impossible position that they are placed in when they have to make a decision on cases involving, but at the same time end up giving advice to, litigants in person who are desperately unable to cope with the complexities of the legal system in which they have to operate.

Carolyn Harris: My hon. Friend refers to the reality that the two-nation justice system has created. Cuts to legal aid are having a significant impact on advice services for those experiencing housing, debt and welfare problems. A report commissioned by the Welsh Government shortly after the first changes were introduced found that cuts had “severely affected advice services” and resulted in “specialist welfare benefits advice being significantly reduced by Legal Aid funding.”

The Welsh Government have done what they can to mitigate those cuts, investing an extra £1 million a year to support front-line advice services, in addition to the top-up of £2.2 million a year to Citizens Advice Cymru to help it to provide a specialist advice service for those who need it. The reality is that thousands of people in need of support will still lose out because of the Ministry of Justice cuts. In Wales, the number of free, face-to-face welfare law advice sessions provided by the not-for-profit sector is estimated to have fallen from nearly 20,000 to barely 3,000 in just one year.

Last month, in the Chancellor’s autumn statement, the Government stuck in an increase in the small claims court limit, which means that the majority of people injured in road accidents, regardless of how severely they were injured, will lose their access to legal representation. Whether for people injured in accidents, families facing debt proceedings or those of limited means who want legal advice before a court hearing, the Government’s changes have had a profound effect on access to justice in Wales.

Few people are more in need of support than women who are experiencing domestic abuse. I am talking about women who have suffered years and years of physical and sexual violence, who turn to the family court to seek help for themselves and their children. Women who may need legal aid to divorce an abusive partner, or even to apply for a child arrangements order to protect their child from an abuser, now have to convince the Government that they have been abused before they can get any help. Worse, the narrow set of criteria proposed by the Government means that many women are unable to prove that they have been abused.
Charities such as Women's Aid expressed serious concerns about the evidence criteria before the law was changed. Women's Aid now says that 54% of women who access services as survivors of domestic violence would not meet the evidence criteria initially proposed. The cuts were railroaded through, however, and in one year the same charities found that 43% of women who had experienced domestic violence did not have the prescribed forms of evidence required to access family law legal aid. The Government have let those women down and, more importantly, let their children down.

In the light of that, it came as no surprise when the Justice Committee concluded last year that the reforms had failed three of the Government’s four tests. The reforms have not discouraged unnecessary litigation or targeted help at those who need it the most. On the Government’s claim that the changes were necessary to cut costs, the Committee said that the Ministry of Justice “has failed to prove that it has delivered better overall value for money for the taxpayer because it has no idea at all of the knock-on costs of the legal aid changes to the public purse”.

The changes have not delivered value for money. Instead, they have forced vulnerable people to represent themselves in court and taken vital support away from abuse survivors.

The Government are charging ahead with changes to criminal legal aid, and we will face the same problems. From next year, the number of contracts issued to solicitors’ firms for criminal legal aid will fall from 1,600 to just over 500. Solicitors’ firms in parts of Wales, especially in rural areas, have warned that there simply will not be enough firms left to do all the work.

Mr Mark Williams (Ceredigion) (LD): I congratulate the hon. Lady on securing this important debate. She will be aware that in the area that the Ministry of Justice names Dyfed Powys 2, which consists of all of Ceredigion, Pembrokeshire and all of Powys—the Opposition Members present will be aware of the geography of the terrain—it is suggested that only four solicitors’ practices will offer the reduced legal aid. Does she agree that that is the worst kind of access to justice imaginable?

Carolyn Harris: I would go as far as to say that it is almost zero access to justice.

The tendering process has been shown to be a complete shambles—the implementation date has slipped from January to April of next year and possibly into 2017. The president of the Law Society of England and Wales has spoken of a “serious risk of a knock-on effect on access to justice for clients.”

That warning comes just weeks after the Government were forced to drop their criminal courts charges, which led to some 50 magistrates resigning from the profession in protest. In the words of the Justice Committee, the changes were “having effects which are inimical to the interests of justice”, including the creation of “perverse incentives” for innocent defendants to plead guilty. I am glad that the Government have finally realised that the court charges were not fit for purpose, but it was not before countless people potentially changed their pleas because they could not afford to say that they were not guilty.

Mr David Hanson (Delyn) (Lab): Before my hon. Friend leaves the point of criminal courts charges, I am a member of the Justice Committee and we have just agreed that it was right to change the system. However, of the £5 million that was levied, only around £300,000 has been raised, leaving a debt on a large number of people who should not have had that charge imposed on them in the first place. Through my hon. Friend, I ask the Minister to tell us what will happen to those who have been levied the charge and who have not yet paid.

Carolyn Harris: It is clear that, alongside access to justice, the Government’s reforms to the criminal courts system have risked another fundamental British principle—the right to a fair trial. One of the most basic attributes that we expect of any justice system is that it is fair. Those who have committed crimes must be punished quickly and effectively, but everyone has the right for their case to be heard and nobody should have to decide how to plead based on whether they can afford to pay the fees—not least because victims of crime deserve better.

Will the Minister agree to an urgent review into how legal aid costs are affecting access to justice in Wales? As court charges—one of the flagship policies—have now been dumped, what confidence does he have that the other changes are not having a similar perverse effect on justice and the right to a fair trial?

Members across the Chamber have serious concerns about the proposal of the Ministry of Justice to close 11 courts and tribunals in Wales. In large parts of the country, it is already hard enough for those attending trials to reach their nearest court in the allotted time, and the decision to close those courts will make that harder still.

The Law Society has found that many people will find it impossible to get to their nearest court within an hour when travelling by public transport. If the Government go ahead with their plan to close, for example, two courts in Carmarthen, just 32% of people taking public transport to my constituency of Swansea for family law cases would be able to get there within 60 minutes. For criminal cases, the figure is 31%. Across Wales, in areas where there is limited or infrequent public transport, it is a very real possibility that defendants and witnesses could end up on the same bus to the court hearing. Members can imagine the distress and legal complications that that will cause.

Wayne David (Caerphilly) (Lab): Does my hon. Friend agree that it is quite ridiculous that, at the last Justice questions, the Minister suggested that people could access justice by telephone?

Carolyn Harris: I think I referred to it as sentencing by text, if I am not mistaken. It is an absolutely absurd idea.

Huw Irranca-Davies (Ogmore) (Lab): The Minister did indeed say that mobile phones would be the way forward for my constituents. We are facing closures in Pontypridd and Bridgend, which are difficult enough to get to at the moment. To tell those constituents to come down the valley and change transport to get to Cardiff will add another impediment to access to justice. Through my hon. Friend, I would say that the Minister really
needs to think this through again and to think about the geography of Wales. We are not flatlands with a huge transport hub; we are valleys. I know that your constituency is affected by the issue as well, Mrs Moon.

**Carolyn Harris:** I thank my hon. Friend for his intervention. The Law Society has expressed “grave concerns” that the proposal to close courts—I agree with this point—could “erode access to justice”. Its worries are shared by many people across the region.

Whether it is closing courts, slashing legal aid or any other reforms that I have not had an opportunity to address—such as employment tribunal fees, changes to judicial review or the plan to scrap the Human Rights Act—Government policies are having a severe impact on access to justice in Wales. It is the responsibility of any Government to ensure that our justice system does not become the preserve of the wealthy and unresponsive to the needs of those who need to use it most. It is vital that the justice system is accessible when we need it and accessible to all. I seriously fear that after another five years of this Government, neither of those opportunities will be open for Wales.

**Several hon. Members rose—**

Mrs Madeleine Moon (in the Chair): Order. I have before me only two names of Members who have asked to speak. At 5.20 pm, I intend to call the Front-Bench spokesmen for the Labour party and the Scottish National party, who will have five minutes each, and then the Minister, who will have 10 minutes. I will first call Albert Owen, and if other Members wish to speak, they will have to rely on the generosity of the hon. Gentleman and the next Member to be called if they are to get in before 5.20 pm.

4.56 pm

Albert Owen (Ynys Môn) (Lab): It is a pleasure to serve under your chairmanship, I think for the first time, Mrs Moon. I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on an excellent speech that covered most of the points that need to be considered.

I will actually start by agreeing with the Minister and the Ministry of Justice that access to justice for all is a fundamental aspect of our society. That is what it says in the consultation document on proposals for the provision of the court estate in England and Wales. I totally agree that we all want access to justice for all. Indeed, I would say that local justice and democracy are the pillars of a modern society, but we are moving away from that—I shall develop that argument a little later.

I welcome the Minister to the Chamber, because he was kind enough to acknowledge my submission to the Ministry of Justice that access to justice for all is a principle and municipal town of Anglesey. Holyhead is the largest town on the island, but also the furthest from Cardiff and London—it is on the periphery area. It is the hub to the Republic of Ireland and has a large transit population, as well as local residents. The proposal to transfer to Caernarfon court is therefore fundamentally flawed. What is more, the alternative that the Minister has talked about—the virtual courts and the digital fines—are equally flawed. Frankly, the one-size-fits-all proposal of the Ministry of Justice does not fit Wales; each part of Wales should be looked at on its merits. I understand, as I think does every Member in the Chamber, the need to modernise the justice system, but denying access is not modernisation. It is a backwards step and the proposal does not take into account people’s distances from court.

The Government talk about courts being 30 miles away and taking about an hour to reach. The journey from Holyhead to Caernarfon is 30 miles, but it can take an hour and a half. It can involve train journeys, two buses and changing. As has been said, many of those who have to travel will be witnesses, not just those who are up in court.

I believe that the proposal is flawed because it is driven by the Treasury. One of the main reasons why the exercise is being carried out now and in such a way is to save money on the estate. Yes, we need to get value for money, but the process is driven by the Treasury, rather than the Ministry of Justice. It is important to put that point on the record and I will be interested to hear the Minister’s response to it.

Access to local justice has to be practical, and people have to be able to have such access. The Minister talks about virtual courts, but they will be virtually impossible to implement. There are very few buildings in my constituency that could accommodate a virtual court. He talks about access via the digital age, but the digital age has not arrived in many rural or peripheral parts of Wales. That is an important point because the superfast broadband roll-out is happening at the exchanges, but not going to many towns and areas that need it. It would be difficult to have a virtual court in north-west Wales, for example, because the information and communications technology systems simply are not there—they are intermittent. I am pleased that the Government have done a U-turn with regard to universal coverage, but that will not come in until 2020, at the earliest, and these proposals are going through now. When will the Minister respond to the consultation exercise and make his recommendations and proposals? I believe that he should wait until we have proper infrastructure if he wants to experiment with the digital age for accessing justice.

I am conscious that other Members wish to speak, so I will not go over most of the issues that I discussed with the Minister. However, I highlight the fact that in the 21st century we still need a court system that individuals can access. The public want individuals to be tried in their area, as has happened historically. If we are to move forward into the digital age, we need the necessary infrastructure in place, and the Ministry of Justice needs joined-up thinking with other Departments.

Wayne David: Does my hon. Friend agree that it is particularly important that digitalisation is done properly in Wales because we are a bilingual country and people
must have access to justice in the language of their birth? If that language is Welsh, they must have access in Welsh.

Albert Owen: My hon. Friend is absolutely right. I was going to make that point in my closing remarks, because when we talk about “local”, we are talking about local culture and local languages as well as the basic principle of access to local courts.

The Government talk about putting in place devolution and decentralisation, yet their record is one of the complete opposite. They are centralising tax offices, for example. If the Government’s proposals go through, the nearest tax office to Anglesey will be in Liverpool, which is nearer to my constituents than Cardiff. We are now talking about courts moving 30 or 40 miles away from their population, which is nothing but centralisation. I urge the Minister to look again at these proposals, to put them on hold, to talk to local communities and to listen to the consultation. He should not rush through the proposals because while I agree with him, ultimately, that we need free and fair access for all, that will not happen if these proposals go through.

5.2 pm

Mr Mark Williams (Ceredigion) (LD): It is a pleasure to serve under your chairmanship for the first time, Mrs Moon, and I will be brief. I congratulate the hon. Member for Swansea East (Carolyn Harris) on raising this issue. She talks about the emergence of a two-tier system, and there will be a very strong divide between rural and urban communities.

Mercifully, there is one courthouse left in my constituency in Aberystwyth. That is the only one, as our courthouse in Cardigan was shut down five years ago. I reiterate what the hon. Lady said about the challenges of geography and distance. In the debate that I secured when we tried to stop the closure of Cardigan courthouse, we heard that as Cardigan was only 38 miles from Aberystwyth, all would be well, because there would be ease of access to our court in Aberystwyth, but that is not so. It might be quick and easy to travel 38 miles down the A55 or the M4—or perhaps not—but the situation is a different kettle of fish for people living in rural communities. As she said, the problem is compounded by my constituents’ experience of trying to access public transport in rural areas where no such system exists.

Access to our courts is a very real issue. If I were being parochial, I might say that my underused courthouse in Aberystwyth will gain more work when the courthouse in Dolgellau is shut, but I do not say that because, from experience, I believe that the situation goes to the heart of access to justice for many of our constituents.

Let me talk specifically about the point about which I intervened on the hon. Lady. She alluded to the limitations of legal aid, and I want to talk about the number of practitioners out there in the country. When the right hon. Member for Epsom and Ewell (Chris Grayling), who is now Leader of the House, was Secretary of State for Justice, he proposed a two-tier system for delivering criminal legal aid. That proposal has continued under the current Secretary of State. The scheme involves a bidding process for the limited number of contracts within each bid zone, and I repeat what I said in my intervention. My vast constituency of Ceredigion falls into the Dyfed Powys 2 zone, which includes Ceredigion, Pembrokeshire and the whole of Powys, including the towns of Brecon, Llandrindod Wells, Newtown, Welshpool, Machynlleth, Aberystwyth and Cardigan. Incredibly, the Ministry of Justice decided that only four contracts would be made available in that vast area, which is dangerous nonsense.

When I talked to solicitors’ practices about the prospect of bidding, the reality soon emerged that no single firm in Dyfed-Powys would be able to service such a contract because the volume of legal aid work in mid and west Wales is so low that it could not sustain a business undertaking such an endeavour. The characteristic of our model for delivering criminal legal aid in Ceredigion, which is not dissimilar to that in other places in rural Wales, is of one or two solicitors within a high street mixed practice effectively subsidising legal aid work.

When the Government made their proposal, the fact that there was no plan B suggested that it was doomed to fail. As of July 2015, there are only five firms undertaking legal aid work in Ceredigion, which suggests that many firms have already decided that such work is not profitable. None of the firms in my constituency felt able to bid for the duty contracts, either on their own or collaboratively. The Government suggested at the time of the announcement that small practices would come together, but that was not going to happen. Such an arrangement is fraught with difficulties.

We are where we are, but I am not quite sure where that is. The hon. Member for Swansea East said that we were led to believe that the bidding process would be concluded in January 2016, but it is now suggested that it will be concluded in April. There are contingency contracts around, which suggests that the situation might not be resolved until 2017. That is causing great concern among solicitors’ practices and a lot of uncertainty.

When can we expect a resolution? The spectacular of there being only three or four providers across mid and west Wales makes one shudder, which is why a renewed number of legal aid concerns have been raised in all our surgeries. It is also why there is huge pressure on the very limited citizens advice bureaux across our constituencies, to which I pay tribute.

The other thing that needs to be mentioned is the Welsh language, which is spoken by more than half my constituency’s population. I am concerned about whether the providers, especially if they come from outside my area, or outside the broad expanse of mid and west Wales, will still be able to present their services through the medium of Welsh. That remains a great worry, whatever the Legal Aid Agency suggests, because when these services were being delivered by small solicitors’ practices in high streets throughout the country, we had a guarantee. As those practices were based in Welsh-speaking communities, their services could be provided in the mother tongue, whatever that mother tongue may be. Again, I sadly reflect that the situation illustrates how the Ministry of Justice has scant knowledge of and regard for rurality and, I believe, scant regard for the Welsh language, too.

Several hon. Members rose—

Mrs Madeleine Moon (in the Chair): Order. I have received a number of notes from Members advising me that they notified the Speaker’s Office of their wish to speak. I have not been advised that those requests were
received by the Speaker’s Office, but in an attempt to get in everyone who has approached me, I shall set a three-minute time limit on speeches.

5.9 pm

**Nick Thomas-Symonds** (Torfaen) (Lab): It is a pleasure to serve under your chairmanship, Mrs Moon, and I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on securing this important debate on such a crucial issue at such a crucial time. Access to justice in Wales is under threat. In employment tribunals, for example, there were 16,456 single-claim cases in 2014-15, which represented a 52% fall on the number in 2013-14. That fall was due to the introduction of the fees system that has levied up to £1,200 on people who have lost their jobs and are not in a position to spend that amount of cash.

I practised in the Welsh courts as a barrister for 11 years before entering this place, and while I remain a door tenant at Civitas in Cardiff, I no longer practise. I am fully aware of what has been going on, especially in relation to employment matters. The changes mean that literally thousands of people are no longer able to enforce their legal rights before an employment tribunal.

There are 11 scheduled court closures. My hon. Friend the Member for Caerphilly (Wayne David) pointed out that the Ministry has talked about telephone hearings already happening in court, but let me make the distinction clear. Interlocutory hearings, especially those in the civil courts that last for less than an hour, have for some years been done on the telephone—that is absolutely true. It is also true that in certain trials and certain specific circumstances, witnesses have given evidence by video link. However, extreme care has always been taken with trials, when it is best that the veracity of witnesses is judged face to face. Their demeanour has to be judged; it is not simply a case of what they happen to say through a particular visual medium. It is crucial to realise that there has to be a limit to what is done through the so-called digital revolution in the court system. Certain trials simply cannot be done on the telephone or via such a visual medium, so the Ministry of Justice must take that into account.

Local justice is crucial, because it is important that we do not see justice as distant. Justice should reflect the culture of the area, and I fear that the closure of 11 courts will put that at risk.

I urge the Ministry of Justice to be wary of false economies on civil legal aid. It is one thing to take down the legal aid bill, but it is quite another if one ends up with far more litigants in person in the court system. There is nothing wrong with people representing themselves, but they should not do so simply because they cannot afford to access a lawyer. If that does happen, I am afraid that the court system will be slowed by having so many litigants in person, and the Minister will find that the cuts in civil legal aid are simply counter-productive.

5.13 pm

**Jonathan Edwards** (Carmarthen East and Dinefwr) (PC): One of my first contributions after being elected to the House of Commons in 2010 was to fight in this Chamber on behalf of the two magistrates courts that remained in my constituency: Ammanford and Llandovery. The Government proposed closing those courts on the basis that services would be provided in Carmarthen magistrates court, yet here we are debating the future of that court and the state-of-the-art family, tribunal and probate hearing centre that was opened in Carmarthen by the Lord Chief Justice in 2012. That goes to show, to use a famous Welsh political phrase, that centralisation is a process, not an event. I wonder how long it will be, with services being centralised in Llanelli, before we are arguing about the centralisation of services to Swansea, which is only a dozen miles to the east. It is easy for Ministers and their civil servants to sit here in London and draw lines on a map and crosses through budget lines without understanding the full effect of the changes on the communities we represent.

I oppose the proposals for the west of my country for five primary reasons. First, Carmarthen is the legal capital of the west of my country. It was afforded that status by James I in 1604, when he made it a county corporate by charter. I am struggling to understand why the Minister thinks he knows better than James I. Carmarthen is one of only two towns in Wales that still has a town sheriff, and that gives a clear indication of the importance of the role that Carmarthen has played in the legal system in the west of Wales.

Secondly, the Ministry of Justice has spent £1.7 million on the two courts in Carmarthen in the past seven years, so it would be a colossal waste of money to close those courts following such investment. When the family court was opened in 2012 by the Lord Chief Justice, it was seen as a pathfinder for Wales during the integration of legal services in Wales and England because of all its video-conferencing technology. The Minister says that such technology is the way forward, but I am informed by magistrates that none of that equipment has actually been installed. I therefore find it difficult to understand how the Minister can make the case for closing that court in Carmarthen—it has just been opened—on the basis of a lack of operational capacity. He will argue that the way forward is remote justice but, as the hon. Member for Ynys Môn (Albert Owen) said, we are talking about areas that are known to have broadband “not spots” and to lack fast mobile provision. It will be difficult to deliver such a legal system in the areas we represent.

Thirdly, Carmarthen is the natural travel hub for the west, north and east of Carmarthenshire. It could take five hours by public transport for someone from Newcastle Emlyn or Llandovery to make it to Llanelli to attend court. The natural transport hub for Carmarthenshire is the county town, so it does not make any sense to close the courts in Carmarthen. Fourthly, as has been mentioned—

**Mrs Madeleine Moon** (in the Chair): Order. To get all hon. Members in, we will need to move on. I call Liz Saville Roberts.

5.16 pm

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): Diolch yn fawr, Gadeirydd. I congratulate the hon. Member for Swansea East (Carolyn Harris) on securing the debate. It is an important topic, and it is particularly important to my rural constituency of Dwyfor Meirionnydd. Fifteen courts were closed across Wales during the last Parliament, and since the 2015 election, a further 14 have either closed or are being earmarked for closure by the UK Government. The proposed closure of Dolgellau
magistrates court in my constituency, for example, means cases will need to be transferred to either Caernarfon or Aberystwyth, which, incidentally, is outside the North Wales police region. The issue of inadequate public transport in Wales is well documented, but Members will understand that a journey from Dolgellau to Aberytwyth or Carmarthen is not simply a matter of getting on a tube with an Oyster card. For my constituents in Dwyfor Meirionnydd, and indeed for many people across Wales, it is simply impossible for public transport to get them to a magistrates court for a 9.30 am start.

The Ministry of Justice claims its programme of cuts is necessary to save money, but what will effectively happen is that the cost of providing justice will be passed from the state to the citizen. The cost will still be borne, but by the individual regardless of ability to pay, while the state washes its hands.

I have left out a number of things due to time pressures, which is unfortunate, but I return to the issue of courts. I have a background in teaching through video conferencing, so I welcome the Minister's commitment last month to undertake a Welsh language impact assessment before coming to conclusions about the future of courts in Wales. On the other hand, I am also interested in efforts to increase access to justice through the use of technology, particularly video technology.

Given the swathes of court closures and the particular problems they will cause in rural parts of Wales, allowing hearings to take place remotely may be welcome. I note however the eight conditions set out by Lord Leveson's review of efficiency in criminal proceedings in January 2015. He considered those conditions to be prerequisites for remote hearings. The first of them seems obvious, but is in fact crucial: the equipment used and the audio and visual quality should be of a high standard. Given what fellow Members have said, I wonder what consideration has been given to the quality and reliability of digital infrastructure in those areas where courts are to be closed. I particularly urge that consideration is given to Lord Leveson's recommendation that a committee of criminal justice professionals be charged with identifying best practice for hearings conducted via video link, not only to maintain the gravitas of the court environment, but, more importantly, to ensure that justice outcomes via communications technology are consistent with justice outcomes in a conventional environment.

I also urge the Minister to consider alternative public buildings if a court building—this is understandable—is no longer deemed suitable for 21st-century justice. In the case of Dolgellau, the Meirionnydd council chamber would require little adaptation, and offers such facilities as parking and translation equipment. As an aside, it is also nearer the cells and the police station than the present court—

Mrs Madeleine Moon (in the Chair): Order. We need to move on. I call Richard Arkless.

Richard Arkless (Dumfries and Galloway) (SNP): It is a privilege to serve under your chairmanship, Mrs Moon. I thank the hon. Member for Swansea East. She gave a passionate speech about the real effects on ordinary people. That is always the story with austerity, which impacts on the most vulnerable in our society first. The Government’s austerity agenda impacts on access to justice in Wales. That is undeniable.

The hon. Member for Ynys Môn (Albert Owen) made another fantastically passionate speech and coined the phrase “one size fits all”. It goes back to the whole devolution prospect. I do not believe as a matter of principle that a one-size-fits-all approach across the UK is sensible for all the Celtic nations. He is absolutely correct when he says that access to justice is driven by the Treasury. The Ministry of Justice has not come up to the standards and expectations set by the Treasury. The Government have created several bars to access to justice over the past few years. We have seen criminal court charges, which, thankfully, they have agreed to delay. We do not have them in Scotland. Employment tribunal fees have been imposed on employment tribunal cases, as we have heard. We have committed to abolish those in Scotland as soon as the matter is devolved. The slashing of the legal aid budget has impacted on access to justice. We are not immune from such cuts in Scotland, but we feel we have been able to manage resources better so that they do not have the impact that they have had in Wales.

I have been very impressed by some of the submissions that we have heard, particularly from the hon. Member for Swansea East. She gave a passionate speech about the future of courts in Wales. I have written rather a long note, but I know you will keep me to delivering a short speech. I support the proposal that Wales should have more decisions taken by the Welsh Parliament, closer to the Welsh people, to make better decisions for the people of Wales.

5.23 pm

Susan Elan Jones (Clwyd South) (Lab): It is a great pleasure to serve under your chairmanship, Mrs Moon. I am conscious of something that George Bernard Shaw once said. He apologised for writing a long note because he had not had time to write a short one. I fear I have written rather a long note, but I know you will keep me to delivering a short speech.

I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on securing today’s debate and on such a wide-ranging, passionate and practical speech that highlighted some of the real problems with access
to justice in Wales. I really hope the Minister will take these matters on board and make some changes. The debate has been phenomenal. We have had contributions from 10 Back Benchers and a visitor from Scotland, the hon. Member for Dumfries and Galloway (Richard Arkless). We have had contributions from my hon. Friends the Members for Caerphilly (Wayne David) and for Newport East (Jessica Morden), and from my right hon. Friend the Member for Delyn (Mr Hanson), who made a very important point about the Justice Committee and we look forward to a response from the Minister on that.

My hon. Friend the Member for Wrexham (Ian C. Lucas) talked about the issue of litigants in person. We heard from my hon. Friends the Members for Ogmore (Huw Irranca-Davies), and for Ynys Môn (Albert Owen). The latter referred to many issues relating to his constituency, but he also referred to an issue that really needs highlighting: the prospect of the accused and the defendant travelling on the same bus. Imagine a victim of domestic violence and the perpetrator on the same rural bus. That is a really important point that shows many of the flaws in the current proposals.

We heard a speech from the hon. Member for Brecon and Radnorshire (Nick Thomas-Symonds) about the experience of legal representation and some of the flaws in the current proposals. The hon. Member for Carmarthen East and Dinefwr (Jonathan Edwards) rightly complained about centralisation, and the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts) raised, among other issues, remote hearings. Labour Members often talk about the importance of being tough on crime and tough on the causes of crime, but for this Government and their proposals it is tough if you happen to be a victim of crime, which is very different indeed. It is extraordinary that no Conservative Members are here. They had an increase in numbers at the general election and they are still not here representing the interests of the people of Wales.

There are many problems, but I want to focus on two issues. The first relates to the impact on the Welsh language, which several Members mentioned. Few of us ever have to testify in court, and even fewer will testify against an attacker or an abuser, but, for the people who do, being able to communicate effectively and to hear and understand everything that is said is essential. For many first-language Welsh speakers, that means being able to engage with the court in Welsh. That right goes back nearly 70 years to the Welsh Courts Act 1942, which overturned the ban on Welsh in courts that had been in place since the 16th century.

Everyone can surely speak English, but I refer Members to the words of the Labour peer, Viscount Sankey, during the passage of the Welsh Courts Act:

“No doubt many members of this House read French easily and speak it well; many speak it perfectly; yet how should we like to be examined and cross-examined in French? Should we not be rather nervous and embarrassed witnesses and fail to do ourselves justice—" [Official Report, House of Lords, 20 October 1942; Vol. 124, c. 662-8.]”

I am not sure Members are quite as proficient in French as they probably were in the 1940s, but the point remains that being able to communicate in one’s own language before a court is essential. It is not a nicety. The Ministry of Justice’s own Welsh language scheme admits that the Department has failed to evaluate the linguistic consequences of its policies. Securing the rights of Welsh speakers and promoting the equality of Welsh and English are not optional niceties; they are statutory requirements, and the disregard is positively shameful.

The Welsh Language Commissioner has criticised the way in which the closures have been proposed. As she points out, a “decision to change the court estate, should aim to promote and facilitate the use of Welsh in Wales.”

We want an answer.

Let us look at the case of Anglesey, or Ynys Môn, as my hon. Friend the Member for Ynys Môn calls it. Some 70% of people on the island have knowledge of Welsh, with 56% describing themselves as Welsh speakers. If I am allowed, I will refer to the Human Rights Act—

Mrs Madeleine Moon (in the Chair): No.

Susan Elan Jones: But I am sure the Minister will speak of the grave omissions in his Government’s policy.

5.28 pm

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): It is a pleasure to serve under your chairmanship this afternoon, Mrs Moon. I commend you on having managed to get through so many speakers in such a short time. I congratulate the hon. Member for Swansea East (Carolyn Harris) on securing this important debate. I also thank the many colleagues who have turned out for this debate; that demonstrates its importance. Individuals have spoken with passion, both on constituency matters and more generally. Several points have been raised, and I intend to address as many as I can. I ask Members to be patient if I do not instantly respond to their issue in the first minute or two. I will make one thing absolutely clear at the outset: the Government share the hon. Lady’s passion for a justice system that works for everyone.

The hon. Lady referred to my right hon. Friend the Lord Chancellor’s eloquent comment that the Government’s commitment to one nation justice was fundamental to the rule of law. At the heart of one nation justice is equality, and a justice system that safeguards and protects the vulnerable and works better for victims and witnesses. Our justice system does not always do that, despite the fantastic efforts of those who work in it. That is why the Ministry of Justice is leading a major reform programme. As the hon. Member for Swansea East will know, the MOJ has secured more than £700 million in funding to invest in courts and tribunals in England and Wales. We are working closely with the senior judiciary to deliver a justice system for everyone, at a lower cost for all those who need to access the courts.

There is much agreement that our courts and tribunals need urgent reform, and a high degree of consensus that the current system is not only too slow, but unsustainable. Despite the best efforts of front-line staff, the infrastructure supporting the administration of the service is inefficient and disjointed, and based on technology that is, in some cases, decades old. I hope Members agree that that has to change. That means using up-to-date technology, which I will discuss later in my speech, and modernised working practices, and having a more appropriate and efficient estate. It will also mean victims and witnesses being able to attend some hearings remotely, and not
having to experience the stress and strain of a personal visit to a court, or, indeed, having to take a day off work.

Mention has been made of victims and witnesses travelling together. Clearly, that is a situation that none of us would want. The beauty of a remote system is that there is no danger of meeting people on the bus to court. The victims will not be travelling with the witnesses and the defendants. They may well be in a local civic building of some kind, in a video-conferencing suite to which people go by appointment at a specific time. They will be far more comfortable there, and will not have the stress and strain of going to court, which would be a strenuous and stressful experience for most people.

We are replacing paper forms, automating much of the administrative process, and allowing defendants to indicate their plea online. The use of telephones was mentioned. Let me make it clear that we are piloting a scheme in Manchester in which pleas can be made online, using either computers or smartphones. That is happening right now, as we speak.

Nick Thomas-Symonds: Will the Minister give way?

Mr Vara: If the hon. Gentleman will forgive me, I will not, but I will address his point. He rightly said earlier that there will be some cases where digitalisation is clearly not appropriate; that is why we will maintain courts. Nevertheless, for many cases, court will not be necessary. The majesty of the court will remain for appropriate cases that deserve to go to court, but it is important to remember that access to justice does not always mean access to a court, with all the time and expense that that entails. Nor does it mean that people should always turn to taxpayer-funded lawyers. Where suitable alternatives are available, we want to see more cases diverted from the courts.

There is no doubt that in many cases court should be the last resort, not the first. Encouraging greater use of mediation has been a key part of our wider reforms to the justice system. Mediation can be quicker, cheaper and certainly less stressful than protracted litigation. For the taxpayer, who would otherwise be paying solicitors, barristers and for time in court, there will be a saving. For the parties involved, it is far better to sit around a table and have constructive engagement than to be in a court scenario, where there is often—I speak as a former solicitor—a destructive environment, rather than one of constructive engagement.

Susan Elan Jones: There might be some validity in that, but how does the Minister square it with the rise of litigants in person? We may well see the well-heeled being able to get the best legal advice in the world, while those on the other side of the dock have to represent themselves in person. Surely that is not fair.

Mr Vara: I plead with the hon. Lady to be patient; I will turn to litigants in person shortly.

From April last year, the Children and Families Act 2014 made it a legal requirement that anyone considering applying to court for an order about their children or finances should first attend a mediation information and assessment meeting, which we call a MIAM, unless exemptions such as domestic abuse apply. The requirement was introduced so that parties could consider the benefits of mediation before the start of court proceedings, which can be long, arduous and expensive. From November last year, we have funded the first single session of mediation in cases where one of the parties is already legally aided. In such circumstances, both parties will be funded for the MIAM and the first session of mediation.

I hope Members appreciate that legal aid is only one part of a balanced access-to-justice provision, although of course we recognise that in some cases it can be a vital part. We also recognise that those in greatest hardship at times of real need should have the resources to secure access to justice. When the programme to reform legal aid commenced in 2010, the scale of the financial challenge facing the Government was unprecedented. We had to find significant savings, which meant making difficult choices. Despite that, we have made sure that legal aid remains available when it is most needed: where people's life or liberty is at stake; where they face the loss of their home; in cases of domestic violence; or where their children may be taken into care.

In the case of domestic violence, evidence is required to ensure that the correct cases attract funding, but we have listened and made changes to the amount of evidence required. One of the first things I did when I was appointed Minister in October 2013 was meet certain stakeholders, who told me the conditions were too stringent. As a consequence, I made the appropriate changes. We will, of course, continue to listen and to make changes where necessary.

The fact remains that even after all the reforms, our legal aid system remains one of the most generous in the world. Last year we spent more than £1.6 billion on legal aid, which is around a quarter of the Department's expenditure. We have also made sure that funding is available through the exceptional funding scheme, where that is required under the European convention on human rights or by European law. We believe that the reforms to the legal aid scheme are sustainable, but we have provided that there will be a review within three to five years of the implementation of part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

As far as the Welsh language is concerned, let me make it absolutely clear that Welsh-speaking users can call the Civil Legal Advice Welsh-language operator service, or request an immediate call back from a Welsh-speaking operator. The bilingual site architecture has been designed to ensure that the same service is available in the Welsh language as in English, and that the content can be easily kept up to date. We continue to work with the advice sector to develop sustainable and collaborative ways of working to ensure that people can obtain advice when they need it.

On litigants in person, we have provided £2 million for a strategy led by the advice, voluntary and pro bono sector. It maximises the provision of support to litigants in person, and there is an increase in the provision of face-to-face, phone and online support.

In the few moments I have left, let me address a few of the points made. The hon. Member for Swansea East said that there has been a reduction in the number of criminal contracts, but there is a far higher number of contracts for own-client work, which means that
people can continue to work for the clients that they already have. The right hon. Member for Delyn (Mr Hanson), who has a distinguished record in government, asked about the criminal court charge. He will know from his time in government that laws change. Until 24 December—the date that the Lord Chancellor gave—the law will apply. I have already touched on the issue of telephone access, but I emphasise that the digitalisation process that we envisage will clearly not apply to all cases. The physical presence of courts, which people will need to go to when appropriate, will always remain.

I congratulate the hon. Member for Swansea East on securing this debate, and I thank all Members for taking the trouble to attend. I hope I have been able to give some comfort to Members, and assure them that we are very keen to ensure that access to justice remains.

Question put and agreed to.

Resolved,
That this House has considered access to justice in Wales.

5.41 pm

Sitting adjourned.
Westminster Hall

Wednesday 16 December 2015

[MR DAVID NUTTALL in the Chair]

Community Transport

9.30 am

Maggie Throup (Erewash) (Con): I beg to move,

That this House has considered the provision of community transport.

It is a great pleasure to serve under your chairmanship, Mr Nuttall. I am delighted to have been successful in securing my first Westminster Hall debate on such an important issue. Community transport lies at the heart of our community and is greatly valued by many of our constituents. It occupies a unique central ground between the passenger transport industry and the voluntary sector, providing innovative solutions to the otherwise unmet transport needs of local residents.

When we think of community transport, our thoughts immediately turn to the elderly and disabled as the two main user groups, and in large part that is true. Services such as community bus services, hospital transport and dial-a-ride help the elderly and the disabled to lead independent lives and participate fully in their communities on a daily basis. However, community transport services extend further to support other user groups such as schools, working people and scout and guide groups with schemes such as wheels to work and minibus hire. Community transport fills the gap when conventional transport services cannot fully meet the needs of the public.

I am pleased to say that last year, Erewash Community Transport in my constituency celebrated 30 years of service to local residents. Sadly, last month we learned that Derbyshire County Council is to cut Erewash Community Transport’s funding from next April, which will see the group lose nearly £150,000 and will spell the end of both the dial-a-bus service, which transports people to shops and supermarkets, and the active travel service, which takes people to medical appointments.

Erewash Community Transport, together with other Derbyshire community transport groups, organised a petition to request that the county council review that decision. However, the council simply refused to listen and instead reverted to its default position of blaming the Government. The truth is that at a time when the Government has committed to invest £25 million in new community transport minibuses, Derbyshire County Council continues to waste vast sums of taxpayers’ money while cutting vital public services.

Information obtained under the Freedom of Information Act shows that the council has spent more than £150,000 with a London-based public relations company run by a former assistant general secretary of the Labour party, and it paid £219,000 to get rid of its former chief executive. The new post of assistant chief executive costs £83,000, each cabinet member has received an allowance rise of £3,000, and 107 council employees are accredited to take time off for trade union duties at the local taxpayers’ expense. The list goes on.

This is a council that mismanages its finances for political gain while the elderly, vulnerable and disabled of Erewash are left to suffer; yet its accounts clearly state that it has more than £55 million stashed away in general reserves. The Government back anyone who wants to save, but, when it comes to the loss of services such as community transport, surely it is far more prudent either to use some of those reserves or, better still, cut some of the waste, so that Derbyshire’s community transport schemes can be supported at least until other funding streams can be secured.

We should consider two other key factors when discussing the loss of community transport services: the cost to the local economy and the impact on service users’ physical and mental health. Schemes such as dial-a-bus are used frequently by our elderly and vulnerable people to access local town centres, supermarkets or even pubs, helping them to retain their independence. In turn, they contribute to the local economy and provide a welcome boost to many of our high street shops. If the service were to stop suddenly, that income would be greatly missed by our small retailers, many of whom rely on regular, loyal customers to survive.

When it comes to health, community transport helps local health and wellbeing boards to deliver their obligations under the Health and Social Care Act 2012, which cannot and should not be ignored. We have not even considered the benefits to the many community transport volunteers, who are often the newly retired, such as helping them to keep fit and active with a purpose in life.

I understand the need for organisations such as Erewash Community Transport to diversify their funding streams, but the pace and scale of Derbyshire County Council’s changes concern me. With effectively just a four month notice period for a dramatic cut in funding, Erewash Community Transport does not have the time or capacity to look for alternative funding streams, which are out there for it to find if Derbyshire County Council would give it a longer stay of execution.

Recently, as a member of the Select Committee on Health, I visited Halifax as part of our primary care inquiry. I was able to learn about the diverse funding streams that Community Transport Calderdale has managed to develop. That organisation lost its local authority funding a number of years ago, yet it is now thriving. It works closely with Calderdale clinical commissioning group to help deliver its vanguard project, as well as with other third sector organisations such as Age UK. It gets funding from the CCG to provide transport for emergency visits to hospital for respiratory patients, which prevents the need for in-patient stays.

Community Transport Calderdale also provides “home from hospital”, a free-of-charge service that helps elderly and vulnerable residents in Calderdale and greater Huddersfield with transport home after a stay in hospital. The service provides a safe, supported, wheelchair-accessible journey home from hospitals in the region. Patients can also be met at home by Age UK, which offers immediate help and arranges further support for those who need it. I am sure that Community Transport Calderdale will be viable for many years to come.

Chloe Smith (Norwich North) (Con): My hon. Friend is making a powerful argument. Her example demonstrates that community transport is not just for rural areas, but
[Chloe Smith] for urban and suburban areas. Does she agree that examples from across the country, such as Norwich Door to Door and its hard-working volunteers, should be included in the debate because they serve many different types of communities?

Maggie Throup: I completely agree with my hon. Friend. Community transport services are valuable throughout the country, whether in rural, urban or suburban areas. It is a shame to see them being put under such pressure and cut, taking away vital services. She gives a good example from her community.

Neil Coyle (Bermondsey and Old Southwark) (Lab): Does the hon. Lady accept that part of the reason for the changes, and the pace of those changes, is that her Government have imposed budgets on Derbyshire County Council that take something like £60 million from its budget, while she has identified only tens of thousands of pounds of potential savings in areas such as the chief executive’s salary?

Maggie Throup: I thank the hon. Gentleman for his intervention, but it is not just tens of thousands of pounds from getting rid of or changing the chief executive—


Maggie Throup: But we are talking about £150,000 for Erewash Community Transport, so the council would not need to manage its finances much better to pay for that service. I therefore disagree with the hon. Gentleman. It is quite well within Derbyshire County Council’s ability to fund the service for longer.

I conclude with a short story provided by the Community Transport Association, which does fantastic work in supporting local community groups and lobbying Government effectively on their behalf. It illustrates perfectly the impact the services in question have on people’s lives and why we should do everything we can to support them. Jenny from Green Community Travel, which operates in South Gloucestershire, says:

“We had a passenger who did not have any family living locally to him, when his spouse was admitted to hospital. It was very difficult for him to visit her. I know we all think about getting older but I can’t imagine how difficult it must be after spending 50 years.

That was at Christmas, and the gentleman was anxious about not seeing his wife on Christmas day— it would have been the first Christmas they had spent apart in 50 years.

Jenny mentioned the situation to a volunteer called Stuart, who said he did not mind taking the gentleman to see his wife on Christmas day. On Christmas morning, he took the gentleman to visit his wife for a couple of hours. Community transport therefore plays an important role in not just medical appointments but all such hospital visits—it is about going above and beyond. Jenny went on to say that the generosity of people in this line of work never ceases to amaze her. Hats off to Stuart for going the extra mile and for making that couple’s Christmas a happier one than it might have been.

Up and down the country, such stories are typical in the community transport movement. There are many Stuarts going above and beyond to make a difference to those who might otherwise be isolated from society, and I am sure other Members present will have their own stories.

In Erewash, I have had many pleas from residents to do whatever I can to save their community transport—their lifeline. Connie Clark is no exception, and nothing would give me greater pleasure than being able to tell her that her community bus has been saved and to see the huge beaming smile on her face. I am sure it would be the best Christmas present ever for her. I therefore thank the Government for their continued support for community transport, and I commend the motion to the House.

9.41 am

Neil Coyle (Bermondsey and Old Southwark) (Lab): It is a pleasure to serve under your chairmanship, Mr. Nuttall. I thank the hon. Member for Erewash (Maggie Throup) for securing the debate, although I disagree with some of her critique of Derbyshire County Council, which is obviously responding to significant budget changes. That is a direct result of her political choices in the House and her support for the budgets that we will see over the next three years, which will mean £60 million disappearing from the council’s resources.

The hon. Lady mentioned the £25 million that the Government are setting aside for community transport, which should be welcome. Part of that funding is for the community transport minibus fund, which should be a very positive scheme. In March 2015, not long before the May election, 400 organisations across the country were told they had been awarded community transport minibus funding from the Department for Transport. One was Lewisham and Southwark Age UK, which is a fantastic organisation serving my constituents. Nine months ago it was told it would receive support, but it is still waiting— it is yet to receive funding or a vehicle from the Department for Transport. It gave the Department for Transport its specifications some time ago, but it has no idea what has caused this significant delay, which obviously affects its ability to serve older and disadvantaged people in my community.

It would be helpful if the Minister could outline what has happened to the community transport minibus fund. What is causing such significant delays for Lewisham and Southwark Age UK and the rest of those 400 organisations? Is the delay being caused by a centralising tendency, with the Department trying to commission 400 identikit minibuses? Has the Department considered the impact of delays on such organisations? Should it provide additional resources to mitigate problems that have been caused during the period when organisations thought they would have support that has not arrived? It would be brilliant if the Minister could answer some of those questions.

9.44 am

Andrew Bingham (High Peak) (Con): May I say what a pleasure it is to serve under your chairmanship, Mr. Nuttall? I think this is the first time I have served under you in Westminster Hall. I congratulate my colleague from Derbyshire, my hon. Friend the Member for Erewash
(Maggie Throup), on securing what is a very important debate, particularly in Derbyshire. She mentioned many of the things I was going to say, but I will repeat some of them.

I want to talk specifically about the provision of community transport in my constituency. Despite its name, Glossop Community Transport serves not only Glossop, but residents across my whole constituency, so people should not be taken in by the name. The organisation was started in Glossop, and it is based there, but it looks after the whole of my large, rural constituency. A few years ago, I did a week out with different voluntary organisations, including a day with Glossop Community Transport. During that day, we did a variety of tasks. We went round picking up the elderly and vulnerable. We took them to the local shops and supermarkets. I was to be seen going round with trolleys of food for the elderly and helping them with their weekly shopping.

As well as enabling people to get to the shops, the dial-a-bus service provides a valuable social benefit. When I was on the bus, I saw that there is a sense of camaraderie. It is almost like a social occasion; people go out and chat with each other. We talk a lot about exclusion; this is a great way of getting people together. There was a great sense of fun on the bus. A photograph was taken of me on the bus, and a couple of old ladies at the back were pulling faces behind me and stuff like that.

Chloe Smith: I bet they were.

Andrew Bingham: Yes, can you believe it? However, it is a fabulous service.

Jim Shannon (Strangford) (DUP): It was fear in their eyes.

Andrew Bingham: No, I do not think it was fear. Some may say it was lust, but I could not possibly comment.

Mr Gregory Campbell (East Londonderry) (DUP): Order.

Mr David Nuttall (in the Chair): Order.

Victoria Prentis (Banbury) (Con): At this point, I will ask my hon. Friend to allow me to intervene.

Andrew Bingham: Yes, I think I had better have a sit down—we are all getting very hot under the collar.

Victoria Prentis: The debate is going to places that community transport does not normally reach.

Andrew Bingham: I said it was a good service.

Victoria Prentis: I am grateful for the marvellous volunteers who operate from the town of Banbury. They provide a good service for those who, sadly, have to travel to hospital, particularly early in the morning, when other forms of transport are not available. Does my hon. Friend agree, however, that other parts of the community also need services that are not provided by public buses, such as young people who have finished their education and who need to travel to work? People such as young apprentices also need to be able to take some form of public transport in rural constituencies.

Andrew Bingham: My hon. Friend makes a good point. There are so many potential uses for community transport, and she has remarked on just one.

The door-to-door service that operates in High Peak is trusted, consistent and valued. When we took people home with their shopping, we did not just drop them off; I helped them to the door, as the drivers do every week. In addition, Glossop Community Transport does many other things, and the potential of these organisations has been highlighted. The organisation’s out-and-about club is for people who would not otherwise get out and about in the community. People are taken on day trips—the constituency is 80 or 90 miles from Blackpool, and they are taken to things such as the illuminations.

That work relies on funding from Derbyshire County Council, but it also relies heavily on volunteers. Constituents, including friends and colleagues—people such as George and Jean Wharmby and Chris Webster—give up their time to drive the buses around the constituency beyond and to assist the passengers. In short, the funding is not just about money to make the service operate; it levered in so much more than just money, bringing together people in the community, so that they work as a community, for the community. The benefits are therefore huge.

As we know, there have been necessary reductions in public spending, and Glossop Community Transport has played its part. In February, it joined forces with Bakewell and Eyam Community Transport, which is outside my constituency, but still in Derbyshire, to make savings. I am told that, since April, the new organisation has saved about £85,000, because the pooled resource has enabled a reduction in subsidy, and a move from two separate grants of £186,000.

Amanda Solloway (Derby North) (Con): I want to come to Glossop, too; it sounds like great fun on the community transport. Derby City Council outsources its community transport to private firms. Does my hon. Friend agree that we need to promote close working relationships between councils and the private sector to get the best for the taxpayer?

Andrew Bingham: Of course we do. That goes across a wide range of services. I spent 12 years as a local councillor, and there are lots of areas beyond community transport where we can work with the private sector.

I was explaining that the two community groups each had a separate grant of £186,000. They have merged and now operate on a single joint grant of £285,000, so quite a big saving has been made of about £80,000. Only last week I met Edwina Edwards of the community transport service, to talk about it and how it was operating. She and her staff, as well as the volunteers, work tirelessly to keep the service literally on the road.

My hon. Friend the Member for Erewash has already pointed out that Derbyshire County Council has proposed removing the grant. There was a consultation in the summer that produced more than 1,000 responses. It was proposed to make the changes from 1 April, I think, but I am told that that has been put back to 1 July; I do not think that the council knows quite what to do. I am told that it intends to seek tenders for providing a service, but to date nothing has been published and there appear to be no firm published plans—and I am told that nothing has even been presented to Derbyshire County Council’s cabinet.

There is talk of a one-year contract for the provision of a once-a-week service. There were some workshops in the summer and agreement was widespread—almost...
Dr Paul Monaghan: I am grateful for the opportunity to contribute to consideration of the crucial issue of community transport provision. I congratulate the hon. Member for Erewash (Maggie Throup) on winning the debate.

In many ways, the community transport service in Scotland is different from that in England. Many English operators have large fleets of minibuses and are fortunate in receiving large grants from their local authorities. Of course, they operate in areas where the population density is much greater than it is in most of Scotland—and certainly much greater than in my constituency, or that of my hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford). In England, much of the debate about community transport centres on encouraging providers to diversify services to reduce reliance on local authority financial support. They are also encouraged to obtain sponsorship, develop partnerships to promote joint working, reduce bureaucracy and overhead costs, and utilise smart technology to promote total transport solutions where passengers use technology to order a service.

Mr Gregory Campbell: The hon. Gentleman elaborates on the differentials affecting community transport in the UK, and he is right that things work differently in different parts of the UK, but does he agree that the one overarching principle that seems to apply across the nation state is that mobility, particularly among the elderly, is greatly enhanced whenever community transportation infrastructure gets the support it needs?

Dr Monaghan: I agree with the hon. Gentleman and suggest that that is particularly important in rural areas. In Scotland, the defining feature of many community transport schemes is their size. They are small organisations that tend to operate in vast geographical settings, serving remote rural communities. It is vital in this debate to recognise the geographical challenges that community transport schemes in Scotland face, and to understand that remoteness makes partnership and collaboration between community transport schemes difficult.

To put that in context, I want to highlight the 10 excellent community transport schemes in my constituency. In Easter Ross, Alness heritage centre has one vehicle, Invergordon seafarers mission has one and Socialisation, Opportunities, Activities, Recreation, also in Invergordon, has two. None of those schemes receives any grant funding from the local authority. In Caithness there are two schemes. Wick and East Caithness church operates one vehicle, and Caithness Rural Transport operates four. In Sutherland there are five community transport schemes. Assynt Community Transport has two vehicles and covers the ninth most geographically challenged area in Scotland as measured by the Scottish index of multiple deprivation. The Bradbury centre in Bonar Bridge operates one vehicle, while Helmsdale Community Transport operates just two. The North West Community Bus Association in Kinlochbervie operates one vehicle, while Transport for Tongue, in north-west Sutherland, operates five.

All those schemes operate in areas recognised as among the most geographically challenging in Scotland. Perhaps for that reason, many of the people I meet who rely on community transport in the highlands consider the social experience on the journey to be as important as getting to the destination, and in Scotland more than 100,000 people use community transport each year—but never for a profit. The social experience is important, because the round trip from Wick in Caithness to Kinlochbervie in Sutherland is 233 miles on predominantly single-track roads. That is broadly comparable with the distance from London to Blackpool, but with a journey time of seven hours, compared with around four and a half hours if travelling to Blackpool from this place. I think that puts in context the geographical and organisational challenges faced by community transport schemes operating in Scotland, and the near impossibility of collaborative working.

As a consequence, community transport schemes in Scotland work hard to be resilient and self-sustaining. All the community transport schemes in my constituency provide services specifically to meet the needs of local communities where there are few public transport services and even fewer taxis. All the schemes operating in Scotland are excellent, and I applaud their work, which makes an invaluable contribution to sustaining rural communities. They are responsive, accessible and flexible, but they are also under threat.
The Department for Transport is in consultation with the European Union on existing derogations that enable the UK to allow not-for-profit organisations to operate transport services without having to comply with public service vehicle regulations. The overarching legislation in respect of this derogation is in sections 19 and 22 of the Transport Act 1985, which allow community transport schemes to operate through what are known generally as section 19 and section 22 permits. There are restrictions on the services that can be provided, but the permits enable groups to fill gaps in public transport provision. The Scottish Government encourage section 19 and section 22 transport services to apply for a fuel duty rebate, implemented by Transport Scotland, called the bus service operators grant. Operators receive 14.4p per eligible kilometre. Community transport operators in Scotland achieve a great deal on very low levels of funding.

One of the biggest challenges for these small groups is having to pay 20% VAT when purchasing vehicles, because most have incomes falling far below the VAT threshold. Other problems are the high comparative cost of fuel, high maintenance costs because of poor quality roads, and high delivery cost of spares because of remoteness. The ongoing infraction proceedings appear likely to cause major problems for community transport operators by adding significantly to overhead costs. I understand that the outcome of the discussions might be a two-tier permit scheme that will allow only those groups not tendering for commercial contracts to continue in a similar way in future. However, no formal announcement has been made, and no timescale has been given for when changes might take place. As a result of the infraction proceedings, Derbyshire County Council, which previously allocated £1.49 million to six community transport groups in the county, will from next June withdraw all its grant funding to community transport schemes. That shift will significantly erode the ethos of community transport in the area.

In advocating diversification, partnership and reduced overheads, the Community Transport Association UK is adopting an English perspective, rather than a UK one. It talks of accessing sponsorship from local groups, but that is unlikely to be achievable for community transport schemes in Scotland. It also talks of tendering to take over service provision on a commercial basis, which I know community transport schemes in my constituency are against.

I urge the Minister to consider the value of community transport, and to argue for the adoption of a two-tier permit scheme as an outcome of the ongoing EU infraction discussions. I also urge him to reflect on the challenges facing operators in Scotland, to discuss with the Treasury an exemption from VAT for new vehicle purchases and, crucially, to look at how the rural fuel duty rebate scheme could be extended to allow community transport schemes to flourish. We are in real danger of losing all our community transport schemes by emphasising the price of everything and ignoring value.

10.1 am

Nigel Mills (Amber Valley) (Con): It is a pleasure to serve under your chairmanship for the first time, Mr Nuttall. I join other Members in congratulating my neighbour and hon. Friend the Member for Erewash (Maggie Throup) on securing this important debate, which is timely: community transport services in Derbyshire are under great threat.

I start, as other Members did, by paying tribute to the work of the employees and volunteers in my local community transport provider, which used to be called Amber Valley Community Transport but now has the catchy name of Community Transport for Town and Country—or CT4TC for short, which is a little harder to remember. It has initiatives similar to those that the hon. Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) spoke about, in terms of trying to be more efficient and developing partnerships. It now covers not only Amber Valley but north-east Derbyshire and Chesterfield, and even provides a newish service in Bassettlaw, crossing the county boundary—we are getting into quite radical territory there, by bridging the divide between Nottinghamshire and Derbyshire.

I do not think anyone could doubt the great importance and value of the service that CT4TC provides, or the value for money for the taxpayer. The county council’s contribution to the organisation is about £250,000 a year, but what we actually get is about £1.5 million-worth of community transport, so we get six times as much as we spend. The real risk is that we will lose not only £250,000-worth of valuable services but all the extra value on top of that; we will lose £1.5 million-worth of service. That would be a terrible loss from such a cack-handed and ill-thought-through approach to funding reductions. I am not sure how ambulance services in Derbyshire deliver that kind of return on the money spent.

CT4TC provides a number of services, and not only the ones directly funded by the county council. It provides schemes for care home outings, group outings, lunch clubs, regular day trips and a school service, as well as a dial-a-bus scheme and a community car scheme. If we lost the community car scheme, what impact would that have? The scheme exists to help people get to medical appointments with their general practitioner or at the hospital. Those people will still need to get to their medical appointments, and they will have two ways of doing that: they will either have to pay for a taxi themselves, which I suspect they cannot afford or are not willing to do, or they will have to use ambulance transport, which I think is now provided by the East Midlands Ambulance Service, but was previously done by a private provider. That just moves a cost for the taxpayer from one part of the system to a different part—namely, a service that is already overwhelmed and is not particularly efficient, either. I am not sure we are saving any money there.

At a time when we are meant to be trying to join up health and social care, if we move costs around the system and make it harder for people who are quite excluded to get to their health appointments, all that will happen is that a larger cost will end up falling on social care from people not getting the medical treatment they need when they need it. That scheme is vital, and that funding ought to stay.

We can make the same argument for what would happen if we were to lose the dial-a-bus scheme, which helps people who are otherwise excluded or stuck in their homes to get out, socialise, get their shopping, go to important appointments and pay their bills. If that service ceases to exist, where do we leave those people? We leave them more isolated, more lonely and stuck at
home, so they cannot get the shopping they need or reach the other services they need. What happens then? They will need more social care and more visits a day. People who are not yet in the social care system will perhaps need to go into it, which will have a much more significant cost than what we will save from making these budget savings.

We are in danger of being very short-sighted here, by looking at one particular cost and not thinking about all the knock-on effects around the system. I fear that if Derbyshire County Council proceeds as it is doing, and we end up losing all these services, that will create a whole load more costs in its already stretched social services budget. The value that it gets for the £250,000 that it spends is far more than that sum, and it risks spending a whole load more if it loses this service. There must be a better way of achieving these savings that does not involve risking what CT4TC says could happen: we might leave them with no option but a managed wind-down if these savings go ahead as planned.

It is not right for us to stand here and oppose every cut that county councils have to make, when we are making the necessary funding reductions to them: that is not fair. We elect councils, and they should make decisions based on their priorities, but it is right for us to ask, “Have you really thought this through? Is this really fair? Is it a sensible system? Are you giving these organisations a chance to reorganise their funding and find a different way of doing this? Are you going to deliver the services that you are legally obliged to?” We are saying, “Why do it so quickly? Take longer over it; think about what you are losing and see how we can replicate it.”

I am sure there is scope for these organisations to be a bit more efficient and to have some more partnership working and perhaps some further merges, to avoid a repeat of leadership costs, management costs, trustee costs and premises costs. We can perhaps make maintenance costs a bit more efficient and get some more efficient routes by not having services split across boundaries. There is a challenge for these providers to become more efficient, but we cannot say that that is a solution to losing the £1.5 million of services that CT4TC provides across the whole county.

It is worth thinking about the other money being spent on transport services around the county. We have a valuable but quite costly bus pass gold card system. I have never been able to work out exactly why we can put someone on a commercial bus service that makes a profit, on which they can use their gold card to travel for free in Derbyshire, yet when they catch a community transport service, they cannot use that gold card, or they can use it but have to pay some of the fare. Is there not a way of thinking more logically about how we merge those two services? Is it sensible for subsidised, profit-making private bus companies to run routes with not many people on them, while we cannot provide a community transport service that is probably more efficient and takes the most disadvantaged and most excluded people where they really need to go to a planned timetable, so that there is a group to make the service viable?

Is there a way of using the money we are spending on the bus pass and on subsidising those services to get better, more inclusive provision that targets the people who really need it? I am not saying we should not have buses going to housing estates that otherwise have no service, or that we should in any way change the gold card or the national bus pass system, but is there a way of linking those uses with community transport, to get better value and provide the better service that our constituents really need? We will then be able to deliver for people who cannot get out of their house if they do not have such a service. That is what we face losing in Derbyshire.

I will conclude by reading CT4TC’s mission statement:

“No one regardless of age, ability/disability, financial status or domestic location should be prevented from enjoying a full life because of lack of access to private or public transport.”

I do not think any of us could disagree with that as a mission, and I hope we can find a way through this funding issue so that that does not become a reality for some people.

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairmanship, Mr Nuttall, and I thank the hon. Member for Enniskillen (Maggie Throup) for securing today’s debate. I shall make some general comments about the policy in England and the UK and then turn to specific points on Northern Ireland, as the hon. Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) did for Scotland. Community transport is a massive issue for my constituency and it is always good to make a contribution on its importance.

Whether we are talking about voluntary car schemes, community bus services, hospital transport, school transport, dial-a-ride, wheels to work, group hire services or anything else, community transport is an essential service for many in the United Kingdom, and not least for the people in my constituency. It reaches vulnerable people, such as the elderly, and if ever we needed a reason for having it, that alone should be enough.

In 2013-14, more than 15 million passenger trips were provided by the 2,000 community transport organisations in England. It is clearly a huge sector and a credit to those who make it happen, as we have said. We have the opportunity to assist the unsung heroes in that sector and I welcome today’s debate.

The Government have made various single-year funds available for community transport—£20 million for 2011 and 2012 and, most recently, £25 million for 2015. I welcome the previous Government’s record on those funds; it is good to see the sector getting the recognition that it deserves with the increase in the single-year funds.

The bus service operators grant is also paid to community transport operators, and part of the BSOG that was devolved to local authorities in the last Parliament included an amount for their in-house community transport operations. I am very conscious that that has been devolved to the regions and that, for us in Northern Ireland, it is a devolved matter, but none the less, I would like to see it maintained across the whole of the United Kingdom of Great Britain and Northern Ireland.

I urge the Government to work closely with the devolved regions, so that community transport providers and those who avail themselves of community transport can get the best deal possible wherever they are in the United Kingdom. We should have a similar system
across the whole of the UK. The Department for Transport also provides £200,000 a year to the Community Transport Association, which is a great organisation providing representation and assistance to community transport providers. That funding should continue and even be increased if appropriate.

Given the Government’s greater knowledge and experience of local transport issues, they believe, I understand, that “it should be for local transport authorities, working in partnership with their communities, to identify the right solutions that meet the economic and environmental challenges faced in their areas and deliver the greatest benefits for their area.”

That is commendable and, hopefully, very achievable.

It may be a fair argument. Decisions about local issues are often made best at local level, but when it comes to funding and national attention, we have the clout to make a difference, as we should remember today. Local authorities that make payments to community transport operators must abide by the EU state aid rules, for example, and I am sure that there are other areas of red tape that make provision of community transport harder than it should be. Where possible, we should be cutting the red tape for local authorities to make their lives easier in providing and funding those important organisations and their services.

Again, this is a devolved matter in Northern Ireland, as the Minister knows. The Community Transport Association Northern Ireland has a record of 89 community transport organisations throughout Northern Ireland, ranging from those whose main purpose is to provide transport services to the local community, as well as those where transport is an ancillary service to the organisation’s main objectives. The types of groups include rural community transport partnerships, local community-based minibus operators, schools, churches and youth groups. The figures, as well as being important statistically, show the help that people are given.

In 2009–10, slightly fewer than 1 million passenger trips were recorded for community transport in Northern Ireland. We are a small region with a population of 1.8 million, which gives an idea of how important those community organisations are and the role they play in communities. It should be noted that less than a third—29%—of the organisations surveyed had access to such data, meaning that that is not entirely representative of the true figure, which we believe would be even higher than the almost 1 million that I mentioned.

The total fleet size across all vehicles in Northern Ireland, according to data collected by the Northern Ireland Assembly, is approximately 700 vehicles. In my constituency of Strangford, community transport is essential, and so important in the Ards peninsula that I live in and in the hinterlands of Ballygowan, Saintfield and Ballynahinch. There are two different council areas: the Ards and North Down Borough Council represents the peninsula and the Ards town, and part of Comber, and the Newry, Mourne and Down District Council represents another portion. That rural community transport is run out of Downpatrick and reaches out to all those parts of the constituency, almost like the lifeblood that flows through someone’s body. Its importance cannot be underestimated.

Approximately 100,000 volunteer hours were recorded by the 18 organisations who responded to the Northern Ireland Assembly consultation. As this matter is devolved, the Assembly has responsibility and has recognised its importance. It really is vital to rural communities, as other Members have said. If the total of 100,000 volunteer hours is scaled up from 29% to 100% of respondents, the total number of hours provided by volunteers would equate to more than 350,000 hours. I am ever mindful of the volunteers—where would we be without them doing all sorts of work in charitable organisations, helping people and caring for them? All these things come together. I believe that we are a good nation of people who help others and look compassionately at how we can do that better. The total benefit to society of 350,000 volunteer hours is worth £2 million—that valuation is based on the national minimum wage rate.

We realise that, in Northern Ireland, community transport is under certain pressures, as, indeed, we all are at this time, as we try to live within our budget. Other Members have referred to that but, at the end of the day, we cannot take away from those people the door-to-door transport that they have. It directly gives a lift to the elderly and takes them to the shops, who perhaps have their only social interaction and communication with anybody through that trip—on that bus that picks them up and takes them to the shopping centre or to the day centre, where they meet people of like mind. That is so important. The hon. Member for Erewash set the scene very well in her introduction, as others have as well, and in Northern Ireland, that is critical.

There have been concerns in recent years, notably from the same Community Transport Association that is funded by the Government, that community transport has been under pressure to replace local bus services that have been cut as part of wider local authority funding reductions, and that the resources are not available to compensate for all the cuts. For example, the Campaign for Better Transport told the Select Committee on Transport that “community transport can only fill between 10% and 15% of former supported transport provision”.

There is a gap, therefore, and perhaps the Minister will address that in his response.

There are two types of community transport licence. Section 18 of the Transport Act 1985, as amended, provides an exemption from public service operator and driver licensing requirements of vehicles used under permits. There are two types of community transport permits, both granted under the 1985 law. Twenty years on, surely we need to have another look at that. The debate is long overdue, and today we have had the chance to address that. Clearly, there are areas in which the Government are succeeding, such as the increase in the single annual payment. I warmly welcome that and hope to see more of the same, but I hope that 20 years is not an indicator of how long we will leave it until there is more serious legislation to assist this essential and undervalued sector.

In conclusion, community transport in my constituency and across all of Northern Ireland is critically important for people and their lifestyles, for their quality of life and for their interaction with people. I welcome this debate and thank all the Members who have participated, and particularly the hon. Lady for her introduction. I look forward to the responses from the shadow Minister and the Minister.
10.18 am

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to serve under your chairmanship, Mr Nuttall. Let me also thank the hon. Member for Erewash (Maggie Throup) for securing this important debate.

We have shed a lot of light today on the benefits for all our communities from community transport. Let me also thank the five Members who have spoken in this debate and briefly congratulate my hon. Friend the Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) on raising the important issue of VAT exemption for vehicles, which I hope the Minister will address. I also congratulate the hon. Member for Amber Valley (Nigel Mills) on his comments. He made a very good point that the cost of cutting funding may result in additional costs elsewhere for our councils, as indeed, did the hon. Member for Strangford (Jim Shannon) with his last point about the effect that community transport has on people’s quality of life.

However, as we have this debate on the cuts that may happen to community transport, I cannot help but reflect back on the election campaign and what the Scottish National party said; that there was an alternative to austerity and that we wanted Government spending throughout the UK increase by £140 billion. That sensible, pragmatic approach would have seen the budget deficit shrink to 2% of net national income by 2020, relieving some of the pressures on councils. I appeal to Conservative Members to accept the sense of that. We should approach the Chancellor to see what he is doing to relieve some of the pressures on our councils.

I want to reflect on some of the issues affecting the highlands and islands, which my hon. Friend the Member for Caithness, Sutherland and Easter Ross mentioned. In my constituency and throughout the highlands and islands, community transport provides a lifeline to thousands of people in a vast number of communities. Many remote rural communities suffer from lack of access to services through the absence of public transport, which has a negative effect on their sustainability and economic viability.

The lack of public transport is often linked with lack of other public services: schools, medical facilities, shopping facilities and so on. Lack of resources can lead to a declining population, and within that an ageing population that is increasingly isolated. Providing access to transport is something the Scottish Government take seriously, although responsibility for funding services was made the full responsibility of Scottish local authorities from 1 April 2008.

The Scottish Government recognise the important role community transport services play in providing accessible transport options as part of the transport network in Scotland. They play a major part in reducing isolation and increasing social inclusion. It is right that responsibility for such activities is in the hands of local authorities, which are the appropriate bodies to understand the needs of those in their communities. In this case, I recognise that Highland Council has sought to be proactive in working with others in the highlands to deliver effective solutions.

There is a question of what can be delivered through public transport and what is the inter-relationship with community transport. The Community Transport Association states:

“Community transport enables people to live independently, participate in their community and to access education, employment, health and other services. It uses and adapts conventional vehicles to do exceptional things—always for a social purpose and community benefit, but never for a profit.”

Transport Scotland, with the Community Transport Association and independent consultants, collaborated on research into the community transport sector in March 2015. A survey asked respondents to list three main purposes for which their services are used. It found that 71% listed social outings as the main purpose, 56% listed care centres and day centres and 47% listed health-related purposes. That is clear evidence of the positive impact on the wellbeing of users from being able to access community transport.

Highland Council spends around £15 million on public and school transport. Separately from the public transport, the council currently supports 23 community transport projects. For some years its funding has been renewed annually, but it has now invited new applications for three-year grants, which is very welcome. The challenge is a 10% reduction in the budget. To put that in context, Highland Council has a budget of £416,961 for community transport. The council states:

“Community Transport provides a flexible, economic service to many people who are not reached by conventional transport, and its coverage could be usefully increased, given the right operating conditions.”

We understand the financial pressures on councils, but in the light of the evidence of the benefits of such spending and the grim reality of isolation that can occur if such links are cut, spending in this area must be protected. Given that the Highland council states that these services could be usefully increased, I am calling on the council today to protect this budget.

Neil Coyle: The hon. Gentleman focused on leisure need. Is he aware that it is not a statutory duty on local authorities to provide that? What is his party doing to improve social care legislation in the absence of central Government funding to ensure that the leisure needs of older and isolated people are better taken into account under the statutory provision of services?

Ian Blackford: I am grateful to the hon. Gentleman for raising that point and I agree with him. It is one reason why the Scottish Government have integrated social care into health care. We understand the importance of bringing the two together. We have made enormous steps to deliver on that and will continue to do so.

Neil Coyle: What about leisure?

Ian Blackford: Social care certainly has a leisure element. Transport needs are associated with that and it is important that community transport plays its part. Important discussions are taking place and include, for example, hospital transport to the new hospital in Broadford. That is part of the mix we are discussing.

In remote and sparsely populated communities there are enormous hurdles in ensuring that we deliver. A sense of isolation hampers community cohesion, connection to social and health services, which the hon. Member for Amber Valley mentioned, and acts as a barrier to people settling in sparsely populated communities.
I represent the largest constituency in the country, with a land mass of 12,000 sq km. It is by far and away the most sparsely populated constituency in the country. When we are talking of public transport or other forms of transport connectivity, we suffer from being in the slow lane. Let me take air connectivity as an example. In the 1930s, it was possible to fly from Skye from either Skeabost or Glenbrittle, as indeed my wife’s grandmother did. Today, we have no regular air link to Skye, although we have a perfectly accessible runway at Broadford.

We need regular passenger services to be resumed to benefit local communities, tourists and businesses. An economic assessment is taking place on re-establishing air links, and although it will go to the Scottish Government in the first instance, I ask the Government in London to do what they can to ensure that Skye and the western highlands are connected to the outside world. There is much debate about an additional runway for London. I want just one functioning runway for Skye and the north-west coast of my country.

There is a challenge in providing transport capabilities throughout this vast region, but whether you live in a metropolitan area or a highland township, transport connectivity is a basic need. I applauded Highland Council for being imaginative in developing solutions. For example, a research project looking at rural transport options for the Glenelg area was carried out by Robert Gordon University. A pilot scheme was established and provided a capped sum of £3,000 to the Glenelg community for the scheme to run for 12 months. It procured a local taxi service for a fixed fee and sold tickets to travellers for £3 with the balance being provided to the taxi through the community group. It was a low-cost scheme that brought enormous benefits to the community of Glenelg and it has been continued. It is a good example of a locally driven solution with the community working with the local authority and a university with proven skills in the area of community transport.

One community that I know particularly well is Waternish, which is on a peninsula at the north end of Skye. It has a resident population of several hundred people, 35% of whom are retired, often with no access to their own transport. There is no shop in Waternish and those who live in Geary in Waternish and want to get to the nearest shop must travel 11 miles to Dunvegan. There is no bus to the peninsula, which is 7.5 miles long. There is a school bus but it is not licensed to carry anyone other than school pupils out of Waternish. This is something that needs addressing because it just adds insult to injury when a public service could be provided.

For Waternish and other communities, it is a question of how community transport can fill the gap and how we can connect them to the rest of Skye and beyond. We must rise to the challenge because if we do not we will leave communities at the margin, isolated and witnessing decline.

There is a willingness to tackle those challenges, often with the resourcefulness and drive of those who live in rural communities. They tend to want their communities to be sustainable and there is cause for hope. When I look at such places, I see entrepreneurialism and many people starting their own local businesses, often providing the highest quality products. Local food producers, outstanding craft producers, often working with others, want to interact with the local authority to fashion their own community-based transport solution.

If we are to reach out and deliver connectivity, the kind of example that I described in Glenelg needs to be experienced in other areas. A partnership of local authorities and communities working together can fill in some of the remaining gaps, but there is a desire to recognise that budgets have to be protected to allow this to happen.
Having made my political points, I will be charitable and suggest that all of us in this Chamber probably have the same goal—to ensure that everyone, no matter who they are or where they live, is able to connect with their community and get to school, shops, work, hospitals, friends and family. That is why buses are vital, especially for disabled people and those from low-income households. Indeed, almost half of the poorest households in the country do not have access to a car, and people in the lowest income group use the bus almost four times more often than those in the highest income group. Moreover, about 60% of disabled people live in a household with no car, and disabled people use buses about 20% more frequently than people without disabilities. I am sure that the Minister is familiar with those statistics; I suspect that he quotes them too.

We can therefore agree that we need buses, but the current situation just is not working. In many areas, private bus operators have abandoned bus routes and services that they have found to be commercially unprofitable, leaving many people isolated. Of course, local authorities, as I have mentioned, face deep cuts, leaving them unable to step in. As hon. Members have suggested, those responsible for various modes of community transport have valiantly attempted to perform the vital connective role that buses should play. Community transport serves areas that the bus companies have turned their back on.

However, there is something on which we cannot agree—the Government and Government Members continually refusing to take any responsibility for what is happening and blaming local councils for having to make cuts to transport funding. The Government are passing the buck and forcing local authorities to take the blame for those cuts, while keeping their own hands clean. It is estimated that central Government funding to English local authorities shrank by almost 40% between 2010-11 and 2014-15. The bus service operators grant, which subsidises bus fares for all, was also cut, by 20% in the previous Parliament. It is therefore no surprise that private bus operators have abandoned bus routes and services, as well as a recognition of the huge economic potential of community transport. Devolution and a symbol of just what can be done. It provides more than 20 million passenger trips each year and delivers a variety of transport services: mainstream bus services, school transport, social care transport and more. The bus operator recently raised a £10 million investment—the largest growth capital investment in the UK impact investing sector. That demonstrates the potential of community and not-for-profit transport providers to ensure a fairer bus system by breaking the stranglehold that private bus operators retain over the market and giving communities a voice over the transport that they need to be delivered.

Clearly, buses face huge challenges in our country, and we want to give local authorities genuine power over their bus services. Local authority budgets have been decimated of late, and the Government need to stop wilfully ignoring both the financial pressure that authorities are under and the value of investing in subsidised transport.

We eagerly anticipate the Government’s forthcoming bus legislation and hope to see within it local authorities being given both power and money to deliver much-needed services, as well as a recognition of the huge economic and social potential of community transport. Devolution for Nottingham and Derbyshire is being long drawn out and delayed, and we want discussions to give way to real local powers. We just hope that when that legislation is on the table, it provides for authentic devolution. We will not settle for more of the same. We need a better bus system, but also a community transport system that can flourish and prosper in its own right, rather than propping up ever diminishing bus routes as the Government withdraw support. What an irony that the Prime Minister pledged to retain the bus pass, but neglected to keep the bus.

10.38 am

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): It is a pleasure to serve under your chairmanship, Mr Nuttall. I congratulate my hon. Friend
the Member for Erewash (Maggie Throup) on securing this debate on the important subject of community transport. The community transport sector has for many years stepped in and provided services where traditional public transport services have not been available or not been suitable for passengers. These vital, lifeline services enable people to live independently, participate in their community and access education, employment, health and a range of other services. The key point is that they are always provided for a social purpose and community benefit, not for profit. The range of services provided includes voluntary car services, community bus services, dial-a-ride and wheels to work, making use of every type of vehicle from mopeds to minibuses. Community transport is responsive, accessible, flexible and local. Services are often run by volunteers, who help communities merely out of social kindness without expecting anything for themselves, on which they must be congratulated.

We have heard from Members some great examples of local services, and we have heard how well valued they are and how significant their impact is. There is real scale to the sector: tens of thousands of volunteers deliver millions of passenger journeys. The House might be interested to know that the Community Transport Association has done some analysis of whose customers are. It found that 98% of those who use community transport are older people, and 85% of passengers are people with disabilities or restricted mobility. The figures showed that 78% of community transport services take people to social outings, 73% carry out health-related trips and 64% take people to day centres. The CTA found that 31% of community travel services are provided in mostly rural areas and a further 21% in exclusively rural areas. It is helpful to quantify the points that hon. Members have made, because of the scale and importance of the service. It deals with some of the more vulnerable people in our community, and the social element, which hon. Members from Scotland particularly emphasised, is most important.

We have heard from hon. Members about services such as Bakewell and Eyam Community Transport in Derbyshire. Such services help to sustain and develop local economies and social integration, and we can see the real value of the organisations that run them. Evidently, so can the people of Derbyshire; I understand that a recent petition opposing the possible withdrawal of funding by the county council received strong support from local residents.

The Government recognise the importance of the sector, as we do the importance of all types of bus services. We recognise that buses are of enormous social and economic importance. They are at the heart of a modern transport system. The number of bus passenger journeys in our country is 5.7 billion a year, compared with 1.65 billion journeys on our railways. Bus services do the heavy lifting in our public transport system. That is why we have supported them and will continue to do so. The Government protected the bus service operators grant in the spending review to ensure that vital bus services continue to run.

We have created a £25 million fund for the purchase of new minibuses by community transport operators, so that they may continue to run those vital services. We have started delivering those to organisations, and the number will steadily increase over the next few months.
with hospital transport. The objective is to meet individual transport needs; it is not about what is written on the side of the vehicle.

Some £2 billion of public funding for transport services is provided each year by a number of agencies, in addition to £1 billion for concessionary passes. To break that down, £350 million is provided for local authority support of socially necessary bus services, £1 billion for home-to-school transport provided by local authorities, and at least £150 million for non-emergency patient transport provided by the NHS to individual local clinical commissioning groups. However, that funding is not generally co-ordinated or integrated at a local level, which sometimes results in duplication and wastage of public money—wastage that we can ill afford.

That is why, in April, the Government allocated £7.6 million to 37 schemes run by local authorities to pilot Total Transport solutions in their areas. The pilot schemes will run for a maximum of two years. That is a small amount of money, but a very big idea. It is about integrating services. It has the capacity to make a real difference in meeting the transport needs of every community.

Nigel Mills: Would the Minister care to comment on whether community transport providers can access concessionary fare money? I believe that those who run a for-profit service that is open to everybody can access that scheme, but those who run a targeted community transport scheme cannot get the refund on some of the fares. That seems a bit unfair.

Andrew Jones: What my hon. Friend says is correct. There are different types of schemes under different types of permits, which may therefore attract different levels of fares. I will look into the matter and respond more fully to him.

Let me mention buses, which Members have highlighted. As everybody knows, the Government are committed to devolution. Bus services are inherently local and must take full account of local circumstances and needs. It is right that areas that have ambitious plans to grow and develop their bus markets should be given the powers they need to achieve their aims. We have signed groundbreaking deals with several local authorities, in which we have committed to providing them with powers to franchise their bus services. Franchising continues to form a core part of ongoing devolution deal conversations. Our devolution plans go beyond Manchester, Cornwall and Sheffield; if other areas want to come forward with attractive devolution deals that include bus franchising, they will be considered.

The future of bus services in each area will depend on how well local authorities, LEPs and operators adapt to local conditions. Not every place will adopt the same bus strategy, nor should they. It is about what works best for each area. That could be partnerships, franchising or, where bus services are working well, the status quo. What matters is that local authorities, bus operators and LEPs sort out what will be best for them locally and get on with it. In all that, the aim is to grow the bus market. I am a great fan of buses, and they are a key part of our transport mix. The buses Bill will present us with the opportunity to give local areas powers to make things even better.

As I have described, the Department provides several pots of funding to help provide strong transport and social connections in our communities. It is true that reductions in funding to local authorities have been tough. I was a cabinet member in a local authority for five years, with responsibility for its finances, so I know that these are difficult, big decisions, but the funding has been set at a sufficient level to deliver effective services.

It is up to Derbyshire County Council where to prioritise its funds and whether it ought to be making cuts to community transport. It has significant reserves—I understand that they could be up to £200 million—and it will have to consider what to do. It is the council’s decision, and as hon. Members have said, it is not easy, but the key priority must be to focus the money on where it will make a difference. Community transport really makes a difference, as everybody knows and has been so clear about. I am sure that the council is watching the debate and will listen to hon. Members.

I look to community transport operators to be part of the changing public transport picture and to work closely with their local authorities, and I look to all parties to consider how they might best contribute to providing services.

Ian Blackford: Will the Minister address the comments that my hon. Friend the Member for Caithness, Sutherland and Easter Ross (Dr Monaghan) and I made about VAT exemption for community transport vehicles?

Andrew Jones: I was just about to come to some of the points made by the hon. Members for Ross, Skye and Lochaber (Ian Blackford) and for Caithness, Sutherland and Easter Ross. VAT exemptions are obviously a Treasury matter. I will take that up with the Treasury and write back to the hon. Gentleman.

The contribution of the hon. Member for Caithness, Sutherland and Easter Ross was powerful, particularly as it highlighted the social experience of journeys and how big some of those journeys are in his part of the world. It is a fantastic part of the United Kingdom, but the journey distances are unrecognisable to other areas. Low population density areas face greater challenges with transport.

The hon. Gentleman mentioned the infraction case. That is an ongoing case, and as it is not resolved it would not be appropriate for me to comment on it. I assure the House that we will continue to work closely with colleagues in Scotland and Northern Ireland as the case progresses.

I confirm that the Government recognise the importance of community transport. It is clear that that view is held right across the House, and that there are no political divisions at all on the matter. I will work to ensure that community transport has an even stronger future.

10.52 am

Maggie Throup: Thank you very much for your chairmanship today, Mr Nuttall. I think the debate was about to get a bit raucous at one stage, but you brought us back under your control. I thank the Minister for his response, for his and the Government’s commitment to community transport, and for acknowledging that it plays such an important part in all our constituencies.
I thank all hon. Members who have made valuable contributions to the debate. I feel like I have had quite a good bus tour around the country. We have been to the very north of Scotland to Caithness, Sutherland and Easter Ross, and to the west of Scotland to Ross, Skye and Lochaber. We have been over the waters to Strangford and down to Bermondsey in London. During the journey, we have been through the rest of country from the constituency of my hon. Friend the Member for Norwich North (Chloe Smith) to that of my hon. Friend the Member for High Peak (Andrew Bingham), whose experiences we heard about. We have taken in Banbury, Derby North and Amber Valley. It has been an interesting tour around the country.

Although Members may disagree on some points, particularly about funding cuts, we have all come to the consensus—whether we represent a rural, urban or suburban constituency—that community transport plays an immensely important role in supporting the elderly, vulnerable and disabled.

My hon. Friend the Member for Amber Valley (Nigel Mills) quoted the mission statement for his constituency’s community transport service, and indicated very well that it is not only the elderly and disabled who benefit from community transport services but a wide variety of service users across the board. As my hon. Friend the Member for High Peak did, I encourage other Members to spend a day with their local community transport service, experiencing at first hand what it does and the pleasure it brings to so many people.

We have heard about several community transport organisations that have already diversified their funding, and about the added value that community transport brings to our communities. It is important that community transport organisations, including those in Erewash and others across Derbyshire, look for alternative funding streams. However, I ask the Minister, as well as taking on board the issues raised by other Members, to do whatever he can to ask Derbyshire County Council to give community transport across Derbyshire a stay of execution until alternative funding streams can be found. I am sure that once that has happened, our community transport services will benefit from having control of their own funds and the freedom to develop services in the way they really want, so that they can benefit an even wider range of local user groups.

I would like to finish by acknowledging that Erewash has good bus routes. In fact, constituents in some areas think that we actually have too many buses—an oversupply. There is not a lack of buses, it is just about how those bus routes are delivered. I disagree with the shadow County Council who are playing politics with people’s lives. They are always blaming the Government for their poor decision making. Erewash Borough Council is under the same pressures, but it is thriving.

**Question put and agreed to.**

Resolved.

That this House has considered the provision of community transport.

10.56 am

**Sitting suspended.**
no means least for this MP who studied history, thanks to the Heritage Lottery Fund, forward-thinking trustees of different charities and, I hope, strong political support, we have made much more of our heritage to win bids for funding to improve and highlight our destinations, and to host new festivals that, in turn, are bringing more visitors; the cathedral has a critical role in that. Should the Minister have the chance, I would be delighted to show him our city—not just the car park in which he is playing such an important role, but a city where heritage comes alive and new businesses thrive.

A common theme for all such growth is, of course, transport. On the edge of the M5 between Bristol and Birmingham, and two hours by train from London, one of Gloucester’s key attractions for inward investors is our transport links, which also support those living in neighbouring constituencies such as Forest of Dean, Stroud and Tewkesbury. Gloucester’s growth means that the most recent railway passenger statistics show an increase of 4% in passengers from Gloucester, which is a third more than the national figure of 3%. That will increase and, as the Minister may know, trains will shortly be running every half hour from London towards Gloucester and Cheltenham, which in turn will increase the number of passengers using our station and, inevitably, the station car park. In turn, of course, that will put significant pressure on existing facilities, which is precisely where the Ministry of Justice comes in—this is the crux of today’s debate.

Almost 10 years ago, the previous Labour Government bought land for new courts in Gloucester. We will return to that theme another day and, before the Minister gets nervous about the scope of today’s debate, I assure him that I will not be raising the issue of a new justice centre in Gloucester today. The land acquired on Great Western Road, a former car park, lies beside platform 4 of the station, although it is currently without access to it, and opposite Gloucestershire Royal hospital, which employs many thousands of people and, of course, has many more patients every year. The car park has sat empty and unused for a decade, ever since the Labour Government changed their mind about new courts for Gloucester. In October 2014, I launched a campaign to bring the car park back into use as a new long-term car park for the station, with new access to the station from that side.

The ingredients for that project, or “stakeholders”, if we prefer that term, were many. I needed support in principle for the idea, above all, from what was then First Great Western and is now Great Western Railway—a name resonant from my younger days in Gloucestershire and my many school journeys from Moreton-in-Marsh to Colwall. I needed the Department for Transport’s support for Great Western Railway’s proposal in its seven-year franchise extension. Both Great Western Railway and the Department for Transport, led by the Secretary of State for Transport, who visited Gloucester, responded magnificently. I needed support from the county council, which it also gave, not least because there is a spin-off benefit in relieving some of the traffic pressure from the station forecourt on to Bruton Way from the current car park. And I needed support from the city council for the potential planning application, which it gave in principle, noting the huge added convenience for Gloucestershire Royal hospital staff and patients and the regeneration implications for the site, the road and the city.

Lastly, but by no means least, as the Minister knows, I needed support, both in principle and in practice, from the Ministry of Justice in disposing of the land and being the catalyst for something that, although modest in itself, will have much wider transport, traffic and growth implications, enabling a virtuous circle of easier access for travellers, more trains, better experiences, more visitors and more jobs from the economic boost.

The Minister and the then Secretary of State for Justice, my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), could not have been more helpful, and I wish to put that on the record. Everything was agreed in principle in March 2015, but of course the business of process, transfer to a Government entity to avoid any question of state aid, legalities, price and the number of entities involved—the Ministry of Justice, the valuers, the independent valuer, the city council, Great Western Railway, the Department for Transport and Network Rail at one point—plus the summer holidays meant that progress during the middle of this year was somewhere between modest and slow, but the pace has picked up in the last few weeks, which is perhaps in part due to the Chancellor’s determination that the Government should make much greater use of their real estate assets as soon as possible. My understanding of the current situation is very encouraging, and part of today’s objective is to hear whether the Minister shares my understanding.

First, I believe that the Ministry of Justice has agreed in principle to sell the land to Gloucester City Council, and I understand that a recommendation on the price and an agreement goes to a Ministry of Justice real estate board in early January 2016. Secondly, Great Western Railway has agreed in principle to lease the land from the city council and intends to submit a planning application in January. Thirdly, Great Western Railway and the Department for Transport are holding talks to ensure that the land is retained as a station asset way beyond the current franchise. Fourthly, the city and county councils have submitted a bid of almost £5 million for various station improvements, in line with my recommendations of October 2014, to the Gloucestershire local enterprise partnership, and that bid is likely to be high on the LEP’s list of priorities.

I hope that I have laid out that never was an empty car park so important to the development of transport in our city, or to our city’s regeneration; its value as a catalyst for change is much greater than its commercial value. A year and a bit on from a series of proposals laid out by e-news to my constituents, I believe that the public sector—Government and local government—working together with the train operator means that we are close to bringing this opportunity to reality.

Today, I hope that the Minister can confirm his understanding of where things are, and that he will continue his key role in urging that the most important of Government responsibilities—the implementation of decisions already made in principle—be carried out, so that early in the new year, the city of Gloucester can have certainty that ideas on paper will become reality.

In the bigger scheme of things, this car park is at the very fringes of the Minister’s empire of responsibilities and goals to deliver, but I hope that it is a project—small
as it is—about which he and his Department will be able to say shortly. “We reviewed this proposal. We agreed with it in principle. We promised to make it happen. And we have now delivered.” If that is the case, Gloucester will be very grateful, but it will also set a magnificent precedent for other opportunities involving MOJ real estate around the country.

11.11 am

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): As always, Mr Nuttall, it is a pleasure to serve under your chairmanship.

I congratulate my hon. Friend the Member for Gloucester (Richard Graham) on securing this debate on a subject that is vital for the residents of Gloucester. I also take this opportunity to put on the record the huge amount of work that he has done for the people of Gloucester, not only regarding this particular piece of land but more generally. As far as this issue is concerned, he has engaged with me on a regular and active basis, and he has also been instrumental in ensuring that the many other stakeholders and key players involved in the whole of this transaction have been engaged with one another. He has been instrumental in ensuring that all the threads are woven together to make one canvas, so that hopefully in the new year we will be able to arrive at an agreeable solution.

Of course, my hon. Friend and I have met on a number of occasions to discuss this issue and we have also corresponded about it. He has a terrific vision for Gloucester. My officials have engaged extensively with representatives from the many other interested parties on how the land owned by Her Majesty’s Courts and Tribunals Service in Great Western Road can form part of the wider regeneration of the city.

Let me explain at the outset that the piece of land in question was purchased quite some time ago with the intention of building a new Gloucester court. The freehold interest in the site was one of a number of magistrates courts and other properties transferred to the Courts and Tribunals Service under the Transfer of Property (Abolition of Magistrates’ Courts Committees) Scheme 2005. Since that time, the site was used temporarily as a car park by the national health service and was later used as a store to facilitate works to the adjacent railway. As my hon. Friend indicated, for quite some time it has not been in use.

Following an approach by Gloucester City Council, the Courts and Tribunals Service considered a request to transfer the land. In support of its request, the council asked that we take into account the wider economic development of the area and its importance for the city as a whole. My hon. Friend will appreciate that, for reasons of commercial confidentiality, I cannot divulge the final details of the valuation or the negotiations. He will understand that, as is the case in almost every transaction of this kind, there are many aspects of the proposal to discuss, including the future development potential of the site; the current and future planning status; whether there should be any conditions attached to the completion of the sale; the timing of any such conditions; whether any overage or clawback should be applied, and if so, how much and over what time; what price should be paid; and whether that price should be paid in one lump sum or in staged payments.

While there remain technical details to resolve, I share my hon. Friend’s enthusiasm for seeing the matter settled, and both parties continue to work towards achieving a deal that is acceptable to all concerned. I emphasise that there is no lack of willingness on our side to achieve a mutually beneficial sale.

I turn briefly to the wider changes that we are making to courts and tribunals in England and Wales as part of our court reform programme. We have conducted a consultation on the possible closure of 91 courts and tribunals across England and Wales. The HMCTS estate is a major asset, but many buildings are underused. Indeed, around a third of our courts are used at less than half their capacity. Our proposal is to close the less efficient buildings and to transform the way that courts and tribunals operate and deliver services to the public in the future.

Those improvements cannot be secured without some difficult decisions having to be made, but I genuinely believe that the court reform programme offers a once-in-a-generation opportunity to create a modern, user-focused and efficient Courts and Tribunals Service.

Richard Graham: The Minister is kind to give way. I promised him that I would not extend this debate to cover the issue of the future of the courts, but I just thought it would be helpful to him if I were to put on the record the offer that Gloucester has made to the Ministry of Justice. Effectively, it is to provide land free of charge in the wonderful central area of Blackfriars, very close to the current Crown court, the families courts and the magistrates courts, to create a single
Mr Vara: In his usual eloquent way, my hon. Friend has managed to sneak into this debate another angle, which obviously also involves his speaking up for constituents in Gloucester. I commend him for that. I am mindful of the submission that he and the people of Gloucester have made, and we are reflecting on it. No decisions have been made so far regarding the wider consultation.

As far as the court reform programme is concerned, we must recognise that the world outside the courts is changing rapidly. In the 21st century, we expect to be able to transact our business online, quickly, efficiently and at a time that suits us. Cheques and paper forms have been replaced by contactless payment cards and smartphone apps. The Courts and Tribunals Service has already established alternative ways users can interact with its services, such as the use of video links, and it is looking to expand the provisions to provide more choice than is currently available. That includes exploring whether appropriate use can be made of civic and other buildings for certain types of hearings. My hon. Friend is aware that Gloucester magistrates court is included in the consultation. The proposal is for criminal work from the court to be transferred to Cheltenham magistrates court. As he is aware, we are analysing all the responses to the consultation, and we have not made up our mind or made any decisions so far.

For the sake of good order, I assure my hon. Friend that the sale of the land at Great Western Road does not impact in any way on the decisions that will need to be made following the consultation. He will understand that I cannot give him notice of the finalised transaction, for the reasons I have given. I very much hope, however, that he and his constituents will be in no doubt that I support the positive vision that is regeneration in Gloucester—a matter that he has so forcefully put across. The Ministry of Justice is keen to be a part of that vision, and we are taking steps to ensure that we do not stand in the way of progress. At the same time, he and his constituents will be in no doubt that the system is not working very well at present. I hope the Minister will take the opportunity today to set out in more detail how that warning system will work in practice, and, specifically, what protection there will be for certain types of hearings. My hon. Friend is aware that Gloucester magistrates court is included in the consultation. The proposal is for criminal work from the court to be transferred to Cheltenham magistrates court. As he is aware, we are analysing all the responses to the consultation, and we have not made up our mind or made any decisions so far.

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I again congratulate my hon. Friend on securing this important debate. I very much hope that, in the new year, there will be some resolution to all the hard work that he has put in on behalf of his constituents.

Question put and agreed to.

11.21 am

Sitting suspended.
Evidence base for how sanctions are affecting vulnerable claimants. The researchers drew on the experiences of more than a thousand people who use homelessness services in England and Scotland, and looked specifically at the impact of sanctions on their lives and employment prospects. Distressing individual stories are documented in the report, and I urge the Minister and other hon. Members to read it. It deserves to be widely read.

There are many reasons why people become homeless or precariously housed. Often in the past, relationship breakdown has been cited as the single biggest reason why someone will end up homeless, but more recently that has been overtaken by problems with benefits, particularly among those who have been sanctioned. In many cases, though, homelessness is itself a symptom of underlying vulnerabilities. Young people leaving care; people with long-term mental health problems; people with addictions; and people with borderline learning disabilities who have trouble with literacy or numeracy — these are all high-risk factors for becoming homeless, but what the Crisis research found was that the most vulnerable claimants were those at the greatest risk of being sanctioned. They also found that, far from pushing people to secure work, sanctions were actually pushing people further away from the labour market. To my mind, that is an extremely serious finding, because it undermines the Government’s assertion that sanctions are helping to bring down claimant numbers and are playing a positive role in getting people into work.

As far as vulnerable claimants are concerned, that is simply not where the evidence leads. Research from the University of Oxford and the London School of Hygiene and Tropical Medicine, published earlier this year, found that “Sanctions do not appear to help people return to work. There is a real concern that sanctioned persons are disappearing from view.”

Similarly, the Economic and Social Research Council has questioned the effectiveness of conditionality in getting people into work, and the Department for Work and Pensions’ own evaluation of Jobcentre Plus in 2013 concluded that there was no evidence to suggest that knowledge of jobseeker’s allowance conditionality led to actual movement into work. However, there is mounting evidence that sanctions are a key driver of the growth in demand for food banks and are causing unprecedented hardship, and now there is evidence that they are fuelling homelessness.

The number of people being sanctioned has fallen from its peak in the year to October 2013. Since that time, the labour market has improved significantly, and the number of people claiming jobseeker’s allowance or its successor benefit, universal credit, has fallen by 41%, so we would expect to see a corresponding fall in the number of people being sanctioned. What is more revealing is that we have also seen a smaller, underlying downward trend in the proportion of claimants being sanctioned, which has fallen to 4.92% a month in the year to June 2015, from a high of 6.77% a month in the previous year. That, however, is still dramatically higher than the pre-2012 rates prior to the introduction of the new regime, and a staggering proportion of sanctions — more than two-thirds — are now overturned on appeal, where claimants challenge the decision. I know from speaking to colleagues in Citizens Advice that it now urges people who are sanctioned to appeal against that first sanction. If people do not appeal against that first sanction, there is a real risk that if they are sanctioned again, the consequences will be devastating for their incomes.

Research carried out by Dr David Webster of Glasgow University highlights a couple of very important statistical limitations of the data that we have on sanctions. First, the recorded stats show sanctions only after reviews, considerations and appeals, so there is a time lag in the data, and the figures do not tell us how many people actually had their benefit money stopped in the first place. Also, and more significantly, as the DWP has been making the transfer to universal credit, new single claimants of unemployment benefits are going on to that benefit instead of on to JSA, and absolutely no data have been published on universal credit sanctions. This is now having what researchers describe as a “significant distorting effect” on analysis, because the number of those at risk of JSA sanctions is being reduced. Moreover, the young single claimants now more likely to be on universal credit — almost half of them are under 25 — were previously twice as likely, statistically, to be sanctioned under JSA, so the distortion in the data could be amplified by that, but without hard data, we simply do not know. So we need that data on universal credit.

Neil Coyle (Bermondsey and Old Southwark) (Lab): I congratulate the hon. Lady on securing this debate. She has made an interesting point about jobseeker’s allowance, but there are data to show that in the past couple of years there has been a significant increase in the number of disabled people in receipt of employment and support allowance who have been sanctioned, up from 1,400 in March 2013 to 5,400 in March 2014, according to the Crisis figures that I believe the hon. Lady was citing.

The hon. Lady made comments about improving the work capability assessment. Even if the WCA were improved, what is her solution to the sanctions on disabled people on employment and support allowance?

Mrs Cheryl Gillan (in the Chair): May I remind hon. Members that interventions are supposed to be short and pithy?

Dr Whiteford: The hon. Gentleman makes an important point about employment and support allowance. I was particularly addressing the universal credit figures, on which, at the moment, the data are lacking, although I believe that in August the UK Statistics Authority called for those data to be published, along with data on actual numbers of sanctions applied. Will the Minister tell us when the Government plan to publish those figures?

The wider issue about the move to universal credit is that it introduces critical differences to the conditionality regime that applied for JSA. First, under universal credit, sanctions run consecutively, not concurrently, so they will potentially be much longer. Also, any hardship payments made are repayable, so, for example, someone is repaying a hardship payment at the rate of 40% of their benefit; in that sense, the sanction will effectively become three and a half times longer in real terms than its nominal length. That seems unduly punitive. Moreover, the 80% hardship rate for vulnerable claimants will be abolished.
under universal credit. Again, given what the Government have already said about recognising the needs of vulnerable claimants, they really should go back to the universal credit changes and look at how they are going to impact on people.

Hardship payments are not made automatically. People need to know that they exist, whether they are eligible for them, and how to apply. My hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) has introduced a ten-minute rule Bill, which we are due to debate early in the new year, that would make hardship payments automatic and non-repayable. In the wake of the Oakley review, the Government accepted in principle the need to: make hardship payments available from day one of a sanction; remove the requirement for those who are vulnerable or have children to complete a separate application process; and extend vulnerability markers. Given that acknowledgement that there are vulnerable people in the system, that people are being sanctioned who are not really in a position to comply with the conditions placed on them, and the growing evidence that those claimants are at much greater risk of sanctioning, will the Minister look at this again as universal credit is rolled out more widely?

The rate of sanctions for those in receipt of ESA is very much lower than for JSA, but it is nevertheless a serious issue. We would expect ESA sanctions to be less prevalent, but one of the deeply worrying issues that emerges from the figures released by the DWP in November is that around half of the ESA sanctions imposed between April and June this year were on claimants who had previously been sanctioned. That makes it crystal clear that sanctions are not having a deterrent effect on sick and disabled claimants; rather, it suggests that people are simply unable to comply with the conditions imposed on them. That echoes case studies in the Crisis research, which showed that when sanctioned claimants on ESA had support from professionals, they were subsequently assigned to the support group.

One of the key issues that emerged from the Crisis research with service users was that overall, 21% of respondents who had been sanctioned said that they became homeless as a result of the sanction. The Government have to take that extremely seriously. If someone becomes homeless, it becomes significantly more difficult for them to find work. Communication becomes difficult if someone does not have a stable address, reliable internet access, and cannot present themselves in a smart and work-ready way. It also puts untold pressure on relationships with family and friends. Indeed, it puts financial pressure on family and friends who are trying to support loved ones but might not have the means to do so. It also has a very costly knock-on effect on local authorities, which have statutory responsibilities in such circumstances but also face significant financial pressures.

A critical and perennial problem is that sometimes when a person is sanctioned their housing benefit is also stopped. I know that it is not supposed to happen, and the Government claim that it no longer happens, but very recent research makes it clear that it is still happening. The issue was highlighted in the Oakley review back in 2014, and the Government responded by advising claimants to keep local authorities informed of their situation. They also said that they would implement an IT fix. When the previous Employment Minister appeared before the Work and Pensions Committee in February, prior to the election, it was suggested that the problem had been resolved, but it had not. In early October, DWP issued an urgent circular to local authorities confirming that sanctioned claimants should continue to receive housing benefits without interruption.

It is clear that there has been an ongoing problem that has not been resolved. That is backed up by the evidence in the Crisis report: more than a third of those it surveyed who claim housing benefit reported that it was stopped when they were sanctioned. That rate rose to 38% for those in the ESA work-related activity group—that is, those people currently not fit for work and in an inherently vulnerable situation. It is clear that not all councils’ systems have caught up with the new guidance yet, and it is still a bit of a lottery. This has been happening for a long time now, and the Government really need to get a grip of the issue. Will the Minister update us on that, and tell us what the Government are going to do to protect vulnerable claimants who face housing benefit cuts?

It is important to understand that for many people in rented accommodation, housing benefit or local housing allowance will not cover all their rent in the first place. Many people in private rented accommodation make up the rent out of their JSA or ESA, and some folk in social housing will be liable for the bedroom tax—although thankfully not in Scotland. In a lot of cases, sanctioning is pushing people into arrears, even where the system is working as the Government intend it to.

It is abundantly clear that the sanctions regime is causing real hardship for the most vulnerable people. The Crisis report lays out in very stark terms the extent to which some claimants find it immensely difficult to comply with the conditions placed on them. It is really notable in the research findings that the overwhelming majority of claimants want to work and have every intention of meeting their responsibilities, but simply cannot always meet the demands placed on them. Sanctions need to be reasonable, proportionate and fair, but for those who face the biggest hurdles, the current regime is none of those things.

No one should be made destitute because of the conditionality regime. That is not an acceptable outcome in a civilised and wealthy society. Neither is it a proportionate response to minor infringements, which are often the result of circumstances beyond the control of individuals. Only one in 50 people who are sanctioned is sanctioned for refusing a job. That seems like a heavy burden for people who have made minor infringements. They can potentially lose their homes and any means of supporting themselves. All Members know that we are witnessing destitution in too many communities. People are simply falling through the safety net, and at this stage we have no way of quantifying how many people simply fall out of the system altogether. I have seen them in my constituency, and they tend to be sick people who have long-term health conditions, but we have no systematic information. It is clear that we need a root-and-branch review of the sanctions regime and, as a matter of urgency, we need hardship payments to ensure an accessible safety net.

I am really conscious that it has been a balmy 12° to 15° here in London over the past few days, but I left Aberdeenshire this weekend in sub-zero temperatures.
As winter sets in, those who cannot stay warm and cannot feed themselves properly are at the gravest risk. The Government are culpable if they do not protect our most vulnerable citizens. I urge them to listen and to respond to the specific points I have made. I thank the Members who have come to contribute to this very important debate so close to the end of term.

2.48 pm

Anne McLaughlin (Glasgow North East) (SNP): I congratulate my hon. Friend the Member for Banff and Buchan (Dr Whiteford) on securing what is possibly the most important debate that could be brought before the House. We heard from her some important and shocking statistics, which I will not repeat. I intend to look at the principle of sanctioning people’s benefits, share a few stories about people in my constituency who are currently being crucified by sanctions, and say a little about what I think the Government’s motivation is.

The idea is that if we punish people for not wanting to work, or for not wanting to work hard enough, and really make them suffer, it will teach them that they cannot always rely on the Government to take care of them. I would challenge the idea that there really are people who do not want to work. Yes, there are plenty of people who struggle to find work, but there are many reasons why they cannot, such as a lack of jobs, a lack of confidence, no self-belief, an experience of applying over and over and getting nowhere, and generational unemployment in the area where they live.

I also want to challenge the idea that people get comfortable on benefits and on the Government’s largesse. Jobseeker’s allowance is about £73 a week, and people struggle to pay their living costs on it. Being cash poor is incredibly time-consuming. People have to be very creative to get by, but it is not a fun creativity. It is stressful, depressing and, for many people, never-ending. I am sure we would all argue that we could live on £73 a week, and I agree that we probably could for one week, but try doing it week in, week out, month in, month out—for some people, it is year in, year out—with absolutely no respite. There are no bonuses for people who live on benefits.

Seventy-three pounds a week means that, if your washing machine breaks down, you’ve had it. Nobody is going to fix it for less than £50, so where will you get the money? It means always being the one who turns up to family weddings and parties in the same outfit and with a cheap present that you know they do not really want but is all you can afford. It means having holes in the bottom of your shoes and getting used to soggy cardboard underfoot. It means keeping up the facade so friends do not pity you. It means being in job interviews trying to focus on coming across well, but spending far too much time worrying that they can hear your shoes squeaking. Being poor can be really embarrassing. Nobody gets comfortable on benefits.

The money people are given does not stop them looking for work. Yes, low pay is a problem that we need to tackle, but we need to acknowledge that pay is not the only attraction to work. There is the purpose that work gives; it is somewhere to go and a reason to get up in the morning. Most importantly of all, there are people to interact with on a daily basis. Whether you like them or not, interaction is important.

We all know that, but not everybody does. There are areas in which whole generations have been unemployed for long periods. If someone does not remember their parents, aunts and uncles working, how can they know that jobs are about more than money, and how do they therefore garner the enthusiasm to apply for very low-paid jobs?

Michael Tomlinson (Mid Dorset and North Poole) (Con): The hon. Lady is making some important points about the most vulnerable in society, as, indeed, did the hon. Member for Banff and Buchan (Dr Whiteford), who secured the debate—I apologise for being late. Does the hon. Member for Glasgow North East (Anne McLaughlin) agree that we should welcome today’s jobs figures, which show that more people are in work than ever before, and that we, as Members of Parliament, have a responsibility to promote those who are in work and the benefits of work that she is highlighting?

Anne McLaughlin: I represent Glasgow North East, which has the 17th highest rate of unemployment in the whole of these islands, so my constituents have got very little to cheer about today, although I hear that the Prime Minister was most gleeful about the fact that we have managed to cut unemployment a little overall.

Emily Thornberry (Islington South and Finsbury) (Lab): Is the hon. Lady aware that, although more people are in work than a year ago, the number of hours that we are working as a country has gone down, which indicates the sort of jobs that people are getting?

Anne McLaughlin: I represent Glasgow North East, which has the 17th highest rate of unemployment in the whole of these islands, so my constituents have got very little to cheer about today, although I hear that the Prime Minister was most gleeful about the fact that we have managed to cut unemployment a little overall.

I grew in the shipbuilding town of Greenock in Port Glasgow. I often tell a story about when I was at Port Glasgow high school—I am not going to tell Members what year it was. Every Monday morning in my first year at high school we had a 15-minute registration class, and the teacher would ask, “How did you get on at the weekend?” I remember a long, long period in which several people in my class—it felt like dozens, but it could not have been—said, “My dad got made redundant”, “My dad was a fitter, and he’s lost his job”, “My father was a welder” or “My mother worked in the canteen.” Not many women in those days were time-served tradespeople. For so many of my classmates, both their parents lost their jobs. For many of them, the last time they could remember their parents working was when they were 12, so they have very little memory of working parents. Where there is generational unemployment in an area in which expectations are low, surely our job is to raise people’s expectations; give them confidence and self-belief; work with them, not against them; give them additional support, not less support; and certainly not punish them.

Let me turn to what I believe lies behind the Government’s sanctions agenda. I will start with what they say lies behind it. They say it is to teach claimants that they cannot expect something for nothing. I will refer to a few of my constituents, and perhaps the Minister will tell me what each of them was supposed to learn. Sara was late—not very late—for an interview
and was sanctioned. She was late because there was an accident on the road and her bus was stuck in traffic. It was not her fault. What is she to learn from that?

Another constituent was told that she had to go to an interview at the job centre. She was given a week's notice, and they said, “We want you to come next Wednesday at 3 pm.” She said, “But I pick up my six-year-old from school at 3 pm.” “Well, that's just tough”—her parents lived 100 miles away—“You either come to the interview or we sanction your benefits.” What is she to learn from that? Should she have abandoned her child at the school playground or take her child out of school? That is what she did, and her child missed an hour’s education.

I have two constituents—a couple—who live in Roystonhill. The wife went into labour—not the party; she was having a baby. [Laughter.] I do not know why I said that. The husband unsurprisingly went with her. He had no credit to phone and say that he would not be signing on that day, so he went the next day. They were sanctioned for six weeks. Welcome to the world, tiny baby; your parents are getting no money for six weeks, and not even a single milk token. What is that couple to learn from that sanction? Did they learn that the husband should have abandoned his wife and left her to it? Before anybody starts thinking that they were long-term unemployed, let me say that their daughter is two and they are both working now. They were both working up until six months before she had the baby. They are not people who do not want to work. They learned nothing from that experience, except that the Government do not care about them.

I have a constituent who has mental health problems and a visual impairment. He has severe panic attacks. A quarter of a million people on employment support allowance have been sanctioned because they have mental health conditions or learning disabilities. A quarter of a million people now. Should I have been sanctioned? That is what is happening to people now. Should I have been punished, or should I have been given a bit of additional support? We should acknowledge that finding a job is a stressful, extremely low-paid, full-time job. Is it really so difficult to understand why claimants sometimes need to clear their head and build their confidence again?

It is clear that what lies behind the benefit sanctions regime is an ideologically driven determination to drive people further into the ground, to show them who is boss, to pander to the red tops that tell people about layabouts living the life of Riley, never having worked a day in their lives and never having wanted to because the poor, downtrodden workers are doing it for them while they get paid way too much to sit about on their backsides all day. That is utter nonsense and anyone who argues it should be ashamed of themselves.

Michael Tomlinson: Will the hon. Lady give way?

Anne McLaughlin: If the hon. Gentleman wants to argue that, carry on.

Michael Tomlinson: The hon. Lady is being generous with her time, particularly with my interventions. I cannot let her get away with the accusation that Government Members are determined to drive people into the ground. It is the exact opposite. The intention is to drive people into work. For SNP Members to accuse Government Members of wanting to drive people into the ground, not into work, is to miss the point entirely.

Anne McLaughlin: We are not missing the point. Most of us have been there ourselves. Most of us have been unemployed and looking for work. None of us was born with a silver spoon in our mouth. None of us has had a job for the boys. Most of us have experienced living on benefits. I am telling the hon. Gentleman that the way to get people into work is to support them, understand them and build their confidence, not to attack or threaten them and certainly not to take away the means by which they feed and clothe themselves and their children.

Neil Coyle: Does the hon. Lady share my concern about the despicable comments that we just heard? We are talking about disabled people with mental health conditions or learning disabilities. A quarter of a million people on employment support allowance have been
found unfit for work. It is disgraceful to be pretending that this is about supporting them back into work. This is about taking money from disadvantaged people.

Anne McLaughlin: I will finish by completely agreeing with the hon. Gentleman. I have had a constituent—a grown man—crying to me on the phone. He once had a lot of self-respect. He once had a tough job that he worked really hard at. He became ill, but he has not been believed. He is now talking to me about ending his life. I do not know what to say to him. The hon. Member for Mid Dorset and North Poole (Michael Tomlinson) pretends that this is all about getting people into work, but why does he not listen to what we are telling him? Why does he not listen to the evidence? He may believe something else, but he needs to open his ears and start listening.

3.2 pm

Kirsty Blackman (Aberdeen North) (SNP): I do not know how to follow my hon. Friend the Member for Glasgow North East (Anne McLaughlin). She was excellent.

I want to discuss the Crisis figures, highlighting a few that were not mentioned by my hon. Friend the Member for Banff and Buchan (Dr Whiteford) earlier. Some 77% of those who were sanctioned skipped meals and 64% went without heating. As was mentioned, someone can just about get away with that in this weather down here in London, but not in a cold granite tenement in Aberdeen. It is horrendous that people are having to decide whether to spend their last £10 on the prepayment meter for electricity or on food for their children. It is ridiculous that people are being put in such positions.

Returning to the figures, 60% found it harder to look for work after being sanctioned. That does nothing to encourage people into work. It is an attempt to take money away from people. In a Citizens Advice survey, nine out of 10 people who had been sanctioned said they did not know why they had been sanctioned or how to stop it happening again. If they are supposed to be encouraged into work and to learn from the experience, which is presumably an attempt by the Government to prod them in the right direction, why are they not learning? Why do they not know how to avoid being sanctioned in future? Why have they not gained knowledge from the experience?

I also want to mention the link between sanctions and food banks, which has been discussed at length previously. Research carried out by The BMJ found that areas with the biggest increase in benefit sanctions saw the biggest increase in food bank use. The link is clear. I represent Aberdeen North. Aberdeen is the oil capital of Europe. It has the highest proportion of Rolls-Royces outside of central London. It is a very rich city, but we have so much poverty.

3.5 pm

Sitting suspended for a Division in the House.

3.14 pm

On resuming—

Kirsty Blackman: I was talking about the food bank situation, and the situation more generally, in Aberdeen. We have three food banks in Aberdeen that publish statistics: the Trussell Trust, Instant Neighbour and Community Food Initiatives North East. In the past year, we have seen a massive increase in food bank use in our city. Indeed, between 2012 and 2014, the Trussell Trust saw 240% growth, while the Instant Neighbour food bank saw 120% growth—the growth has been absolutely huge. All three food banks cite late benefit payments and benefit sanctions as reasons for food bank use.

Interestingly, on the topic of getting people back into work, 22% of those across Scotland who go to Trussell Trust food banks say they do so because of low wages.

Michael Tomlinson: Does the hon. Lady welcome the pilot scheme under which jobcentre advisers attend food banks to signpost people in the right direction and to help them get back to work?

Kirsty Blackman: It is good to have all sorts of advisers in food banks, but food banks are filling a ridiculous gap that we should not have in the system. They are going out of their way themselves to do their best for people in terms of advice. They are having to finance these things and to get money from people, including from local charities and organisations, to provide advice. People really need that advice, and I welcome advice from all quarters, but these things should not be happening in the first place.

As I said, Aberdeen is a rich city. How do people get into a situation where they are unemployed and need to go to food banks? I came from a job where I was not earning as much as I am now—obviously, most of us took a bit of a pay rise when we got this job—so the combined income in my household was less than £40,000. People in my peer group, who are not earning the lowest of the low wages are still just a couple of pay checks away from having to go to food banks. The Government say it is really good that we are giving breaks to people with savings, but people do not have massive savings. If the main earner in the house is made unemployed, and they have a couple of months where they have no finances, they are in serious trouble, no matter how careful they have been or what they have done.

In Aberdeen, people cannot rent a one-bedroom flat for less than about £500 a month. People who have been made unemployed, who are struggling and who are having to pitch up to the jobcentre are really struggling to pay their rent.

Chris Stephens (Glasgow South West) (SNP): My hon. Friend will be aware that, in my constituency, we now have not only food banks, but a Christmas toy bank. Food banks, general practitioners and the rest are referring people to toy banks at this time of year. Surely that shows that the welfare system is failing.

Kirsty Blackman: A local organisation, Home-Start Aberdeen, did an Advent book bank and people donated children’s books. Some of the children who received books would not otherwise have got a book at Christmas time. It is absolutely awful that children are being disadvantaged because of those policies.

Some of the people who walk through the door of my constituency office and through the doors of food banks are pitching up because of late benefit payments.
For example, an adverse decision has been made against them, they have been sanctioned and they have got the decision overturned, but it takes another month for that to get through the system and for the money to come in. How can the Government say that someone will be sanctioned for being 15 minutes late for an appointment when they cannot pay somebody for a whole month? How is that a realistic position? They expect individuals to behave in an impossible way—it is impossible for anybody to be on time for every single appointment and never to be 15 minutes late—when they can happily miss paying people for an entire month, and that is acceptable. It is ridiculous that they expect people to live by rules they cannot live by themselves.

I am really distressed by the benefit sanctions system. I am particularly annoyed about the late payments. I am annoyed that the Government, despite having published the guidelines and policies they expect people to work within, do not even stick to them. If there is an appeal, for example, it would be really good if they could make payments timeously to ensure that my constituents do not have to go to food banks.

3.19 pm

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to serve under your chairmanship, Mrs Gillan. I congratulate my hon. Friend the Member for Banff and Buchan (Dr Whiteford) on securing the debate, and other Members who have spoken passionately about their constituents and the situations that they have seen. I want to highlight a couple of constituency situations as well.

The sanctions regime for employment and support allowance is particularly punitive, going by my experience in my constituency office. It has put sick and disabled people into serious hardship for unacceptably long periods. I have a constituent in the ESA work-related activity group who suffers from serious clinical depression. As a result he has been totally unable to get to advisory interviews and take part in work-related activity. He should be in the support group but has not been able to advocate for himself because of his condition, which has compounded his situation. He was sanctioned for an entire year and has been unable to recomply to get the sanction reduced to a fixed period. He should not have been sanctioned at all, but it is clear that the structure of the ESA regime and the increasingly punitive sanctions imposed by the Department for Work and Pensions are targeting the sick and vulnerable.

Despite guidance that states that claimants must be officially notified of sanctions in writing, many jobseeker’s allowance claimants have been sanctioned without an official warning and, as my hon. Friend the Member for Aberdeen North (Kirsty Blackman) said, without any understanding of the reason for the sanction. A constituent of mine lost his benefits from 2013 when he was sanctioned for failing to attend an interview. He was told verbally that he had been sanctioned, and the sanction should have lasted four weeks. He was not given further information about how to challenge the sanction. It is estimated that over the past five years, 28,000 claimants in Scotland have been sanctioned without official notification in writing from the DWP. Following the switch to automatic notification of sanctions by the DWP in 2015, my constituent finally received notification of his sanction two and a half years later. This lack of administrative error puts people into situations of great confusion and misunderstanding. They do not know why they are in such circumstances, and that is unacceptable and should not happen.

Michael Tomlinson: The hon. Lady again highlights very effectively some hard cases involving the most vulnerable people. There are examples in my constituency as well. However, just so that I can understand, is it her party’s policy that there should be no sanctions at all? After all, sanctions have been in place for some time. Alternatively, is the issue simply that they are not being implemented correctly?

Alison Thewliss: The sanctions regime as it stands today is unacceptable. The hardship that people are placed in, the stress on their lives and the effect on their children and wider families is unacceptable. The sanctions regime is not fit for purpose. It targets entirely the wrong people and makes things worse.

There is particular concern at the citizens advice bureau in Bridgeton about the question of the first sanction, which was raised by my hon. Friend the Member for Banff and Buchan. People are not challenging that first sanction. They think, “I’ll ride that one out. I can wait a week. I can manage. I can cope,” but if they do not challenge it the system decides that they have accepted the reason for the sanction, and that it was fair and justified. When something else happens—the next time their bus is late, or they have to pick up a child, or they are ill or in hospital, or some other thing happens—the second sanction will be far more punitive and the third one, should there be one, even more so. The first sanction is crucial, and that fact is not getting out to people. I cannot stress enough how much I would like people to challenge the first sanction on every occasion. An awful lot are overturned, because they are not fair.

The last case that I want to highlight puts the tin lid on how ludicrous the system is. I do not know, but I imagine that hon. Members from parties outside Scotland will not have seen the front page of The National this morning. It reports on a case that I highlighted about a constituent who was on universal credit and sought work. He obtained an offer of employment, which was great—that is what we want for people. As with all jobs, a start date was negotiated and agreed; that was fine. However, because of the expectation of compliance with the claimant commitment, which is the core requirement at all times for receiving universal credit, that constituent faced the threat of sanction even though he had a confirmed offer of employment. The new employer of that person will be the DWP. Well done, guys; that is absolutely tremendous. You could not make it up. The Government urgently need to review universal credit, particularly to ensure that the transition to employment is managed properly and is not subject to sanction. It is ludicrous to sanction someone who has complied and done everything they ought. It is crazy.

Michael Tomlinson: I repeat my question on that. Is it the position of the hon. Lady’s party that there should be no sanctions regime at all?
Alison Thewliss: Does the hon. Gentleman think that he should be sanctioned because he was late for the debate today? I hope he loses a week’s, a month’s or a year’s wages as a result.

Michael Tomlinson: I had good cause.

Alison Thewliss: Did you? Then you should explain it to someone else and see if they consider that fair. That does not happen to my constituents. Why should the hon. Gentleman have a different set of rules?

I have another case I want to raise, although it is not the case of a constituent of mine. However, the lady who told me about it affected me deeply. She was in Central Lobby a few weeks ago, and was so upset; she was in tears and absolutely broken. Her brother had committed suicide. He died with £3.44 to his name because he had been sanctioned and lost his benefits. He committed suicide as a result of the pressure put on him by the policies of the Government. The sanctions regime needs to be resolved and reviewed, and that must happen now.

3.25 pm

Neil Gray (Airdrie and Shotts) (SNP): It is a pleasure to serve with you in the Chair, Mrs Gillan. I congratulate my hon. Friend the Member for Banff and Buchan (Dr Whiteford) on securing the debate, which follows on from one that I secured in this Chamber two weeks ago. The Minister may well be getting fed up with responding to Scottish National party debates about the Government’s sanctions regime, but I warn her that the party will return to the issue and challenge the Government on it until we see fairness in the social security system.

My hon. Friend the Member for Banff and Buchan made an excellent speech and has been a constant campaigner on the issue for some time. I pay tribute to her for that. She highlighted the issue of work capability assessments and people being declared fit for work when they are clearly not. She also highlighted the fact that although there is a need for some form of conditionality, the conditions should be proportionate and fair. She called on the Government to look at the trial of the yellow card warning system, and argued that the very need for it shows that the system is not working. I call again on the Minister, as I did two weeks ago, to tell us about the detail of that trial—when we can expect it to happen, and where and how it will happen. That detail has not so far been forthcoming.

My hon. Friend the Member for Banff and Buchan also highlighted the hardship and destitution resulting from sanctions. The Crisis report gives excellent qualitative evidence on that: 1,000 people were spoken to in a survey, and the impact on their lives was documented. My hon. Friend’s speech, coupled with the Crisis research, reveals the urgent, desperate need for a review of the sanctions regime, and for better protection of homeless claimants and those with mental health conditions against extreme hardship resulting from sanctioning.

My hon. Friend also touched on issues to do with hardship payments, which I hope the Minister will reflect on and deal with. Sanctions have not become a deterrent. That is clear, and my hon. Friend showed it. Indeed, there is a debate to be had about whether a deterrent is needed. The Crisis report set out that homeless people accept the need for conditionality. The problem is that they are simply unable to comply with the conditions, because of their unfortunate circumstances.

My hon. Friend the Member for Glasgow North East (Anne McLaughlin) made an incredibly powerful speech on behalf of her constituents, and I must agree with her. Over the nearly eight years I have helped in and represented the constituency of Airdrie and Shotts, I have yet to come across anyone who has shirked the responsibility of looking for work, or anyone who does not want to get work. As my hon. Friend said, there is no bonus for living on social security support. I support her in challenging any of us here to live on £73 a week. Maybe we could do it for one week, but week after week it would be incredibly difficult. No one gets comfortable on benefits. For her to be able to draw on her own experience of living on social security support and applying for jobs, and of the dent to confidence from being knocked back, was powerful testimony to which I hope the Government pay heed.

My hon. Friend the Member for Aberdeen North (Kirsty Blackman) was worried about following my hon. Friend the Member for Glasgow North East, but she did so well. She drew on figures from the Crisis report, such as the one showing that 77% of those sanctioned had skipped meals. That has to be a wake-up call. That figure alone should trouble Members in all parts of the House. Another critical figure is that 60% of those sanctioned found it harder to find work as a result—little wonder, frankly. The rise in the number of food banks in her constituency is reflected in mine, but we should not be relying on food banks and third sector organisations to fill the gaps in the social security safety net caused by Government cuts. I hope that the Minister will reflect on that in her winding-up speech.

My hon. Friend the Member for Glasgow Central (Alison Thewliss) spoke about the case of her disabled constituent who was sanctioned for a year—an absolutely disgraceful example, which we should all be shocked by. She was also quoted in a newspaper report this morning—I have a copy, if the Minister wishes to read it—which highlights another of her constituency cases. My hon. Friend’s constituent had earned employment at the DWP, but was sanctioned while waiting for the employment to start. That sums up the omnishambles of the sanctioning regime.

Michael Tomlinson: The hon. Gentleman, too, is highlighting some of the hard cases. As the SNP spokesman, however, will he confirm whether it is his and his party’s policy for there to be no sanctions system? After all, sanctions have been part of the social security system since 1946.

Neil Gray: I pay tribute to the hon. Gentleman for his diligence, especially after the put-down by my hon. Friend the Member for Glasgow Central: the hon. Gentleman was himself late for the debate and, had he been on social security support, he would have been sanctioned. I do not believe that many of us could survive for longer than a month or so without our own salary, never mind the £73 a week that other people have to live on. It does him no service to push this. As for our view of sanctions, we believe that there should be conditionality, absolutely, but not the punitive sanctioning that has increased exponentially under this Government.
and the previous one. That is our concern, not conditionality or sanctioning in general. I hope that answers the hon. Gentleman’s question.

As my hon. Friend the Member for Banff and Buchan said, the sanctions regime is causing extreme hardship and is being operated in an arbitrary and unfair way. The Crisis report she quoted shows plainly what is happening to homeless people.

Emily Thornberry: Does the hon. Gentleman acknowledge that the rules were changed in 2012, resulting in the much greater use of sanctions than ever before?

Neil Gray: Yes, absolutely, the Labour spokesperson is right. There is clear, documented evidence of the rate of sanctioning for all social security benefits such as JSA and ESA having risen since the coalition Government came to power.

Homeless people are twice as likely as others to be sanctioned, which must shock us all. I hope that the Minister will advise us of what plans she has to extend the at-risk group to those with mental health conditions and to the homeless, as I called for two weeks ago. I hope she will provide some detail on that.

Angela Crawley (Lanark and Hamilton East) (SNP): The Scottish Association for Mental Health published research that found that 98% of service users had said that their mental health had deteriorated as a direct result of welfare reform. The research confirmed that benefit sanctions had been detrimental to the mental health of service users. Does my hon. Friend agree that sanctions are inhumane? I call for a review of the practice.

Neil Gray: Absolutely. Two weeks ago I called for that same review, and the Select Committee on Work and Pensions has done so as well. I hope that the Minister will respond. It is little wonder that mental health of people who have been sanctioned suffers—their confidence, their ability to find work and their ability to feed and water themselves and their family are all damaged. It is little wonder that we find evidence that people’s mental health is suffering. What benefit does sanctioning give to people seeking work? Very little, if any.

In the Minister’s response to my earlier debate, she stressed the importance of sanctioning to the social security system and to getting people into work. I hope that in her response today she will provide some evidence of the effectiveness of sanctions in pushing people into work. I am genuinely interested to hear what the Department has done to get evidence of how many people have returned to work within three or even six months of a social security sanction. I am interested because there is certainly plenty of evidence to show that the system is not working.

One example of evidence is the academic research conducted by Oxford University and the London School of Hygiene and Tropical Medicine, which my hon. Friend the Member for Banff and Buchan cited. They looked at official data on sanctioning rates, employment rates and benefit off-flow between 2005 and 2014 in 375 local authority areas—a pretty comprehensive and wide-ranging study. They found that for every 100 JSA claimants who received a sanction, 42.4 no longer claimed the benefit. That sounds great until we realise that only a fifth of them actually reported having found work. So for every 100 sanctions, we get 8.5 people into work. Also, from those 100 sanctions, 34 people no longer claim the benefit but are not in work. How many of them are self-denying the support to which they are entitled and which they need because they are so scrunched and fed up with the system?

Has the Department carried out a social impact study? Has any work been done with those who have been sanctioned to find out what their experiences were, their destinations after the sanction and the impact on their quality of life? The Government have been quick to dismiss any link between work capability assessments and suicides, in spite of the study from Oxford and Liverpool Universities linking 590 suicides to WCAs. The Government have also been quick to say that the sanctions regime plays an important part in the social security system. As far as I can see, however, neither statement has so far been supported with fact. I hope that the Minister will enlighten us today.

Emily Thornberry: Is the hon. Gentleman aware of another statistic? If people go on the Work programme, they are as likely to get sanctioned as to get a job.

Neil Gray: That is a highly depressing statistic for the Government to reflect on.

I hope that the Minister will give us more detail on the yellow card sanction or early warning system. We heard that it was to be trialled in the new year, but where will the trial be, how long will it last and under what terms will it take place? I asked the same questions two weeks ago and hope that the Minister can now advise us of the answers.

Finally, will the Minister agree to the full independent review of the sanctions regime called for by the Work and Pensions Committee and by my party? With half of all sanctions being overturned on appeal, a sizeable increase in sanctioning rates and documented evidence from Oxfam, the Poverty Alliance, Crisis and many others linking sanctions to increased food bank need, now is the time for the Government finally to realise the damage that they are causing to individuals and communities and to review the sanctions regime.

Emily Thornberry (Islington South and Finsbury) (Lab): It is a pleasure to serve under your chairmanship, Mrs Gillan.

I, too, did not expect to be back in Westminster Hall discussing benefit sanctions so soon after the previous debate. Nevertheless, I am grateful to the hon. Member for Banff and Buchan (Dr Whiteford) for securing the debate. I am also very grateful to the hon. Member for Glasgow North East (Anne McLaughlin) for speaking from the heart, for speaking the truth and for speaking so powerfully.

The debate has given us another opportunity to hold the Government’s feet to the fire. As the official Opposition spokesperson, I tend to speak second to last, before the Minister, so I do not get a chance to come back at her. We are two weeks on from the previous debate, so I will
I found that interesting, so I had a good look into that. However, I am afraid that the Minister has been gilding the lily.

The Government actually said that they would accept the recommendations
“wherever possible, and subject to detailed feasibility and securing the necessary resources”—weasel words.

Effectively, they are giving no commitment at all and the reality is that, 18 months after the Oakley report was published, some of its most important recommendations have gone exactly nowhere. Recommendation 11, for example, called on the Government to pilot a system of non-financial sanctions. That seems entirely sensible, particularly for those with a strong record of meeting the requirements placed on them and who, for example, may simply have had a wife in labour.

To give another example, recommendations 12 and 14 suggested that the Government end the absurd practice of Work programme providers being required to refer people for sanctions even if the providers themselves do not believe that there has been an offence. The Government rejected that common-sense suggestion and once again gave no reason. Therefore, the Minister claims to have “responded positively” to Oakley, and to have accepted his recommendations “in full”, but, having had a good look at the reality as opposed to the rhetoric, I do not see how they match up.

Similarly, the Minister did not tell us the whole story when she described the Government’s response to the Select Committee report. She said that its Chair had “welcomed our response and, importantly, our willingness to engage with the Committee to ensure that the conditionality system works as it should.”—[Official Report, 2 December 2015; Vol. 603, c. 176WH.]

Let us have a look at that. By far the most important recommendation was for there to be a full, independent review of the entire system. Inexplicably, the Government refuse to do that and will not give us a reason.

Another of the Committee’s particularly important recommendations was for there to be a thorough evaluation of the new approach to in-work conditionality. We all need to be mindful of what the Government are doing and what they are about to do. They are currently piloting, within universal credit, an expansion of the conditionality regime. That pilot is very shadowy. We do not know where it is, who is being put through it or how many people are on it and, when we ask, the Government do not give us any answers. In-work conditionality means that, for example, called on the Government to pilot a system of non-financial sanctions. That seems entirely sensible, particularly for those with a strong record of meeting the requirements placed on them and who, for example, may simply have had a wife in labour.

We welcomed the recommendation of a review, not least because in-work conditionality is completely untested and unprecedented—it is a new concept within any social security system. The Government’s response to the recommendation was good. I give the Minister full marks for her response. She stated:
“we know from claimants that there is a positive impact on behaviour” —[Official Report, 2 December 2015; Vol. 603, c. 174WH.] and that, “sanctions make it…clear” to people that they must “follow the rules”, so they are not about jobs. As is obvious, following the rules in terms of looking for work is not the same as finding work. In fact, it has become increasingly clear that, in many cases, the rules are a set of arbitrary boxes to be ticked that are as likely to hamstring people looking for work as they are to help them.

Sanctions are a major concern in Scotland, as they are in the rest of the country, as today’s debate and the previous one show. I was struck by a case that came up at a recent hearing of the Scottish Parliament’s Welfare Reform Committee on sanctions. A man from the east end of Glasgow described his experience on the Work programme, which included being made to sit in an office from nine to five, cold calling local employers to ask whether they had any vacancies. Of course they did not, so he ended up with a string of rejections, which was deeply humiliating as well as being a complete waste of time. For the Minister to suggest that the rules are about tailoring to the needs and circumstances of the individual frankly contradicts all the evidence and experience, which is to the contrary.

The Minister spoke about the claimant commitment in our previous debate. It is worth saying a few words about that, not least because, by setting the conditions that jobseekers are expected to adhere to, it has become an inextricable part of the wider sanctions debate. What are the conditions? Like the sanctions regimes we have today, the claimant commitment was a bit of a wheeze, cooked up by the coalition Government in what seemed to be more of an effort to score political points than to help people find work. I read the two reports on universal credit published by the DWP a little over a week ago and one thing I found interesting was that only 37% of people surveyed by the Department felt that the claimant commitment set realistic expectations that would help them find jobs.

It is time for a proper evaluation of the claimant commitment. Although that was a key recommendation of the Work and Pensions Committee in its recent report on sanctions, the Government continue to refuse to do that or to give us a reason why. In her previous speech, the Minister referred to her Department’s efforts to “improve” the system by taking on board the recommendations of the two recent reports. One of them, which was by Matthew Oakley and published in July 2014, has been referred to, while the other is the Work and Pensions Committee’s report from March to which I just referred. She said that the Government have “responded positively to the…Oakley review”, and that they had “accepted all 17 of the Oakley recommendations to improve the process”—[Official Report, 2 December 2015; Vol. 603, c. 176WH.]
Emily Thornberry: With great respect, I think that is a simplistic argument and that it goes further than that. Those who have been subjected to a large number of sanctions lose confidence and end up “economically inactive” and, when they are asked why they have become economically inactive, we find out that it is because they have been discouraged. For many people, that means sleeping on the sofa, asking mum for a loan and begging. Many people are falling out of the system and a large number of them are very young, but that allows the Prime Minister to get up at Prime Minister’s questions and say that the number of claimants is going down. It is more cynical than cuts. Cuts is bad enough, but that takes things further.

The Government have not made clear exactly what they will do, but our assumption is that the 1 million people must include those on universal credit. I respectfully suggest that the Government saying one thing to the Select Committee and then the exact opposite in the Chamber and now they want to increase it to include those in work. In fact, I do not know whether the Minister knew that. Who are those claimants? What are the Government doing on this? We have a shadowy pilot and we are told that it will be looked at properly before it is extended, but then the Chancellor of the Exchequer says that it will be expanded to another million people and we do not know what the circumstances are. This is completely new. The current sanctions regime is bad enough and if the Minister is now to expand that to those in work, we need to know why and how.

Neil Gray: Does the hon. Lady share my concern that the conditionality and sanctioning regimes are just a fig leaf for social security cuts?

Emily Thornberry: It is fair to say that I am always happy to come to the Chamber to participate in debates on this important issue. Today’s debate has given all Members the opportunity to give their constituents’ views and their personal views on the sanctions and benefits system. It has also provided opportunities for Members of the House to discuss how we can support and encourage people back into work. On a day when we see figures showing record numbers of people in employment, we should welcome all the support put in place through our jobcentres and work coaches to help people into work. It is somewhat disappointing that we have not heard much from Members in this afternoon’s debate on the support available to help people into work.

Conditionality is a key part of the approach that has helped to deliver record-breaking levels of employment, labour market improvements and the lowest claimant count since 1975. As we have debated not only today and in the debate a few weeks ago but continuously, sanctions have been part of the welfare system for a considerable number of decades.

Neil Gray: Does the Minister accept that since her Government and their predecessor, the coalition, came into power, the sanctioning rate has increased for not only ESA but JSA? Can she give any reason for that?

Priti Patel: I do not accept what the hon. Gentleman says at all. Sanctions have been a part of the welfare system for a considerable number of decades, and successive Governments of all parties have acknowledged the principle that there should be a link between benefits and engagement with the labour market. That principle has been at the heart of the system, and it is important to recognise that is exactly how the system works right now; we engage claimants and ensure they are being supported in their work searches, while ensuring fairness and balance in the system.

The claimant commitment clearly sets out the consequences of failing to meet the requirements of the claim. As I have stated in previous debates, the claimant commitment is discussed at length with the claimant and, of course, takes account of any barriers to work, health conditions, disabilities or caring responsibilities.

Anne McLaughlin: Will the Minister give way?

Priti Patel: I will not, because I have many comments to make and we are short of time.

Two weeks ago, in the previous debate on sanctions, a number of Members quoted from reports and gave statistics to support their claim that the system is broken. We have heard similar quotes today, but we should be clear that much of what has been quoted is not fully representative of the system. We have heard extensive quotes from Oxford University and the London School of Hygiene and Tropical Medicine report that suggests only 20% of JSA claimants find work after a sanction has been imposed. That is misleading, because it makes the assumption that the 80% of people who leave JSA with unknown destinations do not enter work. In fact,
many people do not inform Jobcentre Plus of their post-benefit destination because they are getting into work.

Statistics published by the Office for National Statistics put a clear disclaimer on the data, stating that the destinations data are unreliable and that it should not be assumed that all movements into employment are accurately reported. It would have been more accurate for Members to quote from the comprehensive DWP destinations survey that found that 68% of those leaving JSA move into work.

Members have rightly raised the issue of sanctions for people with mental health conditions. Less than 1% of ESA WRAG claimants with mental health conditions are sanctioned each month. The latest available data show that the number of sanctions across ESA WRAG claimants has decreased over the past year, including for those with mental health conditions. That is because, as we have continuously stated, we are seeking to support people with health conditions and, in particular, mental health conditions into employment.

The Government have just pledged more than £40 million to develop a proper and robust evidence base on which approaches are effective for people with mental health conditions. Over the next three years, that investment will enable us to have informed pilots that are based on evidence, to see exactly what kind of support works for those people and whether cognitive behavioural therapy for people on ESA, JSA and UC makes a difference. We are now working in a more integrated approach with the Department of Health on the use of talking therapies in our jobcentres and other community locations.

Several hon. Members mentioned the recent Crisis report, but they did not highlight that the report found there was support for a system of conditionality among the respondents interviewed.

Neil Gray: I said that.

Priti Patel: Let me finish my point. The report noted that “the sanctions regime does prompt some behavioural change”. Scottish National party Members have secured this debate; I congratulate them on that, but they have had their say. They have been giving very inaccurate reports about the sanctions regime. As I have said at least six or seven times on the Floor of the House, if individual Members want to raise their cases with me, I am happy to look into them. If they want to raise cases about jobcentres in their constituencies or the conduct of work coaches, I would like to pick those up with them. Members who have raised such cases have not done so previously, but I give them the opportunity to do so.

Emily Thornberry: I appreciate that the Minister has a lot to get through, so I will speak very fast. One of the Work and Pensions Committee’s recommendations was that the DWP should monitor the destinations of people leavingjobseeker’s allowance. Currently, the Department only does that on an ad hoc basis. That is one of the recommendations that the Government refused to apply.

Priti Patel: That, of course, is part of our ongoing work and, along with the sanctions system, it is always subject to review. We will continue to work with the system and learn from the data we receive.

To return to the Crisis report, it is not entirely clear how the respondents to the study were selected, and the conclusions appear to apply to only a subset of the overall homeless population. That is why we are quite cautious about the degree to which the views and responses included represent those of the broader population. We know that the most important priority for homeless people is to secure accommodation, and to secure support not only in getting into accommodation but in dealing with barriers to work and any particular conditions they may have. It is important to note that support is always, rightly, based on individual needs and circumstances, and is there to help homeless claimants find suitable living accommodation, which in turn helps to remove barriers to employment.

I return to the role of our work coaches. They are able to treat certain homeless claimants as meeting their job-seeking conditions if they are receiving the right support to find living accommodation. Work coaches are also able to suspend conditionality temporarily if the claimant’s circumstances constitute an emergency. We recognise that homeless claimants may not be covered by our current list of vulnerable claimants for the purposes of hardship payments, and I emphasise that we are considering expanding the list to include those who are homeless.

We understand that homelessness is highly complex, and no one should generalise about the circumstances or backgrounds of homeless individuals. It is our priority to ensure that they get the right support. That is why the Government have made more than £1 billion available since 2010 to prevent and tackle homelessness and to support vulnerable households. In the spending review, we announced an increase in the Department for Communities and Local Government’s centrally funded programmes over the next four years to tackle homelessness. I would like to think that all Members here would welcome that.

References have been made to sanctions statistics, and it has been suggested that according to the Government’s March figures, 50% of sanctions imposed have been overturned on appeal. The official statistics say something different: in the year to June 2015, only 14% of original adverse JSA sanctions and 23% of ESA decisions were overturned by decision makers. Those decisions were based on new evidence being brought forward that was not available at the time of the original decision.

Anne McLaughlin: Will the Minister give way?

Priti Patel: I come back to my point that if individual Members want to raise specific cases with me, they are very welcome to do so.

I do not have time to touch on the overall improvements to the sanctions process, which I know we have discussed before, or the Work and Pensions Committee. We keep the operation of the sanctions system under constant review—as we do all our policies—to ensure that it continues to function effectively and fairly. We will continue to do that.

I will touch on the pilot of the yellow card system, which gives claimants an additional period of time to provide evidence of good reason before a decision is made. That will help to strike the right balance between fairness, conditionality and individual circumstances.
Our intention is that the trial will operate in Scotland from March 2016, running for approximately five months. It will be carefully designed and delivered, with a clear process, training and guidance provided for all staff involved. The trial will be evaluated in full to assess the impact on the individual behaviours and understanding, and we will carefully monitor all the relevant data to consider the extent to which the warning system trial affects sanction decisions. We will make the findings available from autumn 2016. There are already a number of opportunities for people who are sanctioned to present more evidence, and of course, that will be part of an ongoing system of review. We are working with our work coaches to develop that.

As today’s debate was secured by members of the SNP, I would like to raise some particular points about the situation in Scotland. First, I am pleased to say that today’s employment figures show that Scottish employment is up significantly, by 178,000 since 2010, and that Scotland has an employment rate of 74.3%, which is higher than the UK average. We are seeing very strong levels of employment growth in Scotland. Unemployment has fallen by 63,000, with the number of people in work in Scotland now close to a record high. That is not just because of economic policies, but because of employers expanding their businesses and doing more to support the economy. There are plenty of figures on that, but I do not need to quote them. Members in all parties can access today’s employment figures.

However, I want to touch on something that has not been raised today. When it comes to welfare provision in Scotland, we have the Scotland Bill, and the devolution package in Scotland will make the Scottish Parliament one of the most powerful devolved Parliaments in the world. The Bill will also apply to welfare provision in Scotland, which will be tailored to local circumstances. Powers will include: a power for Scotland to create its own employment programme to help the long-term unemployed and disabled people into work; the power to create new benefits in any area of devolved responsibility; powers in universal credit to determine how and when claimants are paid and how much some claimants get; and, in particular, help them to get back into work, through the welfare system, with support. Of course, universal credit is part of that. It gives people the help that they need to increase their earnings, move away from welfare dependency, and importantly, make sure that work always pays.

Thank you for chairing the debate this afternoon, Mrs Gillan, and I thank all hon. Members for their contributions.

Alison Thewliss: On a point of order, Mrs Gillan. I was going to say this in an intervention, but the Minister was not taking interventions. I wanted to correct the record on the person I mentioned who died. It was not suicide; it is actually a lot more sad than that. He died from diabetic ketoacidosis from not taking his insulin. He had no electricity for the fridge in which it was stored.

Mrs Cheryl Gillan (in the Chair): Well, that is not a point of order for the Chair, but I appreciate that the hon. Lady now has that on the record, and has set the record straight. Dr Whiteford, you have two minutes for a brief wind-up.

4.5 pm

Dr Whiteford: Thank you, Mrs Gillan. I am glad to have the opportunity to sum up what has been a very wide-ranging debate, but nevertheless, the questions that have been posed in this debate have been very focused. They have been put repeatedly to this “Conservatist” Government, because they need answering. They were posed by the Work and Pensions Committee in the previous Parliament on more than one occasion, and some were posed in the Oakley review. Most of the questions relate to the impact of conditionality on the most vulnerable claimants, because there is mounting evidence that the sanctions regime is hitting those people disproportionately and that the measures that have been taken are not going far enough to mitigate the impact on people who should definitely not be sanctioned.

We have heard powerful speeches this afternoon from my hon. Friends the Members for Glasgow North East (Anne McLaughlin), for Glasgow Central (Alison Thewliss), for Aberdeen North (Kirsty Blackman) and for Airdrie and Shotts (Neil Gray), and indeed from the Labour Front Bencher, the hon. Member for Islington South and Finsbury (Emily Thornberry). There is clearly a case to answer, because the detrimental impact of sanctions on the mental health and material wellbeing of people in the benefit system, particularly those in receipt of...
jobseeker’s allowance and employment and support allowance, is giving huge cause for concern across all our constituencies.

My constituency has one of the highest rates of sanctions in the UK, despite having one of the lowest rates of unemployment. I can only attribute that high rate to our rurality; the very poor and costly internet access, the limited transport links that people have, and the large numbers of people in seasonal, part-time and casual jobs. However, the questions that have been put to the Minister have come from right across these islands. They are about why people are using food banks in the 21st century, why people are being found fit for work when they are clearly not, and why the system is not providing a safety net.

I am glad that the Minister was able to give a bit more detail today about how the so-called yellow card system will work in practice, but is Scotland just one big constituency now? Which bits of Scotland will it work in? How will that be reported? How will that come back to this House? We still do not know the structure of that scheme, and we need to know.

My most important questions today were about how the conditionality regime becomes worse for the people on the receiving end of it under universal credit. The Minister did not touch on those questions at all, or on my questions about hardship payments. Instead she simply reiterated points that were made in the written statement—we know those; we have got that information. What we are looking for is more information about how the measures are going to be rolled out in practice.

I was also a bit surprised when the Minister mentioned the Scotland Bill, given that her Government voted down the amendments that we put to the Scotland Bill that would have devolved responsibility for these matters. I know that the Scottish Government have been committing £100 million a year to mitigate the impact of what is happening and to mop up the mess that the Government have created. Buried in the Blue Book, however, were some small lines about how the Work programme is to be cut drastically before it is devolved. That will significantly limit the amount of action that the Scottish Government can take. A set of powers are being devolved that are going to disappear before we get them.

I know that my staff in my constituency office work closely with very hard-working advisers in our benefits offices. I have paid tribute to them in this House before. They hear it and know that we appreciate what they do.

Sir Roger Gale (in the Chair): Order. Motion lapsed (Standing Order No. 10(6)).

Primary Care: Tottenham

4.9 pm

Mr David Lammy (Tottenham) (Lab): I beg to move, That this House has considered primary care in Tottenham.

I am grateful, Sir Roger, for the opportunity to introduce the debate. It is now 67 years since my party introduced the national health service. At that time, living to 100 would have been a newsworthy event, but today more than half the children being born in our country can expect to reach that age. This is clearly a sign of great progress and the quality of our healthcare system. However, that progress has not been the same across the board. There remain in this country huge discrepancies and a postcode lottery that determines the quality of healthcare people can expect to receive. I am particularly worried that the life expectancy of many children in Tottenham is nowhere near the national average.

The current situation paints a worrying picture. Today, average life expectancy for a male in this country stands at more than 80 years, but in my constituency, in the wealthiest city in one of the richest countries in the world, a male can expect to reach an average age of just 74. That is some five years lower than the national average, lower than Cuba where the average wage is £15 a month, and lower than Slovenia, Colombia, Bosnia and Peru. Perhaps most worrying, it is more than eight years lower than the life expectancy of men just a couple of miles away in Crouch End, in a wealthier part of the London borough of Haringey. That is a troubling and stark difference within the same London borough, and the same is true for women.

Primary care is the first point of contact in the healthcare system. In this country, that usually means GPs. They are the very frontline of our health services, the entry point for all our healthcare needs and the means by which we access a whole array of treatments. Because of that, NHS England’s five-year forward view stated that in future a much higher proportion of its budget would be spent on GP services.

Both this Government and their coalition predecessor claimed to understand the importance of primary care, and to some extent matched their words with funding. For example, £550 million was earmarked in March 2015 to improve GP access, to modernise facilities and to provide better care outside hospitals. Then in May 2015, the Prime Minister announced the “seven-day NHS”, proudly stating that by next April 18 million patients will be able to see a GP in the mornings, evenings and at weekends, with everyone being able to do so by 2020. One would therefore be forgiven for thinking that primary care provision on an average weekday is securely in place, given the £8 billion of extra funding earmarked in a time of austerity to provide additional services outside the current working week. That may be true in some areas of our country, but it is not true in mine.

Recent research paints a stark picture of primary care in Tottenham. The data come not from NHS England or from the Department of Health, which does not seem to be monitoring the situation adequately, but from a small local organisation, Healthwatch Haringey. With no extra funding or support, it went out and listened to local people about the problems they were
facing in accessing primary care, and it found something quite disturbing. Some 56% of the patients at one GP surgery were either unhappy or very unhappy with their care. That surgery is ranked in the bottom 10 practices in England, with 41% of patients reporting they were unable to get an appointment.

That is apposite because, on Monday this week, Rob Clarke in my constituency tried to access his surgery, Bridge House surgery, with his three-year-old. He tried repeatedly for many hours and was ultimately told to go to A&E. That is not what we want in Britain, where A&E is always over-run, and it was appropriate in that circumstance for the child to be treated at the GP surgery.

Across Tottenham, there are currently 1,300 too few appointments a week, which equates to 52,000 appointments a year fewer than the NHS benchmark. In just one ward of my constituency—Tottenham Hale—there is a shortfall of 18,000 GP appointments a year. Tottenham Hale is undergoing significant regeneration and now has several large blocks of apartments, a sizeable retail park, 500 more properties under construction and a further 1,900 planned for the medium term. It is one of the Mayor of London’s designated housing zones, but despite the influx of thousands of new residents, no new GP surgery was planned. It was only when the desperate need was pointed out by Healthwatch that NHS England’s task force was able to act and a new surgery was planned. That surgery is ranked in the bottom 10 practices in England, with 41% of patients reporting they were unhappy or very unhappy with their care. That surgery was either unhappy or very unhappy with their care. That surgery is ranked in the bottom 10 practices in England, with 41% of patients reporting they were unable to get an appointment.

The issues surrounding primary care in Tottenham relate not just to the number of GP places, but to quality and accessibility. According to NHS England, three quarters of GP buildings there do not meet legal compliance, and there are not enough consulting rooms. Some of the facilities in use in the fifth largest economy in the world are shocking. Healthwatch found that 20% of young mothers were not registered with a GP at all.

The consequences of not being able to obtain a GP appointment are stark: more avoidable deaths from cancer, worse life chances for children, and a lack of antenatal and postnatal care when women and, of course, their infant children are at their most vulnerable. My constituency is where Victoria Climbié and Baby P met, for example, Dr Muhammed Akunjee of West Green surgery and Dr John Rohan of Lawrence House surgery, and I am very grateful for the work that they and their colleagues do in the constituency. As usual, the problems arise much higher up the chain of command. However hard GPs in Tottenham work, there are simply not enough of them and not enough facilities to serve our growing community. That leads me to wonder what it will take for the Government to address the crisis.

We know that there is a well documented link between poverty and ill health; we know that social conditions such as unemployment, overcrowding and inadequate housing make illness more likely; and we know that deprivation increases health problems and therefore pressures on the health system. Given that, I ask the Minister why one of the poorest constituencies in the UK receives significantly less health funding than wealthier areas nearby. Given the greater pressures, it should be receiving more. It is clear that the way to alleviate the GP crisis in Tottenham is to attract new GPs to the area and to retain the ones we already have. However, it is impossible to do that, because despite the huge workload, the urgent pressures and the ceaseless demand, GPs in my constituency are paid significantly less than those in wealthier areas just a few miles away.

For example, a GP in Holborn and St Pancras, the 126th most deprived constituency in the UK, receives £154.64 per registered patient, whereas their counterparts in Bethnal Green and Bow, the 36th most deprived community, receive less—£144.48 per patient. Despite the huge pressures on GPs operating in Tottenham,
the 23rd most deprived constituency in the whole country, they receive only £124.94 per patient. That is a full 20% less than in Holborn and St Pancras. Clearly there are fundamental problems with the Carr-Hill formula, which is used to calculate GP funding. There are also real concerns about the impact that withdrawing minimum practice income guarantee payments has had on GP practices in deprived areas such as my constituency. I urge the Minister to look at what he can do to incentivise new GPs to come to areas such as mine.

If the GP situation in my constituency is to improve, GPs in Tottenham must be paid at least the same as their colleagues working nearby. That is an urgent need, given that one third of GPs in the borough are over 60 and therefore due to retire. Things could get considerably worse before they get better. Clearly, younger GPs are being attracted to work in other London boroughs because of the price differential.

It was this Government who wanted the NHS run on market principles, yet they have failed to grasp the obvious problem that for a GP to set up a business in Tottenham, he has to do more work, in worse facilities, for lower pay. Any 12-year-old fan of “The Apprentice” knows that that is not the way to run a successful business. It clearly demonstrates the inherent problem with trying to force a market on the health service, yet we are stuck with this Government’s NHS market framework, so I ask the Minister this: will market rules be applied so that GPs are given proper incentives to set up practices in Tottenham? Also, will he ask the chief executive of NHS England to finally take an interest? I am not clear whether it is Simon Stevens I should talk to or his London lead, but I would quite like the London lead at least to come down to the constituency for herself. I would have thought, given the work that Healthwatch has done, that she would have sought to do that.

I understand that following Healthwatch’s report, NHS England has started to take the problems in Haringey seriously and has produced a detailed 10-year capacity plan, which sets out how many full-time GPs and clinical and treatment rooms are required. Growth is predicted in four key areas: Green Lanes, Northumberland Park, Tottenham Hale and Noel Park, which is in the constituency of my hon. Friend the Member for Hornsey Park, Tottenham Hale and Noel Park, which is in the area and I am grateful to it for giving me a start. I sat on benches opposite the right hon. Member for Islington North (Jeremy Corbyn). I think I am now the only Member of Parliament who served on the council with him, so we have a long-standing relationship and friendship. My time in Haringey taught me that it was an outer London borough with inner-London characteristics. I saw at that time colleagues on the Labour-run council wrestling with very difficult issues and problems and I have never forgotten that.

I will tackle some of the issues that the right hon. Member for Tottenham raised. I do not follow all his argument. Yes, there is some element of market principles in the NHS, but I think Mr Blair had something to do with that as well as us. If the right hon. Gentleman would really like to reorganise the national health service completely, I am keen to hear the proposals from those on the Labour Front Bench in relation to that. The structure that we have is one we will have for some time. It does not stop the work being done but enhances the localisation of making sure that the right things are done.

The right hon. Gentleman is right on poverty and inequality. The tragedy of the United Kingdom is that this is not a short-term issue. If we laid a map of poverty in Victorian Britain over a map of the United Kingdom today, we would find remarkable similarities between the two. The issue that all Governments wrestle with is that Government in, Government out, and socialism in or liberal capitalism in, we still have not cracked all the issues of inequality that we want to crack, and everyone has given it a lot of effort. We have to do better and we have to try different things. That is at the heart of some of the different things that the Government have been trying in health service reform. It is a process that will go on, but none of the issues that the right hon. Gentleman mentioned—length of life and inequality issues—has arisen in the past six years. They are long-standing issues that go back many years, which is why it is always essential to work at new initiatives and look for things that are different, to try to make a difference.
The right hon. Gentleman raised very straightforward and serious issues. All of us in the Chamber pay tribute to those who work in front-line services—the primary care staff. GPs are the first point of contact. Of course, it is not just GPs, but nurses, physiotherapists, occupational therapists, pharmacists and many other healthcare professionals who play a part in delivering high-quality care to patients in practices and in the community every day through the NHS.

In relation to the right hon. Gentleman’s constituency, he quoted extensively from the report by Healthwatch Haringey. Healthwatch nationally is actually funded and part-supported by Government. It is part of the monitoring process that the Government use. I understand that the report “GP Access in Tottenham Hale”, published in September 2014, highlighted a number of serious issues around accessing GP services in that part of his constituency. I thank Healthwatch and all associated with it for all the work that they do.

I am aware that access to GP services is a long-standing issue for local people. I am also aware that many local practices are single handed, and that some premises are not suited to the needs of primary care in 2015. Haringey clinical commissioning group has developed a primary care strategy to address just the sorts of issues that we have heard about this afternoon. That strategy focuses on encouraging practices to work together to run services more effectively, funding initiatives for practices to improve their appointment and triage systems, and encouraging a mix of professionals to work together as part of local networks: for example, welfare advisers, nurseries and healthcare assistants.

A number of practical steps to improve primary care locally have already been taken. In north-east Haringey, a shared call centre has been set up so that staff can respond to patients more quickly. In the south-east of the borough, GPs have worked together to provide telephone consultations for patients between 6.30 pm and 8 pm. In central and western areas of Haringey, Saturday clinics have been established. I understand that the CCG plans to have Saturday clinics and evening appointments available across the whole of Haringey in the new year. The CCG has funded two part-time practice managers to support practices that are struggling to meet access demands, and it is working to increase the number of practice nurses in Haringey through a recruitment programme to enable nurses from other settings to transfer into primary care.

On the important matter of GP premises, I am advised that the CCG and the local council have worked with NHS England to develop a strategic premises plan. The right hon. Gentleman is correct in saying that those who work in front-line services—those who are worn down, that they are on a treadmill and that they are worried about bringing new people in. In others, however, sometimes not very far away, GPs are trying something different. They are working with the Prime Minister’s challenge fund pilots or the vanguard sites on different ways of providing their services. Such work can often be the trigger for more doctors being interested in coming into work.

We have established some work to try to reduce the level of workload. Having visited a number of practices in urban deprived areas and others, I can say that there is very much a sense in some practices that GPs are worn down, that they are on a treadmill and that they are worried about bringing new people in. In others, however, sometimes not very far away, GPs are trying something different. They are working with the Prime Minister’s challenge fund pilots or the vanguard sites on different ways of providing their services. Such work can often be the trigger for more doctors being interested in coming into work.

That is not at the heart of the problem. When it comes to capitation and things that are considered in the GPs’ salaries, however. GPs are not paid differential salaries in different areas. The capitation is different, because capitation covers things other than GPs’ salaries, but clearly it could not work if GPs in one area were deliberately paid less than those in another.

The right hon. Gentleman made clear his concerns about the levels of primary care funding in areas of relative deprivation. The national formula is currently under review, and the possibility of giving greater weight to deprivation is one factor being considered. I can reassure him about GPs’ salaries, however. GPs are not under review, and the possibility of giving greater weight to deprivation is one factor being considered. I can reassure him about GPs’ salaries, however. GPs are not paid differential salaries in different areas. The capitation is different, because capitation covers things other than GPs’ salaries, but clearly it could not work if GPs in one area were deliberately paid less than those in another.

Getting more people into primary care is really important. The Secretary of State set out in June details of a new deal for general practice, in line with the five-year forward view, recognising the pressures that GPs are under. We are training, and plan to train, more GPs. In the last Parliament, we increased the number of GPs working and training in the NHS by some 1,700, which is a 5% increase, but we still need more. That is why we have announced plans to increase the primary and community care workforce by at least 10,000 by 2020. That figure includes an estimated 5,000 more doctors working in general practice. That will be a 14% increase in the overall number of GPs working and training in the NHS.

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The new GP practice in Hale Village is due to open in the new year. It will start with a zero list and will have the capacity to register up to 7,000 new patients. That development has been welcomed by Healthwatch Haringey as representing a positive outcome for local residents. NHS England has also asked CCGs to set out an overarching estates strategy to ensure that estates resources are used across all of health and social care. As part of that work, Haringey CCG is looking closely at how else it can help to ensure that GP local premises are fit to meet current and future primary care needs, particularly in the light of the regeneration in Tottenham that the right hon. Gentleman mentioned and projected population growth in the area.

The right hon. Gentleman made clear his concerns about the levels of primary care funding in areas of relative deprivation. The national formula is currently under review, and the possibility of giving greater weight to deprivation is one factor being considered. I can reassure him about GPs’ salaries, however. GPs are not paid differential salaries in different areas. The capitation is different, because capitation covers things other than GPs’ salaries, but clearly it could not work if GPs in one area were deliberately paid less than those in another.

That is not at the heart of the problem. When it comes to capitation and things that are considered in the national formula, deprivation is being considered as an issue to be looked at further.
There is a different side to the pressures on GPs. I am clear that, in practices that are very much under pressure, by reducing bureaucracy and working with them to provide support, we can lift them up from their present difficulties. The transformation fund of £1 billion that will be used to improve premises over the next few years will also make a difference, and it will ensure that premises are fit for purpose when it comes to what we want from primary care in future.

If we are to address the health inequalities that the right hon. Gentleman rightly mentioned at the beginning of his speech, it will be essential for that work to be carried out in the most deprived parts of the country, as in any other. It has been interesting to visit those pilots and look at what has been done. The reorganisation of resources in primary care and the establishment of more contacts with those who provide allied health professional services—relieving some of the pressure on GPs—can have a marked impact, as can the closer integration between the NHS and local authority services in the same area.

We are all trying to lever up standards and deal with the inequalities, as the right hon. Gentleman has mentioned. There are plans, proposals, new initiatives and new ideas, and some of those are demonstrated in London. I hope some of the practices involved, particularly the new ones, will take those opportunities to do something different where they are and try to meet the challenges that they face.

To conclude, as well as the investment in primary care that I have detailed, a number of approaches are making a difference to access to GP services: longer opening hours, to increase the sense of access; better use of telecare and health apps, which are really working and beginning to have an impact on populations that are much more used than some others to using such things; and more innovative ways to access services by video call, email or telephone. Schemes are integrating services in order to offer a single point of contact to co-ordinate patient services across health and social care. Some 2,500 practices have taken part in the access fund schemes, covering more than 18 million patients, so a third of the country will have benefited from improved access to primary care by March 2016. We want to continue to roll out such initiatives to 2020, investing in primary care and making sure that investment is made in the areas where most work is needed. It is clear from what the right hon. Gentleman said that Haringey is right up there.

Mr Lammy: Can the Minister get NHS England to take a greater interest, at leadership level, in Tottenham?

Alistair Burt: I will ask exactly that. I do not doubt that it is doing that already. Clearly, the right hon. Gentleman needs to be reassured, and we shall do so.

Sir Roger Gale (in the Chair): Order.

Motion lapsed (Standing Order No. 10(6)).
in England in 2014 was 28 weeks—a figure that has been effectively stable over the past five years. However, in west London and in inner south London, the average time taken to process an inquest is 50 to 53 weeks. The figure of 53 weeks is the worst in the country. In West London coroner’s court, the figure is 50 weeks—the second worst in the country.

In my borough, Kingston upon Thames, the target for registering a death is five days from the date of death, or seven days in a case where a post mortem is required. In 2013-14—the period during which the coroner was appointed, as he was appointed in November 2013—Kingston was meeting that target in 70% of cases. In this year, 2015-16, if we continue on the current trajectory, Kingston Council will meet its target in only 11% of cases, and that is because of delays at West London coroner’s court.

In terms of post mortems, prior to the appointment of the current senior coroner in November 2013, the waiting time in Kingston from a death to a post mortem was two to five days, yet between June and September 2015, the average waiting time was four to six weeks. I understand that the situation has since improved somewhat. Those statistics speak for themselves and do not need labouring, so I will return to the bereaved families who are at the heart of the debate.

For most people, an inquest is a new and somewhat unsettling experience at a very vulnerable time in their life. In most cases, bereaved relatives simply want to bury their dead as soon as possible. In a small number of cases, they want answers or an inquest is required by law, but in all cases, they want to have the system explained to them, and to be kept informed of the reason for and the length of any delays.

Ronke Phillips from “ITV News London” has done a lot of work exposing the problems at West London coroner’s court. In October, ITV London brought a number of families affected by services at West London coroner’s court to Parliament to speak to their MPs, a number of whom are here today. The accounts those families gave of the distress they had been caused were quite moving. There were unexplained delays, no updates, and a telephone service that was never answered and turned out not to be manned at all.

Mr Dominic Grieve (Beaconsfield) (Con): I am sorry to interrupt my hon. Friend’s flow, but I do not want to take up the House’s time by making a speech. He highlights some of the issues very well. My constituent, Mrs Doreen Garcia, had what was essentially a completely straight forward issue in relation to her husband’s death. She needed to get a death certificate because it was essential for the administration of the estate, yet she had to wait more than a year for an inquest that, in the end, was a hearing on the papers because of the complete inefficiency of West London coroner’s court.

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James Berry: That experience is by no means unique. In terms of the telephone service, when I called up on behalf of a constituent very early on in my role as a new MP, I had to wait on the telephone for more than 45 minutes, and then it became clear that the call was never going to be answered. Frankly, that plumbs the depth of poor service for bereaved families. As I understand it, the senior coroner’s position is that he inherited a backlog from his predecessor in 2013. Be that as it may, he has not cleared that backlog since November 2013, and has compounded the situation with an ill-conceived staff reorganisation and shocking failures to communicate with bereaved families.

Dr Tania Mathias (Twickenham) (Con): On the point about the attitude towards bereaved families, I would like to put on the record that twice I have had people in tears in my constituency surgery over inaccuracies on post mortem certificates, as my hon. Friend the Member for Kingston and Surbiton (James Berry) described. It is extremely distressing for MPs not to be able to improve the situation. I absolutely agree with everything he said.

James Berry: Finally on the delays at West London coroner’s court, it would be easy to blame the situation on cuts, but they are not to blame. I wrote to the chief executive of Hammersmith and Fulham Council, which is responsible for funding the coroner service in west London. He made it clear that although the council has had to make cuts to various areas, the coroner service has been protected from those cuts. The responsibility for sorting out this shambles lays squarely with the senior coroner for west London. He needs to get his house in order for the sake of bereaved families living across the boroughs represented here.

Andy Slaughter (Hammersmith) (Lab): I am grateful for the comment that the hon. Gentleman just made. I have been copied into the letter that he received from the chief executive of Hammersmith and Fulham Council, dated yesterday, which points that out. I am sure it was done in good faith, but on the hon. Gentleman’s website, he has said that the situation could be the council’s fault. I hope that he will correct that. One of the issues that we will deal with is putting blame for this matter where it lies.

James Berry: I do not intend to go into the technicalities of the Coroners and Justice Act 2009, but it is a matter of interpretation as to whether the local council or the police are responsible for providing administrative staff. However, the council is quite clear that there have been no cuts to the funding that it believes it ought to be providing.

Moving on to the subject of religious burials, Jewish and Muslim families have to bury their dead in a matter of days, and the pressure on those doing so is compounded by the situation at West London coroner’s court. I need not say any more about that, because I can simply welcome the Minister’s recent announcement of a review into the interaction that some faiths have with the coroner service across the whole country. I simply observe that in diverse communities, such as those served by the West London coroner’s court and by MPs here, a reliable out-of-hours process for death certificates that are required over the weekend would seem to be the most sensible way forward.

The third point I would like to make is on the matter of national application—the requirement to hold an inquest when someone dies while subject to deprivation of liberty safeguards. Section 1 of the Coroners and Justice Act 2009 requires that a coroner holds an inquest in certain defined circumstances such as a death in state...
detention, or a violent or unnatural death. In other cases, the coroner has discretion as to whether to open an inquest, depending on the facts.

Since the Mental Capacity Act 2005 came into force, the definition of whether someone is detained or deprived of their liberty has been tested in the courts on numerous times. In March 2014, the Court of Appeal considered the cases of P v. Cheshire West and Cheshire Council, and P and Q v. Surrey County Council. In those cases, the Court of Appeal gave a very broad definition of deprivation of liberty. The result of that decision has been that authorisations now have to be sought for deprivation of liberty in many more cases than they used to. That includes most cases where a person suffering from dementia lives in a care home and would be prevented from leaving if they attempted to. An inquest must be held in each of those cases because the individual is deemed to be in state detention. In my constituency, we have a nursing home in which 90% of the residents are subject to the deprivation of liberty safeguards. On the current interpretation of the law, there would have to be an inquest into each and every one of those individuals’ death, even if they died entirely predictably in their sleep.

I am not saying that there should be no inquests at all into deaths where the deceased is subject to the deprivation of liberty safeguards—far from it. I am arguing that inquests should be opened at the coroner’s discretion; they should not be mandatory. It was certainly not the intention of this House in passing the Coroners and Justice Act or the Mental Capacity Act to mandate an inquest in every case in which the deprivation of liberty safeguards apply, nor was it the Court of Appeal’s intention in the P and Q cases, so far as I can work out; the issue was not canvassed before the Court at all because the case did not concern inquests.

In support of my point, the Chief Coroner of England and Wales highlighted the problem in his 2014 annual report to the Government, and highlighted the massive increase in the number of deprivation of liberty safeguards from 11,300 in 2013-14 to some 83,000 in the first three quarters of 2014-15, which will inevitably lead to a huge number of additional inquests. I ask the Minister to find legislative time, as a matter of real priority, to ensure people who die while they are subject to deprivation of liberty safeguards from the mandatory requirement to hold an inquest. That change would reduce the pressure that is building on coroners across the country. It would help, but by no means resolve, the problems at the West London coroner’s court, to which I return in closing. It is clear that something must be done to improve the terrible standards of service in that coroner’s court.

Boris Johnson (Uxbridge and South Ruislip) (Con): I congratulate my hon. Friend on securing this debate and on what he is saying. In the few months that I have been back in this House, I have received an amazing volume of complaints about the West London coroner’s court. Can the issues regarding the role of the West London coroner be properly remedied by the Chief Coroner, or should there be a formal investigation by the Ministry of Justice? We need to get to the bottom of what is going on.

James Berry: That encapsulates the sentiment of many MPs on this subject. I am pleased to have received reports that the telephone service at West London coroner’s court has improved—that has been confirmed by the leader of Hammersmith and Fulham Council—but the inordinate delays in issuing interim and final death certificates and in bringing on inquests must be addressed now. If that means sitting at the weekend, as judges did after the riots, or if it means appointing additional assistant coroners to help clear the backlog, so be it. By whatever means, the senior coroner, for the sake of bereaved families in our constituencies, must get a grip of the situation now.

4.53 pm

Andy Slaughter (Hammersmith) (Lab): I will be brief, not least because this matter, although it is not sub judice, is potentially subject to an investigation by the Judicial Conduct Investigations Office, which is the appropriate body to deal with it. Indeed, in answer to my parliamentary question on 9 November, the Minister confirmed that that is the case. The chief executive of Hammersmith and Fulham Council sent a letter to the hon. Member for Kingston and Surbiton (James Berry), whom I congratulate on securing this debate on a subject of great concern to all MPs in the six boroughs, stating that the council expects to hear back from the JCIO in the second week of January on whether it will launch a full investigation, but clearly that is already under consideration.

Like everyone here, I have had complaints about the West London coroner’s court, and this week I have corresponded with my constituent Angelita Rodriguez about the sad death of James Rodriguez, her late brother, which exhibits many of the problems that the hon. Gentleman identified. It is not necessarily appropriate to go into the individual details of these cases today, but it is not sufficient to blame others for what is going wrong in the coroner’s office. Whatever is going wrong and causing the problems we have heard about, it ultimately falls at the coroner’s door to resolve. I am not impressed by the fact that, at different times, the local authority, administrative staff, the coroner’s officer, the Metropolitan police and even the previous coroner have been passed the buck. I declare an interest, because I chaired the panel that appointed the previous coroner, Alice Thompson, some 15 years ago—I was then the leader of Hammersmith and Fulham Council. She had more than a decade of distinguished service and conducted some of the most difficult and complex inquests.

This is a matter that concerns literally millions of people across west London, because the six boroughs have a population in excess of 1.5 million people. The coroner’s court deals with people at a time of great stress and in extremis. It is often considered a bit of a Cinderella service. I am very glad that we managed to persuade the coalition Government not to abolish the post of Chief Coroner before it was introduced, and Peter Thornton is doing a very good job. Coroner services can and do go wrong from time to time, but they are an essential and ancient part of our judicial system. It is vital that those services work well, so I hope we will see a full investigation in the new year. I am pleased to hear that there has been some improvement, and I know that the borough council, which is the providing authority for these purposes, is taking the matter seriously in respect of its responsibilities, and I am sure the Metropolitan police are doing the same. In the end, the buck does have to stop with the West London coroner.
Stephen Pound (Ealing North) (Lab): I echo the feelings of everyone here today in thanking the hon. Member for Kingston and Surbiton (James Berry), and I express our sympathy for his personal loss. He understands, as do many of us, but perhaps not to the same degree, how much pain can be caused by even casual incompetence. Just under 18 months ago, a very talented and beautiful 14-year-old girl in my constituency, a neighbour of mine, died. I will not refer to the case directly, but we now know that the case papers were left on a train—I can scarcely imagine the pain and agony caused to that family, who suffered again.

Like all Members here, I have a catalogue of complaints about the operation of the coroner’s office, and they tend to fall into two categories. One is the most basic administrative errors. A constituent of mine, Roniel Mulchan, died on 28 November last year. His mother had some very basic and simple questions to ask of the coroner. We wrote in February 2015, in March and in June—no answers did we receive.

I hear from the hon. Gentleman that the telephone system has improved, and I would like to say that to my constituent Sally McMahon, whose mother died very recently, God rest her soul. My constituent tried to ring the coroner’s office and was told that it shut at 4 o’clock—that was at 3.20 pm. I rang on 10 December and received the same message at 3 o’clock in the afternoon saying, “We are only open until 4 o’clock.” That is casual incompetence of a degree that piles Pelion on Ossa when it comes to the suffering of individuals.

In another particularly unpleasant case, the absence of information was so awful that I wrote to the Judicial Conduct Investigations Office in July 2015 on behalf of Dr Batten, whose relative, a constituent of mine, had died. The complaint started with the typical waiting for 45 minutes, rudeness and that sort of stuff, which could almost be discounted. However, as part of the response I received from the Judicial Conduct Investigations Office—my hon. Friend the Member for Hammersmith (Andy Slaughter) is familiar with this, as I am sure the Minister is, but I had previously been unaware—I learned:

“The Coroner’s Office is not run directly by the Coroner, staff and resources are provided by the Local Authority for the area and the Police service. Therefore, if you wish to further your complaint about your experience with the Coroner’s Office…you may wish to contact the Police Service and the Local Authority”.

Sir Roger, you are a distinguished Member of Parliament and you have probably dealt with more casework than anybody else in the room. When you receive a letter such as that, I am sure your reaction is precisely the same as mine, which is, “How on earth can we operate a system where the buck is passed with such dizzying speed that it is more like an ice hockey puck, and it cannot be slowed down in court?”

However, in many ways the most unpleasant, the most egregious and the most disturbing case that I know of relates to the daughter—the child daughter—of my constituent, Mr Seefat Sadat. His daughter died on 17 April 2013. After six months, he came to see me to ask why the inquest had not yet taken place, and I wrote, and I wrote, and I rang, and I wrote, and I wrote again. The hon. Member for Epsom and Ewell (Chris Grayling) in April 2015. Two years after this child’s death, the inquest had not taken place, and we were told that there were various reasons for that. The right hon. Gentleman—I place no blame whatever at his step—said that the West London senior coroner, who has been referred to obliquely today, telephoned my constituent, as he says, “on or around 1 April”—he cannot be sure—“explaining the problems within his area that have caused this long delay and that he now expects the inquest to take place in June”.

And saying that the coroner was going to reallocate the case on Morwa Sadat’s death. The right hon. Gentleman then went on to point out some structural difficulties and problems within the system.

That simply is not good enough—it is not good enough. We are talking about people who are in agony, who are grieving and who are in pain, and they are hanging on the telephone. They are being fed nonsense, and a child’s death remains unexamined for two years—two years—and I have to bring it in Ministers in the coalition Government and even Ministers in the present Government. Fortunately, thanks be to God, it has now been resolved.

How on earth can we say to our constituents, “Trust the system, trust the coroner’s office”, when we have this constant, almost ceaseless, list or catalogue of incompetence? Even when the incompetence is almost casual incompetence, the reverberations it causes throughout a family are so awful.

Dr Mathias: I have had experience of very similar situations, and what is distressing for us as MPs is that people’s grieving process is unnecessarily extended and made worse, so there are not just administrative consequences.

Stephen Pound: The hon. Lady speaks from a privileged position, because in her profession before she entered this place she obviously had closer dealings with the coroner’s office than many of us do. The fact that she says that certainly adds weight to the point, and I am even more concerned given that she makes those comments.

Mr Grieve: The case that I cited was unusual, because, as the hon. Gentleman will appreciate, my constituency does not fall within the area of the coroner in question. I was therefore particularly startled to receive the information from my constituent about the difficulties she was having with that coroner’s court, because it is so completely at variance with my experience of the other coroner’s courts that I have had to deal with. I would be most interested to know what is so particular about west London as to cause these immense problems, if indeed they are outside the coroner’s hands.

Stephen Pound: The right hon. and learned Gentleman also speaks from a position of great authority. It is not for me to say; I hope that the Minister, when she responds to the debate, will indicate some way in which we can ventilate these issues further. I do not believe that west London is unique; I do not believe that it has more problems than, for example, east London. What I think we are talking about here is a structural failure. There is a failure of leadership, without a doubt. The problem is that we have a falling structure, and the leadership required to take the matter forward is absent.
I am conscious of your strictures, Sir Roger, and I want to allow other people to speak. I will simply close by again congratulating the hon. Member for Kingston and Surbiton on securing this debate and expressing my sympathy to him. I add that the finest tribute in remembrance of his father will be if we, today and in this place, can improve the situation not only for individuals here today but for all our constituents now and in the future. Quite frankly, anything else would be wholly and utterly unacceptable.

5.4 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): I am a new MP. I have only been here since May, but even from that short time, the vivid stories that Members from all parties have described are depressingly familiar to me from doing surgeries once a week for two hours.

I completely understand that it is not helpful to bring up individuals and hang people out to dry, and it is not my intention to do that today. However, I will highlight a couple of cases to see whether lessons can be drawn from them whether we can find ways forward.

I received an email in the summer from Sharon Hennelly and her sister, about their brother. They said: “We have been contacting the coroner’s office for a year trying to find out when we will get an inquest. We have phoned on numerous occasions and been kept in a queue for up to 2 hours. Our emails now go unanswered. We have no information about the circumstances of my brother’s death. He was hit by a train at Barons Court tube...It is now 19 months later and we are completely at a loss”.

Their brother died in 2014, so we are approaching the two-year mark since it happened, since when they have been dealing with the case.

There appear to be common problems, including the length of time it takes for cases to appear in the coroner’s court in question. A report from 2015 in the Kingston Guardian says that at another inquest in April, the coroner himself confessed that he was “deeply embarrassed” by the length of time it took for cases to appear in his court, and that cases should not be taking 18 months to appear in court. He said:

“In future they will not.”

However, it seems that things have continued since then.

Communication problems seem to be common, including the speed at which communications are made. My hon. Friend the Member for Ealing North (Stephen Pound) described such problems. We have all heard stories about people being made to wait for hours on the phone and then, when that draws a blank, physically turning up in person, only to receive rather brusque treatment. The appropriateness of the communications is a problem in what are obviously sensitive situations. The hon. Member for Twickenham (Dr Mathias) is a medical professional. People talk about “bedside manner” in the medical profession, but the bedside manner of the coroner has been found wanting on many occasions.

My hon. Friend the Member for Hammersmith (Andy Slaughter) mentioned that the interpretation of what constitutes west London seems to be quite generous. There are six boroughs. My borough alone, Ealing, has 350,000 people, and the population of the six boroughs put together is getting on for a couple of million people, so maybe we should examine that unmanageable area. In one of his communications with me, the coroner referred to the time when the coroner’s court in Uxbridge was in operation. I do not know what happened there, but perhaps such a wide geographical area is unmanageable for one coroner.

There are several cases that I could cite. Theresa from east Acton was administering funeral arrangements for a 97-year-old deceased friend who had no relatives. She waited for four months, and it was only when the funeral director, W Sherry & Sons of Acton, intervened that it was found that the case did not require a post-mortem. There was no need for a coroner, so that sped up the process and the burial could take place. However, we hear horror stories of bodies waiting in fridges and people being left in limbo.

I must say that the communications that I myself have had from the coroner’s office have been completely defensive and displayed a complete inability to accept any kind of criticism, even though constructive criticism could be helpful as we move forward. One of the emails I received said:

“This office, under pressure, attempts to deliver a standard of service that befits all the deceased” and that is “faith-neutral”. The hon. Member for Kingston and Surbiton mentioned that Muslim burials in particular are meant to be expedited quite soon after the death. Perhaps sensitivity could be shown in such situations, and if the coroner’s office is under pressure, perhaps there are things we can do to help.

As my hon. Friend the Member for Ealing North mentioned, the notoriety of some of the cases in question has spread beyond west London and they have become cases of national interest. Leaving an important case file containing sensitive information on a train is not good practice; I believe that case has now been transferred to Westminster coroner’s court. As far as I understand it, it is a rare occurrence to have a case completely transferred.

I will chop my speech because we have limited time. This coroner has said in his communications to me:

“The Coroners Court is a court of law. It is the oldest Court in the country. A judge can only make determinations based on evidence.”

The evidence seems to be that standards at this coroner’s court are falling short of what people in west London, across six boroughs, expect. We need to improve that experience.

People never know when they will need a coroner’s services. As Members have said, it will be at a moment when people are raw, grieving and going through a healing process, so heavy-handedness is not what is needed. Most people have a positive experience. I have been an Ealing resident for 43 years. My father passed last year. It was not a controversial death, so there was no cause to contest anything, but for those who do have problems, we need to make the experience better.

5.10 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): It is a pleasure to serve under your chairmanship, Sir Roger. I thank the hon. Member for Kingston and Surbiton (James Berry) for securing the debate and speaking at a time that may not have been easy for him. I concur with what other Members have said about the memory of his father and about seeing whether there is anything we can do to help the many people—our constituents and
their families—who are going through such pain. I also thank him for doing the research on comparative examples to let us know that what we are experiencing is not normal.

Delays in death certificates cause huge disruption and pain to those coping with the death of a loved one. We must not underestimate the problems that the delays at the West London coroner’s court have caused, especially for those planning religious burials, as has been mentioned. I want to share two examples from casework in my constituency, which illustrate two different aspects of the administrative problems being experienced.

First, a constituent of mine sadly passed away at his home in Chiswick in April this year at the age of 85. He had not seen two doctors in the preceding months, so his body was taken to the mortuary and referred for an autopsy. In order to make arrangements for the funeral, the family rang the coroner’s office to establish timings for the release of his body. They were held in a queue for more than 50 minutes without reply and directed to send an email. Two weeks later, the family were still waiting. They had not received an acknowledgement of these emails and so phone calls were answered or returned. They did eventually get an answer, but for 16 days, the family had no idea whether the remains would be subject to autopsy or when the body would be released back to the family. That is a common situation.

Secondly, Cheryl Hounslow is the ex-wife of Raymond, who died and an inquest was needed. Although estranged, she was the next of kin. He died in April 2014, and she waited 15 months for an inquest that only went ahead, so far as I understand, after my intervention. It turned out that the person handling the case had all the files ready to present to the coroner within two months, but for some reason they were not passed on. I understand that the staff member may have left, but the case could have been passed on for inquest in June 2014. Every organisation should have a procedure for what happens when staff leave, and files should not disappear when someone leaves an organisation. Cheryl could not get through on the phone and got no response to five emails. It was only when my staff got involved that the case was looked at again. In fairness, when the coroner found out that the paperwork had not been passed on, he expedited the hearing and allowed Cheryl to choose the date of the inquest. He blamed the local authority and the Met police for the poor customer service. With that inquest being brought forward quickly, it will have meant someone else waiting longer.

In any organisation, someone somewhere must be responsible for performance standards. I spent 25 years in local government, and we had systems, processes and accountability. That seems not to be the case in this example. The coroner is a public service that people need when they are at their most vulnerable. I hope that the Minister can respond with a plan of action for us and our constituents.

5.14 pm

Jenny Chapman (Darlington) (Lab): It is a pleasure to serve under your chairmanship, Sir Roger. I am astounded by the humanity, sensitivity and care with which Members have presented cases on behalf of their constituents. I cannot think of anything more distressing for someone who has lost someone dear to them than having to deal with such poor administration as some constituents have had to endure. I congratulate the hon. Member for Kingston and Surbiton (James Berry) on securing the debate and on the incredibly sensitive manner with which he presented his argument. I was also struck by my hon. Friend the Member for Ealing North (Stephen Pound), who normally speaks with great humour and characteristically puts a lot of anecdote into his speeches. There was not one shred of humour today, such is the seriousness of the case he was arguing.

We seem to be having three different problems with West London coroner’s court: errors on certificates; delays; and, rudeness, lack of care and poor communication with families. I will not go into specific cases in detail, but some of the comments that the families have made are useful in illustrating the problems. One said:

“After months of emailing I finally got a reply but my complaints were not acknowledged. In July this year I finally got the post mortem report riddled with mistakes. Talking about my daughter and referring to my mum as ‘miss’. It was harrowing enough reading but the mistakes made me feel that my mum was just another body.”

Another family said about a very young child:

“My granddaughter’s baby boy died on the 3rd of January this year. And she still has not had a death certificate or told why he died. He was 11 weeks old and she is still devastated.”

Another said:

“This was after they had put my late father’s place of birth as my mother’s home address. We still haven’t been getting full responses to emails and it’s only been 4 1/2 months since my father died, so I expect they won’t have the inquest in the next year, let alone get a full death certificate. They are an utter disgrace.”

Some people know more about this issue than MPs: funeral directors. I cannot imagine the frustration that funeral directors must be experiencing. One said that “my heart sinks when we have to call them. To stand a chance of getting a reply we call at 7am and they answer around 3pm! It’s awful when other calls come in and all people can hear in the background is ‘your call is number ** in the queue!’”

It is maladministration, it is bad practice, and it is insensitive. It is not good enough and it should not be happening in this country in 2015.

As my hon. Friend the Member for Ealing North said, we are looking at a structural failure and a failure of leadership. It is surprising to families when they discover that it is difficult to know where to complain. There are many organisations with a hand in the issue, such as the council and the Metropolitan police. It is unfortunate that the hon. Member for Uxbridge and South Ruislip (Boris Johnson) has had to leave, because I would have been interested to hear an intervention from him.

Dr Huq: The hon. Member for Kingston and Surbiton (James Berry) referred to the ITV News investigation. One of the emails I have from the coroner says that “this complaint is fuelled by the recent unbalanced ITN news items.”

That is what I mean by the inability to take criticism—someone who is grieving has been pooh-poohed by the coroner saying that it is media manipulation.

Jenny Chapman: I was not aware of that as I am from the north-east and I do not watch the local news when I am down here. What my hon. Friend says gives a good
indication of the lack of care and sensitivity that has been experienced by families who have to access the service at such a devastating time. It seems odd to me that councils and the Met provide admin staff support, but do not have responsibility for the overall service. That confuses families at a time when they should not be expected to find their way through some web of the civil service.

I will not speak for too much longer, because I want to give the Minister as much time as possible to explain what she intends to do to put that right. As my hon. Friend the Member for Hammersmith (Andy Slaughter) has indicated, the council has called for the JCIO to investigate.

Stephen Pound: I want to put something seriously on the record, bearing in mind what my hon. Friend has just said, before the Minister responds. The debate is more in sorrow than in anger. It is not an attack on the Government in any way, shape or form. We are absolutely united here. The tone struck by my hon. Friend is exactly the right one. We are not seeking to blame the Government, but we are looking for some hope from the Government on how this situation can be resolved with the greatest expediency.

Jenny Chapman: That is exactly right. I know the Minister will care deeply about this and will want to respond and put this matter right as quickly as she possibly can.

The JCIO will let us know in January whether it intends to conduct a full investigation into matters in west London. I sincerely hope that it agrees to do that, and I hope that it is done in a timely fashion so that families who are currently experiencing delays can have their cases heard as quickly as possible, and so that the wider community can have confidence in the service. That is something the Minister will care deeply about and want to put right. I will stop now so that she has as much time as possible to let us know exactly what she intends to do.

5.21 pm

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): It is a delight to serve under your chairmanship, Sir Roger. I congratulate my hon. Friend. The hon. Member for Kingston and Surbiton (James Berry) not only on securing this important debate, but on the incredibly diligent work that he has done. I took on this role earlier in the year and already I am aware from my own postbag of all the issues that he has raised, namely the standard of service at West London coroner’s court, the provision of coroners’ out-of-hours service to facilitate religious burials, and the need for inquests into those who died while under a deprivation of liberty safeguard. All those matters are of concern to many people.

My hon. Friend wrote to me in September to bring my attention to the case of his constituent who had to wait nearly two weeks for a death certificate from the West London coroner’s office after her husband died. Other hon. Members have today raised issues of their own—disturbing and heart-breaking stories in many cases. I am grateful to them for doing so, as I am sure their constituents will be.

Andy Slaughter: The West London coroner is not here to defend himself, so I will cite the case of James Rodriguez that I mentioned earlier. The post mortem was carried out on 30 April. By the coroner’s own admission, five months later they had not chased up the results, and he says now to the bereaved relatives, who have no death certificate at this stage, nine months later, “I will not guess at this stage” when that will happen. That is not in dispute, and that is the level of service we are dealing with.

Caroline Dinenage: I am grateful to the hon. Gentleman for bringing that to my attention. I am absolutely clear that the needs of bereaved people should be at the very centre of all coroners’ services. That was supposed to be the main aim of the coroner reforms that we implemented in July 2013.

The West London coroner’s office in Fulham is very busy. It covers a large geographical area, as we know. In 2014 the office received 3,437 reports of deaths and 383 inquests were held. However, that is no excuse for poor, inefficient, rude and insensitive services, or, in some cases, a lack of communication, particularly at such a difficult time when people are grieving. My hon. Friend the Member for Kingston and Surbiton is not the only Member whose constituents have been unhappy with the level of service they have received from the West London coroner’s office, particularly with regard to the responsiveness of the office. Several Members have written to me detailing individual cases of constituents who have encountered delays, lack of engagement and rudeness from the coroner’s office, and other Members have raised that today.

My officials and the Chief Coroner’s office have also been alerted to problems. These include bereaved families not being able to access death certificates in a timely manner; delays in holding inquests, which is particularly stressful for bereaved families when they are already going through a very upsetting time; and not having staff at the end of the phone to deal with queries and concerns when they are needed. I understand that a number of complaints have also been lodged with the London Borough of Hammersmith and Fulham and that my hon. Friend the Member for Kingston and Surbiton has written to the council’s chief executive on this matter as well.

Earlier this year, the Chief Coroner went to Fulham to visit the senior coroner and his staff. Along with him were representatives from the local authority, which provides the funding and infrastructure for the local coroner service, and also representatives from the Metropolitan police, which provide the coroner’s officers, who are the front-line staff who deal with bereaved people. The senior coroner, the local authority and the police all have a role to play in improving the service. They discussed the issues together and looked at ways to resolve them, and an action plan was agreed. I am pleased to note that, as a result, we are beginning to see signs of a more positive picture emerging from west London. The office has reached its full complement of administrative and investigative staff, including a coroner’s officer manager and six new coroner’s officers. There is now a new way of managing the telephone system so that administrative officers deal with all phone calls in the first instance to relieve the burden on the coroner’s officers, thereby allowing them to focus on progressing
cases. However, I take on board the recent instances that the hon. Member for Ealing North has raised about his own experiences with the telephone service. I have made a note of them and my officials will certainly deal with that, because that is not acceptable.

Members will be pleased to hear that west London has now reduced the backlog that it inherited. The senior coroner inherited 400 outstanding inquests when he took up post. That has now been reduced to 70 cases and it is anticipated that these final historic cases will be cleared by the end of February, which will allow staff to focus fully on new cases. The senior coronor has attempted to clear the backlog by making sure there are two courts running in parallel with his assistant coroners hearing cases alongside him.

As the Minister with the coroners portfolio, I share the wish of all Members in the Chamber to resolve matters as quickly as possible. As they have already articulated, the process is not straightforward. The Ministry of Justice has overall responsibility for coroner policy and law, but the responsibility for the delivery and funding of coroner services is a local matter for the appropriate local authority, in this case the London Borough of Hammersmith and Fulham. It is for it to decide how to run and fund the coroner services.

**Ruth Cadbury:** The Minister has outlined where the funding lies and where responsibility for the overall policy and strategy lie. Where does overall responsibility for the monitoring and reporting of performance of coroners’ courts lie?

**Caroline Dinenage:** That would lie with the coroners themselves and with the Chief Coroner, whose post was created in 2012. We now have a Chief Coroner who is responsible for overseeing all such matters, but where there are cases that need to be investigated, it is up to the Judicial Conduct Investigations Office. It is currently investigating the conduct of the West London senior coroner, including the case that the hon. Member for Ealing North referred to earlier. That case has been transferred to the inner west London coroner, Dr Fiona Wilcox, who will now be dealing with it. In cases where performance has not been as expected, it is up to the JCIO to carry out investigations.

**Ruth Cadbury:** The Minister referred to standards. Is there a set of standards for how coroners have to deal with cases? What are the measures against which we know that delivery is getting better or worse, or is adequate, satisfactory or inadequate?

**Caroline Dinenage:** That was all included in the coroner reforms. If the hon. Lady gives me just a little time, I am about to talk about them.

As I said earlier, bereaved people must be at the heart of the coroner service, and that was the key aim of the reforms in the Coroners and Justice Act 2009. The coalition Government implemented those reforms, including the rules and regulations that underpin the Act. The provisions came into force in July 2013 and introduced the role of the Chief Coroner. In September 2012, his honour Judge Peter Thornton QC was appointed as the first Chief Coroner. He has already played a central role in providing guidance for coroners on the new national standards for coroners set out in the legislation. Coroners are now required, for example, to conclude an inquest within six months of a death being reported to them, or as soon as practicable afterwards. They are also required to report coroner investigations that last more than 12 months to the Chief Coroner, who is in turn required to report on that to the Lord Chancellor and to Parliament in his annual report.

For bereaved people and families, the most significant development under the 2009 Act was perhaps the “Guide to Coroner Services” booklet, a document published by the Ministry of Justice that sets out the standards of service that people can expect from coroners’ offices and what they can do if they feel that those standards are not being met. It is vital not only that coroners know what the standards are, but that bereaved people understand how a coroner’s investigation is likely to proceed. The guide is accompanied by a shorter leaflet that sets out the key aspects of an investigation. We have sent hard copies of the guide and the leaflet to every coroner’s office in England and Wales so that they can be given to every bereaved person or family. The guide is also available on the gov.uk website.

**Jenny Chapman:** What the Minister is saying is very interesting, but we are talking about a service that has failed. It has been failing, persistently, for some time. It has been flagged to any authority that anyone can think of, yet we have seen the failure continue. What does she think she might need to do to ensure that we do not have this kind of delay in taking action should such a situation arise again in future?

**Caroline Dinenage:** A lot of the reforms that were part of the changes over the past two or three years will begin to take effect soon. There are obviously a number of issues at play here. We are dealing with a situation where someone is already under investigation. That may well continue, so there are a number of things to consider.

I shall make some progress because I want to address in full the concerns raised by my hon. Friend the Member for Kingston and Surbiton about the provision of out-of-hours coroner services. I am aware that faith communities, particularly the Jewish and Muslim communities, are concerned about the lack of an out-of-hours service because that can delay the timely burial of their loved ones required by their faith. As part of our commitment to improve coroner services, we have recently completed a post-implementation review of the coroner reforms that we implemented in 2013, seeking views on, among other things, the availability of out-of-hours services. We have now received all the responses, which are being analysed, and I hope to come back to the House with a report in spring next year.

While the review was ongoing, we also worked with London local authorities and the Metropolitan and City of London police to develop a pan-London out-of-hours service. The police and local authorities are now also planning to commission a more general review of coroner services in London to see how resources can be better shared and monitored and improved both in-hours and out-of-hours services in the hope that that will also address some of the issues raised by Members today.
On deprivation of liberty safeguards, my hon. Friend the Member for Kingston and Surbiton raised concerns about additional distress caused to families and the pressure put on coroners’ workloads by their having to conduct inquests into the deaths of those who were under a deprivation of liberty safeguard when they died. The safeguards frequently occur in care homes or in long-term hospital care, even when someone quite plainly dies of natural causes. That is because of a Supreme Court decision last year that held that such individuals are effectively in custody when they die, which is a category of case that coroners are under a statutory duty to investigate. With that in mind, I have been speaking to the Minister for Community and Social Care. We agree that we need to do what we can to solve the problem as a matter of urgency. My officials, together with their counterparts from the Department of Health, are looking at how we can remove the burden while maintaining the protections put in place for those who truly are in state custody.

I am grateful to my hon. Friend the Member for Kingston and Surbiton for all the matters he raised today and to all those who have raised concerns about the West London coroner’s court, out-of-hours services and the deprivation of liberty safeguards. I have welcomed the chance to hear more details about such concerns. I have set out measures that will lead to improvements across the country, but we will continue to monitor and will be grateful for feedback as we move forward.

*Question put and agreed to.*

*Resolved.*

That this House has considered standards of service at West London Coroner’s Court.

5.36 pm

*Sitting adjourned.*
Tobacco Control Strategy

Westminster Hall
Thursday 17 December 2015
[Mr Clive Betts in the Chair]
BACKBENCH BUSINESS

1.30 pm

Kevin Barron (Rother Valley) (Lab): I beg to move, That this House has considered a new tobacco control strategy.

I am pleased to speak in this debate with you in the Chair, Mr Betts, because we are not talking about football today—our teams are doing different things in the league at the moment. I ought to declare that I am the vice-chair of the all-party group on smoking and health, and have been an officer of sorts for it for some 20 years. I am sure Members are aware that the group’s secretariat has been the Action on Smoking and Health charity for many years.

My commitment to tobacco control is well known in this House. For the more than 20 years that I have been involved in this issue, I have had great support from Action on Smoking and Health, as I know Governments have from time to time. My commitment was an individual one at one stage, going back a couple of decades, so I am pleased that in recent years we have seen a growth in cross-party support for tobacco control, as people recognise that it is a key area of public health.

The Minister has played a key leadership role in guiding through the House measures such as standard packaging and the prohibition on smoking in cars with children. She has been helped by the strong support for these measures across Parliament, both here and in the other place. We have moved on in leaps and bounds on this major public health issue in the past decade. Measures to tackle the harm caused by smoking are strongly supported by the public, three quarters of whom supported Government action to limit smoking in a YouGov poll conducted for ASH, and around half of whom think the Government could do more.

In recent years, a great deal has been achieved with the support of the public and all political parties, starting with the Labour Government introducing the first comprehensive tobacco control strategy in 1998; they subsequently introduced comprehensive smoke-free legislation with strong cross-party support. The coalition Government published as their first detailed public health strategy the tobacco control plan for England in 2011. Over the life of the current plan, a great deal has been achieved, and smoking prevalence rates in England have fallen significantly during the five years of the plan from some 20.2% in 2011 to 18% in 2014.

Norman Lamb (North Norfolk) (LD): I am not sure whether the right hon. Gentleman will cover this, but I am particularly interested in smoking prevalence rates among those who suffer severe and enduring mental ill health. It appears to have been stubbornly more difficult to reduce smoking rates among that group. Given that people with mental ill health die earlier, and that smoking actually damages their mental health, does he agree that it is critical that the NHS ensures that those people get access to support services to help them give up smoking?

Kevin Barron: The right hon. Gentleman is absolutely right; there is a high incidence of smoking among people with mental health conditions, as there is among poorer households. I will go into that in more detail, but he is right to mention it.

Smoking rates have fallen among not only adults but, importantly, young people. Regular smoking among 15-year-olds has fallen even faster under the plan, from 11% in 2011 to just 6% in 2014. That is a great credit to the current plan, but it is about to come to an end, so we need a new strategy.

The reduction ambitions set out in the tobacco control plan for England have been achieved ahead of the end of the strategy. However, a great deal remains to be done. Smoking remains by far the single largest cause of preventable illness and premature deaths in the United Kingdom, causing about 100,000 premature deaths a year and killing more people than the next six causes put together, including obesity, alcohol and illegal drugs. The cost of smoking to the national health service in England is estimated to be about £2 billion a year.

My constituency, Rother Valley, sits in Rotherham borough. Just under one in five people smoke in Rotherham, which is about the same as the national average. That amounts to some 37,391 people. Nearly 500 people in Rotherham die from smoke-related diseases every year—primarily cancer, heart disease and respiratory diseases. An estimated 900 children in Rotherham start smoking every year, and it is important to remember that two thirds of smokers start before the age of 18. Of those who try smoking, between one third and one half will become regular smokers. The best way to prevent children taking up smoking is to encourage their parents to quit, because children are three times more likely to start smoking if their parents smoke.

Smoking rates are much higher among poor people. In 2014, 12% of adults in managerial and professional occupations smoked, compared with some 28% in routine and manual occupations. Almost all groups that experience disadvantage have higher smoking rates than the general population. For example, as the right hon. Member for North Norfolk (Norman Lamb) mentioned, people with mental health conditions are much more likely to smoke, and nearly eight out of 10 prisoners and people who are homeless smoke.

Poorer smokers also face financial hardship as a result of smoking. When their expenditure on smoking is taken into account, some 1.4 million households are below the poverty line—that is 27% of all households that include a smoker. In Rotherham alone, smoking is estimated to cost the national health service some £12.2 million. The current and ex-smokers who require social care in later life as a result of smoking-related diseases cost society in Rotherham an additional £5.7 million, £3.3 million of which is funded by the local authority through social care costs, and £2.4 million of which is self-funded.
Quitting smoking surveys show that about two thirds of smokers would like to stop smoking, but only around one third make a quit attempt in any given year. Continued Government and public sector action to cut smoking rates therefore remains necessary, and a new strategy is required to replace the expiring tobacco control plan.

The current Department of Health tobacco control plan will expire at the end of this month, as I understand it. I am delighted that the Minister with responsibility for public health has announced that there will be a new plan, and I look forward to her announcing when it will be published; we may hear something today. It is crucial that a new tobacco control plan be a public health priority, and it has to be comprehensive. The current strategy has been successful because it is comprehensive and, so far, properly funded.

The main elements of successful tobacco control, as implemented in the UK, are well understood and strongly backed by evidence. They are: price rises through taxation, intended to make tobacco less affordable and to help pay for tobacco control interventions; stopping the smuggling of tobacco, which allows children and young people easy access and reduces the incentives for adult smokers to quit; helping smokers to quit through evidence-based services, including support and, where appropriate, the prescription of nicotine replacement products; an end to tobacco advertising, marketing and promotion, including on the pack design; and mass-media campaigns and social marketing of anti-smoking messages. Legislating to stop tobacco advertising, marketing and promotion, including on the pack design; and mass-media campaigns, which are highly cost-effective in encouraging smokers to quit and in discouraging young people from taking up smoking. When funding was cut to mass-media campaigning in 2010, when the coalition Government came in, there was a noticeable impact on quitting behaviour. There was a decrease of 98% in the amount of quit support packs. Quitline calls fell by 65% and hits on the website fell by 34%, but the evidence shows that such services are only effective if they are sufficiently well funded; in recent years, they have not been.

I commend to the Minister the comprehensive set of measures set out in the ASH document, “Smoking Still Kills”, which has been endorsed by more than 120 public health-related organisations, including the British Heart Foundation, Cancer Research UK, medical royal colleges and the British Medical Association. The report calls on the Government to impose an annual levy on tobacco companies, proposes new targets for reducing smoking prevalence to make our country effectively smoke free by 2035, and makes a comprehensive set of recommendations for a renewed national strategy to accelerate the decline in smoking prevalence over the next decade.

Hon. Members will remember that at the launch of that report in June, the Minister committed the Government to publishing a new strategy to replace the current plan. Sustained funding is essential to the success of any new strategy, as it has been for Government strategies to date. Clear evidence from the UK and overseas shows that a reduction in spending on tobacco control, together with less emphasis on new policies and on enforcement of existing ones, is likely to slow, halt or even reverse the long-term reduction in the smoking prevalence rate.

Some measures, once implemented, either do not need funding—such as standardised packaging, and the ban on advertising, promotion and sponsorship—or are self-funded, such as tax increases and reductions in smuggling. Others continue to need to be properly funded, including mass-media campaigns, stop smoking services and enforcement to prevent children from being able to buy cigarettes.

I am deeply concerned that the cuts in funding to the Department of Health and local authority public health budgets, both in-year and announced in the spending review, threaten to undermine the ability of the planned new tobacco control plan for England, so that, unlike the current plan, it will not be effective. We are already seeing cuts to stop smoking services up and down the country, and to local authority investment in tobacco control, even before the spending review cuts are implemented. Will the Minister confirm that the new tobacco control plan will contain ambitious targets and be sustainably funded?

I want to focus on the importance of mass-media campaigns, which are highly cost-effective in encouraging smokers to quit and in discouraging young people from taking up smoking. To give an international comparison, in the US, the Centre for Disease Control and Prevention’s best-practice recommendations for mass-reach health communications to reduce smoking is $1.69 per capita. Using 2014 population figures, that means that in England, we should be spending in the region of £57 million a year on mass-media campaigns for that to be evidence-based. We are spending eight times less than that.

The cut in spending is already having an impact. An early indicator of the effects of reductions in spending on tobacco control is given by the smoking toolkit study run by Professor Robert West, from University College London. Results for 2015 show that smoking prevalence has stopped declining and is beginning to go back up again for the first time in many years.

Smoking rates have increased from 18.5%—the lowest ever recorded—to 18.7% in recent months. There has also been a fall in the proportion of smokers who made an attempt to quit, from 37.3% in 2014 to 32.4% in 2015. There are lower success rates for quit attempts, from 19.1% in 2014 to 17.0% in 2015. That is going in the opposite way to how it should be going.

I want to move on to an area on which the public have contrasting views: the role of electronic cigarettes, which are perhaps badly named, and harm reduction. Over the last few decades, it has become increasingly clear that although population smoking rates had been declining, some groups—particularly the poor, the disadvantaged and those with mental health problems—were being left behind. Those are the groups with the highest levels of nicotine addiction, who find it hardest to quit.
At present, the most popular source of nicotine—the cigarette—is far and away the most hazardous and addictive. In response to that, tobacco harm reduction approaches have been developed in the UK to find ways of giving smokers who are unable to quit access to alternative, less harmful forms of nicotine. We are at the forefront in the world in developing such an approach. Current smoking cessation programmes use nicotine replacement therapy, but they also use non-nicotine approaches such as psychotherapy and other pharmaceutical products. Although there has clearly been success with those products, they predate the advent of electronic cigarettes as a major consumer product.

Electronic cigarettes are now widely on sale and have become the most popular tool used by smokers to help them quit. There is growing evidence that they are effective aids to quitting, and they are used by around 2.6 million smokers, primarily to help them quit or prevent them from relapsing back into smoking. Although concerns have been raised about their use by young people and never-smokers, this has not been found to be an issue. Indeed, use by adults who have never been regular smokers is very rare, and although a growing number of young people under 18 have experimented with electronic cigarettes, regular use is limited almost exclusively to young people who are current smokers or who have experimented with smoking in the past.

More worryingly, evidence from ASH indicates that the public increasingly have false perceptions of the harm from electronic cigarettes, and smokers who have not yet tried an electronic cigarette are much more likely than other smokers to believe they are as harmful as conventional cigarettes, or more harmful. That is certainly not the case. A recent groundbreaking review by Public Health England, which was published in August, found that they are 95% safer than smoking tobacco and recommended that health providers and stop smoking services take a more proactive approach in supporting smokers who want to use electronic cigarettes to quit smoking.

For 50 years we have known now that it is not the nicotine in cigarettes that does the damage to people, but the contaminants in the tobacco. However, some people, including in the medical field, are talking electronic cigarettes down as though they were as dangerous as cigarettes. That figure of 95% safer gives us 5% wriggle room, because I do not think that has been tested or proven at this stage. It could be far higher than that, but this product is a way of taking nicotine into the system that does not do the damage that tobacco does.

I believe a large part of the delay in the roll-out of electronic cigarettes has been due to the fact that they were not developed in the UK, or not through traditional methods in national health service labs. I just wish they had been, because then some medical practitioners in the NHS would have had a different attitude to them. The regulatory systems are not used to this sort of organic growth that comes in from outside. However, the Medicines and Healthcare Products Regulatory Agency’s new approach to licensing e-cigarettes is a welcome step. To my knowledge, the MHRA is the only medicines regulator in the world to licence an e-cigarette, as happened earlier this month. They will potentially become a major part of smoking cessation programmes.

Unfortunately, there are high costs to putting e-cigarettes through the MHRA, and from conversations with British suppliers it is clear that the licensing costs are prohibitive for smaller manufacturers if they want them to be a medicinal product. That is obviously a major block, and it is argued that only the tobacco companies are putting those products through the MHRA at the moment. That may be because they have the money to be able to put them through at this stage. I would prefer a tobacco company to spend money on putting these products through the MHRA, so that they can get into smoking cessation clinics, than to sell cigarettes, which prematurely kill 50% of the people who use them. We should take our head out of the sand and look at the potential of these products to get everyone off cigarettes, which are so damaging to their health.

I recently met someone who runs a small business in my constituency and has developed a product called E-Burn, which is an e-cigarette for use in prisons. It is currently used in the prison on Guernsey and is being adopted by the NHS for use in secure hospitals. That innovation is taking place out there. I have not tasted that product and I do not know it from any other, but when I was on the Select Committee on Health in 2005-06 and we did an inquiry on smoking in public places, one of the most difficult things was trying to convince people that those in prisons ought to have smoke-free workplaces as well.

**Norman Lamb:** It should also be mentioned that in mental health settings and in-patient wards, where no-smoking policies have been introduced and patients have been helped to escape from addiction to tobacco, a significant improvement in their mental wellbeing and mental health has been seen.

**Kevin Barron:** The product to which I referred comes from China, I understand, but is assembled in Rother Valley, and the person who runs that company wants to expand his business and create jobs. I want to encourage him on the basis that it creates better health if these products are used both in mental health institutions and in prison.

I mentioned the 2005-06 report. The Health Committee, which I chaired at the time, had great difficulty in convincing people who ran institutions that smoke-free workplaces should be as much for people inside prisons and secure hospitals as for anyone else. Various arguments were put to us at the time. The major issue was not just about taking people off cigarettes; it was about control in prisons. I now see that from 1 January we are banning smoking in all Welsh prisons and selected English prisons, which we could loosely call non-traditional environments. That has taken a long time. We were told when we were doing that inquiry in 2005-06 that the Prison Service would bring things forward within three months of our completing it. It has actually taken 10 years to get to this stage. I suspect that if e-cigarettes, no matter which ones they are, go into those institutions for people who are addicted to nicotine and cannot get off that addiction, it will help us get what some of us were arguing for 10 years ago.

Next year, the UK will implement the electronic cigarette provisions in the tobacco products directive, which will provide a regulatory framework for those products, giving users greater assurance about their
safety and quality. However, e-cigarette users have raised concerns that the UK Government’s implementation of those provisions will force products that they use off the market and may cause them to revert to conventional smoking.

I accept entirely that it is essential that the directive be implemented proportionately. As I understand it, the MHRA will be responsible for that, although not for making all e-cigarettes medicinal products, which involves high expense. It will bring in a regime whereby it will look at the quality of e-cigarettes, and quite right too. I want to know, if people are buying e-cigarettes in shops on our high streets or wherever, that what the packet says is what is in the product. People should know exactly what they are using. I agree about that, but I hope the Government will ensure that the regulation of electronic cigarettes is proportionate and maximises the benefits to smokers while minimising the risks.

I want to finish by discussing our role in global tobacco policy. As reported by Public Health England, money has been found in the spending review for the Department of Health to support the international implementation of tobacco control. The UK, as a world leader in tobacco control and in supporting development internationally, has a key role to play in that area. I am pleased to see the Minister nodding. The UK is the first G7 country to meet the long-standing commitment to spend 0.7% of gross national income on official development assistance—a commitment that is enshrined in law. I am very pleased to say as a Member of the House. Building economic growth and creating jobs helps developing countries to lift themselves out of poverty, and we can justly be proud of our work in that area.

Key to effective development work going forward will be helping to deliver on the new sustainable development goals. One of those is to accelerate the implementation of the World Health Organisation framework convention on tobacco control. I hope, therefore, that our new tobacco control plan will be cross-Government and will include an ambitious international strategy to help countries with FCTC implementation.

The Addis Ababa declaration on financing for development, which backs up the sustainable development goals, says that parties, such as the UK, should strengthen implementation of the WHO FCTC and support mechanisms to raise awareness and mobilise resources for the convention. The UK, as a world leader both in development and in tobacco control, has a key role to play in helping to support FCTC implementation, particularly in low and middle-income countries.

The financing for development declaration goes further and states that “price and tax measures on tobacco can be an effective and important means to reduce tobacco consumption and health-care costs, and represent a revenue stream for financing for development in many countries.”

Clearly the UK has expertise in tobacco taxation: we have some of the highest taxes in the world, combined with a comprehensive and effective strategy to tackle illicit trade. A 2014 study found that tripling tobacco taxes around the world could reduce the number of smokers by 433 million and prevent 200 million premature deaths from lung cancer and other smoking-related diseases. That would benefit UK plc, because increased tobacco taxes of necessity go hand in hand with enhanced anti-smuggling strategies, which we now have to deal with daily. Her Majesty’s Treasury, in collaboration with Her Majesty’s Revenue and Customs, is in the process of setting up a cross-departmental ministerial working group to tackle the illicit trade in tobacco and help HMRC to achieve its aims, which include: “Creating a hostile global environment for tobacco fraud through intelligence sharing and policy change”.

If other Governments increase tobacco taxes and enhance their anti-smuggling strategies, that will help to create precisely that hostile global environment for tobacco fraud. HMRC is working on that at the moment.

Our international strategy also needs to include work to help countries protect their tobacco control public health policies from the commercial and vested interests of the tobacco industry, and to ensure that UK diplomatic posts do not help tobacco companies promote their deadly products around the world. It was rightly considered a scandal earlier this year when the British high commissioner to Pakistan was revealed to have attended a British American Tobacco meeting with the Government of Pakistan, at which BAT lobbied the Government not to implement tougher health warnings on cigarette packs—a campaign that was successful, sadly. In a recent BBC “Panorama” programme, it was alleged that BAT employees and contractors had been involved in making payments to officials and politicians in Africa in return for access to draft tobacco control legislation. Given the UK’s strong domestic record on tobacco control and our leading international role in promoting successful tobacco control policies, we need to remain vigilant and ensure that we all do everything we can to promote successful tobacco control around the world.

I had personal experience of what the tobacco companies do more than 20 years ago, when I was promoting a private Member’s Bill to ban tobacco advertising and promotion. A lot came out years later through the tobacco files about exactly what had taken place and the influence that those companies exerted to try to stop us doing what this country has now done. They tried to stop us putting this country on the map as a major force in tobacco control, as it is now. Will the Minister confirm that the international work to support the implementation of the WHO FCTC will be a key part of the new tobacco control plan, and that it will include supporting Governments in protecting their public health policies from the commercial and vested interests of the tobacco companies, in line with article 5.3 of the FCTC?

I thank you for your indulgence, Mr Betts—you will be pleased to know that I am about to sit down. The tobacco control strategies have been published, in recent history, about once every five years. They have been crucial to this country in saving the lives of many of our fellow citizens and in our getting a good evidence base for the same thing to happen throughout the world. The last thing I want is for this country to stop doing what it has been doing well. I have asked questions about funding and other things, but there is much that we can do that requires not money but good will and determination.

2 pm

Bob Blackman (Harrow East) (Con): It is an honour and a pleasure to serve under your chairmanship, Mr Betts, as I do weekly on the Select Committee on Communities
and Local Government. It is also a pleasure to follow the right hon. Member for Rother Valley (Kevin Barron), who has almost a lifetime of experience of dealing with the tobacco industry and ensuring that the country wakes up to the fact that tobacco and the products that the tobacco industry produces will, if they are used in the way that is intended, kill us. They are the only legal product that will achieve that. I declare an interest in that I speak as the chair of the all-party group on smoking and health. I thank the vast plethora of organisations that have contributed to the debate by supplying me with facts, figures and determinations.

I remember in September 2013, on the first Tuesday back after the long summer recess, we held a debate in this place on standardised packaging for tobacco products. The predecessor of the Minister for Public Health was in post, and some 22 Members contributed to the debate. The Government’s position was that they would not introduce standardised packaging, and the Opposition’s view was that it would be the wrong thing to do. Less than two years later, however, it has come to pass. Government policy changed quite radically as a result of pressure from MPs on both sides of the House. I pay tribute to the work that has been done over many years on tobacco control. The key point is that we must continue to bear down on smoking prevalence, so that we see a reduction year on year.

High taxes on tobacco, to prevent people from starting smoking, are part and parcel of that strategy, which has continued for the past 25 years on a progressive and comprehensive basis. Action on stopping smuggling was started in 2000. We are the only country in the world to have smoking cessation services available free at the point of delivery to smokers. We were the first to introduce them, and we are the only country that has continued with them. I think we should be proud of that. We have been at the forefront when it comes to comprehensive laws prohibiting advertising, promotion and sponsorship by the tobacco industry of our sports and activities.

Over the lifetime of the current tobacco control plan, a substantial amount has been achieved, such as the prohibition of point-of-sale tobacco displays in large shops from April 2012 and in small shops from April of this year, and the ending of smoking in cars carrying children. That measure was introduced in the last Parliament, carried through at the behest of Back-Bench MPs and implemented with Government support. Some of the action is still to be implemented, including the introduction of standardised packaging for tobacco products. That, as the Minister is no doubt aware, is the subject of attacks in the courts by the tobacco industry, but it should come into place in May next year. The new tobacco products directive and the illicit trade protocol will also come into effect later next year.

The new measures together have been very effective in driving down the prevalence of smoking. For the first time since records began, fewer than one in five members of the adult population smokes, and we are seen as a world leader in tackling tobacco. Our leadership has been acknowledged internationally since 2007, and the UK has received the highest score and the top ranking in Europe from the European Cancer Leagues. This year, the Department of Health received the prestigious triennial Luther Terry award from the American Cancer Society. I know that the Minister was pleased to receive that award, and we must congratulate her and the Department of Health on it. We were only the second country in the world to pass legislation to implement standardised packaging for tobacco products. The legislation is being challenged in the courts, but we feel sure that the Government will win that challenge, as they have done in many other cases, including on smoke-free laws, advertising and point-of-sale displays.

Having said that, we must recognise that there is a lot more to be done. Almost one in five adults still smokes, and smoking remains the single biggest cause of preventable deaths and premature death. As we have heard, smoking kills almost 80,000 people in England every year. In London alone, more than 8,000 people die prematurely from tobacco-related diseases, and more than 51,000 hospital admissions can be attributed directly to smoking.

Smoking is the leading cause of inequality, and it is responsible for half the difference in life expectancy between the rich and the poor. As a general rule, those who experience disadvantage have smoking rates higher than those of the general population, and that fuels cycles of deprivation. We have heard that nearly eight out of 10 prisoners smoke, and that people who are homeless smoke. Rates of smoking are also much greater among those who live with a long-term condition, such as asthma or diabetes. That, in turn, has an impact on the national health service. We know that health interventions are less successful for smokers than for non-smokers, and non-smokers tend to have much shorter hospital stays and fewer complications as a result.

In my constituency, Harrow East, which is within the London Borough of Harrow, 13.1% of people still smoke. That equates to 24,855 people who still smoke. That is lower than the national average, but in Harrow 209 people still die from smoking-related diseases every year, 1,410 hospital admissions a year are caused by smoking and 80 people die from lung cancer each year. We know that 90% of lung cancer is attributable directly to smoking. Every year, 55 people in Harrow die from chronic obstructive pulmonary disease, which is also known as emphysema, and 60% of those deaths are caused by smoking. Although smoking rates have fallen significantly among children, from 10% in the early 2000s to just 3% last year, we must not become complacent. It has been estimated that 207,000 children—11 to 15-year-olds—start smoking every year. In Harrow, that is 551 young people starting smoking every year.

Government and public sector action to cut smoking rates is still, clearly, necessary. As such, I was delighted to hear the Minister announce earlier in the year that there will be a new tobacco control plan. The current plan runs out in just two weeks, at the end of the month, so we look forward to hearing from the Minister when the new strategy will be in place. For the new strategy to be successful, it needs to be properly funded. In July this year, the Chancellor announced an in-year cut to public health funding of £200 million, which amounts to some 6.2% of the total budget. That has been compounded by further cuts of 3.9% each year to 2021, which were announced in the Treasury’s spending review. That, according to Public Health England, translates into a further cash reduction of 9.6%, in addition to the £200 million of savings this year alone. Those cuts are already having an impact on local authority spending. I am very disappointed that the local authority where my constituency sits is cutting its public health funding by
60% over the next three years. That has had a severe impact on the stop smoking services, for which funding is being cut from £299,000 in the current financial year to just £20,000 in 2017-18. My local authority is not the only one making such reductions and that is deeply concerning because there may be a return to young people starting to smoke and fewer adults taking the opportunity to give up.

According to the National Institute for Health and Care Excellence, stop smoking services are some of the most cost-effective healthcare interventions—far more cost-effective than the drugs needed to treat smoking-related diseases when they start to develop. Stop smoking services are considerably cheaper than treating long-term conditions caused by smoking, such as lung cancer and coronary heart disease. There is considerably stronger evidence for the effectiveness of stop smoking services compared with many prevention interventions such as, for example, NHS health checks.

What is more, smokers are four times more likely to quit successfully with the combination of behavioural support and medication provided by services compared with unsupported quit attempts. In the previous financial year, more than 450,000 people set a quit date with stop smoking services in England and 51% had successfully quit after four weeks. Those figures include nearly 19,000 pregnant smokers, 47% of whom successfully quit. I was pleased to see in the official statistics released yesterday that the Government have reduced their ambition to cut smoking in pregnancy to 11%. If support available to those women is cut, it raises the question of whether such achievements can be sustained and built on in the future.

Services play an important role in reducing health inequalities. Poorer smokers, who find it more difficult to quit as they tend to be more heavily addicted, are more likely to be successful with the support of those services. More people from routine and manual groups use the stop smoking services than any other socio-economic group and, as such, the services can help reduce health inequalities. They also help to prevent the uptake of smoking among children, although assisting adults to quit is their most important element. Children growing up with both parents who smoke are three times more likely to start smoking compared with children whose parents do not smoke. The cuts to public health funding, which I referred to, have been described, unsurprisingly, by the King’s Fund as the “falsest of false economies”. The reductions do not only affect my constituency, but is deeply concerning because there may be a return to young people starting to smoke and fewer adults taking the opportunity to give up.

As well as reductions in budgets, a great deal of change is taking place in local services, and it is not clear that new approaches are properly evidence-based. A recent survey conducted by ASH for Cancer Research UK found that more than half the respondents—53%—described some form of restructuring of local smoking cessation services. One in five described a shift to an integrated approach, in which smoking cessation is delivered as part of a wider lifestyle package, including, for example, measures to tackle obesity and reduce the harm of alcohol. This has meant the loss of important specialist support.

The changes taking place within services raise questions about their efficacy and outcomes. In particular, the shift to integrated services or lifestyle choices has limited support from the evidence base. An authoritative Cochrane review did not find a significant effect in reducing smoking from those interventions. Will the Minister tell us what steps the Government will take to ensure that smokers continue to have universal access to stop smoking services that meet NICE standards and are free at the point of delivery?

Given the pressure on local budgets, and reductions to funding for local authorities, it is crucial that the NHS picks up the baton and does more to support reductions in smoking prevalence. Not only will this support local authorities, but it is essential for the viability of the NHS and the long-term impact that taking no action against smoking would have.

The NHS five-year forward view rightly states: “The future health of millions of children, the sustainability of the NHS, and the economic prosperity of Britain all now depend on a radical upgrade in prevention and public health.”

The forward view also notes that this has long been a policy objective, stating: “Twelve years ago, Derek Wanless’ health review warned that unless the country took prevention seriously we would be faced with a sharply rising burden of avoidable illness. That warning has not been heeded—and the NHS is on the hook for the consequences.”

It is important to note that even after additional Government funding of the NHS, there is still an estimated potential shortfall of £22 billion by 2020. That is likely to be closed through some efficiency savings, but there will still be a funding gap, which will have to be met through reductions in services, longer waits for treatment or reductions in demand for NHS services. Clearly, the latter possibility requires a much more sustained effort to improve public health and to tackle the major causes of illnesses, particularly smoking, but we have seen a reduction in NHS activity to tackle smoking over the last few years.

The number of GPs recommending that smokers quit and directing them to further support has declined markedly. In addition, services to support people to quit smoking in secondary care—already far from universal—are also under threat. For example, the reductions in specialist stop smoking services in Manchester have resulted in the end of funding for smoking cessation services at the city’s world famous cancer hospital, the Christie. The service will now only continue through charitable funding made available by the hospital.

Smoking places a significant burden on the NHS. Getting smokers to quit can prevent diseases from developing but there is also great value in supporting smokers who are already sick to quit. Many diseases are improved if a person quits. For conditions such as cardiovascular disease, smoking can be a major risk factor in further illness or exacerbation. For people who have developed cancers, including lung cancer, quitting improves the effectiveness of treatments, the likelihood of successfully treating the cancer and five-year survival rates. Even when smokers have an illness that is not related to smoking, quitting can improve the outcome
of their treatments. Those who have quit have much better surgical outcomes and reduced recovery times in hospital.

About 1,260 hospital admissions a day in England are due to smoking—amounting to one in 20 of all admissions. It is estimated that smoking costs the NHS in England around £2 billion a year. In the local authority where my constituency sits, the NHS spends about £6 million on treating smoking-related diseases every year. Reducing the number of people who smoke delivers immediate as well as long-term savings to the NHS. Evidence suggests that if we could increase the rate at which smoking is declining by an additional further 0.5 percentage points a year above the current rate of decline—0.66 percentage points—the NHS could save at least £117 million a year by 2020. That estimate does not include the contribution that reducing smoking makes to conditions that are made worse but are not caused by smoking, such as diabetes.

In short, helping patients to quit smoking should be a core part of NHS business as a means to save lives, reduce costs and improve outcomes. What steps are the Government taking to ensure that the NHS does more to help smokers to quit in line with the implementation of the five-year forward view? To ensure that the radical upgrade in prevention and public health called for in the NHS five-year forward view is achieved, our tobacco control strategy needs to be properly funded. We know that tobacco remains the primary cause of preventable and premature death in this country. Despite that, we have already seen mixed services cut, and the impact of such disinvestment is only beginning to be seen. If we are to continue driving down smoking rates and ensuring that people do not die early from smoking having suffered years of disability, we need an ambitious and comprehensive strategy and to ensure that such a strategy is properly and sustainably funded.

We have already heard that public health and stop smoking services budgets are declining. We must conclude that that effect is likely to continue and is likely to be long term. There is clear evidence that reductions in public spending on tobacco control, together with less emphasis on new policies and on enforcement of existing policies, are likely to slow, halt or even reverse the long-term reduction in smoking prevalence rates. In New York, for example, sustained investment from 2002 led to a decline in smoking rates until 2010, when the decline ceased following funding reductions. Investment was reinstated in 2014, and the rates of smoking cessation began to improve again.

An early indicator of the effect of both national and local spending reductions on tobacco control is given by the smoking toolkit produced by Professor Robert West of University College London. The results for 2015 show a small increase in smoking prevalence over 2014, a fall in the proportion of smokers who made an attempt to quit—from 37.3% in 2014 to 32.4% in 2015—and a lower success rate for quit attempts, from 19.1% in 2014 to only 17% this year.

Clearly, the tobacco industry needs to fund the control of tobacco. As we have heard, the gains we have made run the risk of being reversed, so funding for tobacco control is a good investment by the Government. In advance of the spending review, the all-party group that I chair published a proposal to fund tobacco control with an extra £100 million a year to reduce smoking, combined with a 5% tax escalator on tobacco, which could deliver more than £11 for every £1 invested in the NHS. As we have already heard, spending on tobacco control is extremely cost-effective, but national and local resources for tobacco control and stop smoking services are far from secure, so the Government need to find an alternative, sustainable source of funding.

The report published earlier this year, “Smoking Still Kills”, was endorsed by more than 129 public health organisations and recommended the introduction of a new annual levy on tobacco companies to help fund evidence-based tobacco control and stop smoking services in England. In the United States, the principle of charging the industry for the specific costs imposed on the public purse is well established. In the US, the costs of the levy are apportioned to tobacco companies according to their market share in the country. That concept has received broad-based support in Congress because it is understood to be a charge related to a specific cost, rather than general taxation.

The Chancellor said in 2014: “Smoking imposes costs on society, and the government believes it is therefore fair to ask the tobacco industry to make a greater contribution.”

His decision not to proceed with a levy on the industry in the 2015 Budget was disappointing. Rather, in the 2015 autumn statement, he suggested that future funding for local public health delivery could be met by returning business rates to local authorities. However, one of the primary purposes of public health interventions is to improve ill health and address inequalities. There is a fundamental flaw in his proposal because richer areas, which have higher business rates, have lower rates of smoking than poorer areas with lower yields from business rates.

Applying that principle, the Local Government Chronicle has highlighted that there will be clear winners and losers from returning the national share of business rates to local authorities. The five areas outside London that are the biggest winners from the proposal have an average smoking rate of 16%, whereas the five biggest losers have an average smoking rate of 20%. In Harrow, 13.8% of the national share of business rates would need to be returned to the council in order for it not to lose out if the revenue support grant is ended and the council instead has to rely on business rates. If that were to happen, Harrow would be the 35th worst-off authority in the country, out of 125 unitary authorities.

I have two more questions for the Minister. How will the Government ensure that tobacco control is properly funded locally and nationally so that prevalence rates continue to fall, with consequent benefits for the NHS and public health? Equally, what analysis have the Government undertaken to determine that using business rates to fund local public health activity will not further reinforce existing inequalities?

Despite being a lethal drug, tobacco products can be sold by anyone in England almost anywhere—a licence is not required. The sale of tobacco used to require a licence, and signs above pubs and shops from that period still state that they are licensed to sell tobacco and alcohol. Local authorities in England have powers to shut down a tobacco retailer, if necessary. However, that requires the local authority to take legal action against the retailer, which is both time consuming and resource intensive. What is more, reductions in local authority budgets are affecting the work of trading
standards departments across the country, which could damage enforcement work on illicit tobacco in future years.

In 2013-14, there were only 34 convictions in England for selling tobacco products to young people, and there were no restricted premises or sales orders, yet 44% of young people who smoked said that they obtained tobacco directly from shops. We were pleased to hear in the autumn statement that, as part of the obligations under the illicit trade protocol, the Government will consult on the introduction of a licensing scheme for tobacco machinery and the possibility of licensing tobacco vendors. Licensing retailers is an important step that was recommended by ASH in the “Smoking Still Kills” report and endorsed by more than 120 public health-related organisations, and it would enable the Government and local authorities to promote higher standards in the retail market and clamp down further on illicit sales. Such a system would also protect legitimate retailers and simplify the action that local enforcement officers can take against those selling illicit tobacco both within and outside the retail setting.

I congratulate the Minister on the Government’s success throughout the last tobacco control plan in taking major steps to drive down smoking rates. Successes have been lauded, not just in the UK but internationally, but the plan has come to an end. We need to build on the achievements that have already been made by implementing another ambitious and comprehensive strategy. We have heard that, in recent months, some local services have been cut and that others are likely to follow. We have also heard about the impact of similar cuts in places such as New York. With that in mind, I urge the Government to think about how the strategy will be not only implemented but sustainably funded to ensure that the UK remains a world leader in tobacco control.

We should be ambitious in our outlook and look forward to a tobacco-free Britain much earlier than 2035 to enable our young people to live much longer and much healthier lives and to encourage people who have unfortunately become addicted to this lethal product to quit smoking much earlier so that they can improve not only their life expectancy but their quality of life.

2.29 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): The hon. Member for Harrow East (Bob Blackman) gave us a comprehensive summary of the situation, so I will bring us back to a few key points that we need to think about. What are the issues? They are not just the obvious things that people care about, or seen mentioned in adverts, such as lung cancer; there is hardly a part of the body that is not affected by smoking. There are many problems that people are not aware of, such as stomach ulcers and bladder cancer. There are also the obvious ones, such as strokes, heart attacks, peripheral vascular disease and dementia—14% of Alzheimer’s is caused by smoking. Amputation is commonly due to peripheral vascular disease. Those are things that put people in a dependent situation and often result in them being in care homes. Not only does that have a direct cost for the NHS, but huge costs in our care world will become an increasing burden.

We have had quite a lot of success, but as was mentioned, 18.7% of people in England smoke. Unfortunately, while there has been a considerable drop in Scotland, the figure there is 20%. We started with the worst heart attack rates, and we still have 10,000 people in Scotland dying from heart disease every year. That number is almost equivalent to the population of Troon, where I live. That is a considerable number of lives lost every year. In England, the figure is 100,000. In addition to the question of the number of people who die, there is the painful journey to dying, and the amount of debilitation and suffering for the person and their family.

We have had success: in March 2006, Scotland was the first United Kingdom country to go for the smoking ban, so next year’s 10-year anniversary is approaching. I expect that there will be a re-evaluation of the ban’s success. We had a 17% drop in admissions for heart attack in the first year. That is a bigger effect than anyone expected. We saw an 18% drop in admissions for acute childhood asthma. Myocardial infarctions had been dropping slowly by 3% a year in the previous decade, but the rate accelerated to 17%. Childhood asthma admissions had been increasing by 5% a year until the smoking ban; there has been a 40% drop in smoking exposure for 11-year-olds. And so it goes on. We saw a much bigger impact in the first year than we could have hoped for. There has been success, and that has been UK-wide. It has all been done separately, but we were very much moving in the same direction.

We think of the debates that we have had here with the Minister with responsibility for public health on other issues, such as obesity. The whole public health agenda involves us taking radical action. It is interesting to hear about the earlier debates on banning sponsorship and banning smoking in public places, and how hard those things were to do, but look at what we and the NHS have recouped from that. We need to look at that going forward.

The impact of the cuts and changes to Public Health England has been covered in great detail. It is right that a lot of public health measures are integrated in local authorities, because they can bring about a more people-centred approach to such things as active transport, and the control of how tobacco is sold and how things are sold near schools. This is about looking at the whole person, because public health cannot always just be campaigns looking at one bit at a time. We need to challenge our whole lifestyle, and local authorities are in the best position to do that.

Unfortunately, Public Health England faced a significant cut of more than 6%, or £200 million, and it has been earmarked for significant ongoing cuts. That is a real problem. We have heard about the cuts to smoking cessation, including Manchester stopping all specialist services, and it being on a charitable or basically ad hoc basis in other places, and that just is not good enough. We need to think about how we go forward, and the lives being lost, the suffering being caused and the burden on the NHS.

In the five-year forward view, a shortfall of £30 billion was identified. Some £22 billion of that is expected to be found by the NHS. When Simon Stevens was in front of the Health Committee, on which I sit, he identified that the NHS was expecting about £5 billion to be saved through prevention, but at exactly the same time, we are
talking about cutting public health funding. If that prevention does not come about, that £5 billion saving will not happen and the NHS will hit a brick wall. It is important that we look at all that local authorities do, including to prevent tobacco being sold to under-age people, and to prevent the smuggling of cigarettes and the selling of illicit cigarettes—the whole environment that people are facing.

The hon. Member for Harrow East mentioned the experience in New York, and the stalling of the drop there. That is already being seen here, with the slight increase in the prevalence of smokers, the decrease in quit attempts and the decrease in success. One of the biggest successes is an almost halving of young smokers starting. While the main drive of smoking cessation is helping people to stop, it is important that we do not create future generations who are in the same boat as ours. If we had listened to Wanless 12 years ago and got serious about public health then, we would be in a better place. He said that there would be a sudden surge of preventable and multimorbid diseases hitting the NHS, and that is exactly what we are living through.

It is timely that the debate in the Chamber is about the 1,001 critical days of pregnancy and the first two years of life. We need to invest in our children to try to have healthier, more successful generations in the future. We see odd patterns, such as the connection between smoking and people who end up in prison, and between smoking and those who have mental health problems. There has not been enough research to enable us to say that that is causal, but the fact that mental health patients smoke one third of all tobacco consumed does prompt the question: which one is the chicken, and which the egg? We need to think about our future generations; we need to ensure that pregnant women stop smoking—and do not start again as soon as the child is there, thereby exposing those young children to cigarette smoke. A lot of work has been done on smoking in cars. There has been a big campaign in our neck of the woods to try to get people to go outside the home and not smoke in the presence of children.

We have had a huge amount of success on this issue, due to the work of successive Governments who have ploughed forward, but we cannot afford to take our foot off the gas. We owe it to adults, to those who are approaching the age at which they might take up smoking, to the young, and to those not yet born to aspire to a future generation that is not burdened with the crippling diseases related to smoking. I saw this as a breast surgeon. People ask, “Why do people from deprived areas have poor success from cancer treatment?” Quite simply, I would meet someone aged 70 with breast cancer who had begun to collect morbid diseases from the age of 50. I could see straight away that they would not survive chemotherapy, and might not survive surgery. Treatment for a disease that is not related to smoking is therefore completely inhibited by their underlying disease. Smoking affects every part of people’s bodies. It affects the NHS and our society. We need to ensure that the smoking control policy we have at the moment is quickly replaced by one that is just as determined.

2.37 pm

Andrew Gwyne (Denton and Reddish) (Lab): It is a pleasure to serve under your chairmanship, Mr Betts. I begin by thanking the Backbench Business Committee for granting the debate, and I take the opportunity to wish all hon. and right hon. Members, the Clerks and everyone else sitting in this room a very merry Christmas.

Clearly, it is always a pleasure to follow the hon. Member for Central Ayrshire (Dr Whitford), because she speaks about these issues with such passion and a great deal of knowledge. She adds greatly to our debates. The need for a strategy and for funding to make it happen is pressing, and I am glad we have had the chance to discuss it today. I thank my right hon. Friend the Member for Rother Valley (Kevin Barron). His interest in the issue is, as we are all fully aware, not just passing; he has been championing the issue for a great number of years, and I commend him and the hon. Member for Harrow East (Bob Blackman) on the work that they have done on it through the all-party group.

I start with the problems with the autumn statement—an issue raised by all Members who have contributed so far. It is clear that the autumn statement brought yet more cuts to the public health grant. As a result of year after year of cuts to public health budgets, there has been a consistent fall in the number of people using local smoking cessation services. It is not the kind of thing that can be done half-heartedly. We can throw a little cash at the problem and suggest we are tackling it, but if we spend too little, the returns will be minimal. We may as well spend a sufficient amount and enjoy much greater returns on the investment in public money. We all know that a smoker may throw themselves into an attempt to stop—usually in the new year period, following a new year’s resolution—but if the support is not there, many of them might fail in their attempts. Even worse, after a failed attempt with insufficient support, they are unlikely to try again; that is just human nature. It is worth getting it right the first time round, and giving people the support that they need. That is why some of the cuts to the public health budget have been short-sighted and are the falsest of false economies.

I fear that most smoking cessation services will not survive a 24% cut to the non-NHS part of the Department of Health’s budget. I want public health bodies to be able to push to make children born today the very first smoke-free generation, but I am worried that their ability to do so will be damaged by the reduction in funds.

Let us consider just one aspect of the cost of smoking that may be overlooked. The general health implications of smoking are well known and documented, but mouth cancer often gets overlooked. Oral cancer kills more people in the United Kingdom than cervical and testicular cancers combined, yet there is still an alarming lack of public awareness about oral cancer. Nine out of 10 oral cancer cases are preventable, and the second biggest success is an almost halving of young smokers starting. While the main drive of smoking cessation is helping people to stop, it is important that we do not create future generations who are in the same boat as ours. If we had listened to Wanless 12 years ago and got serious about public health then, we would be in a better place. He said that there would be a sudden surge of preventable and multimorbid diseases hitting the NHS, and that is exactly what we are living through.
Minister pushed ahead with the policy, with cross-party support, albeit that there were a few recalcitrant members of Government, and even louder voices against on the Back Benches. Nevertheless, we got that through, and I commend her on the work she did in pushing for that.

This month marks the third birthday of plain packaging. Australia’s Tobacco Plain Packaging Act 2011 came into force on 1 December 2012, which made it the first country to halt the use of figurative trademarks on tobacco products. In the past few months, both France and Canada have taken significant steps forward in introducing a similar ban. France should be introducing a ban in May, at the same time as our standardised packaging laws come into force.

The importance of removing legitimacy from such activities cannot be overstated. Take the example of the ban on smoking in cars, championed by my predecessor as shadow Public Health Minister, my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger). The purpose is obviously not to punish every single driver smoking in a car with children; that would be impossible to enforce. The real purpose is to send a very strong message that it is not acceptable to smoke in cars with children, and that it is punishable by law. A similar example is the ban on driving without a seatbelt. There are not many convictions, but the number of people using seatbelts soared after the ban was introduced. Our approach must include encouragement as well as enforcement.

I come on to my main point. The previous tobacco strategy was, on the whole, a success. It has encouraged the introduction of measures such as standardised packaging, which are to be welcomed, but I am concerned that a new strategy has not been developed yet. I welcome the Government’s commitment to establishing a new strategy in the new year, but I have concerns about their ability to implement it fully and comprehensively.

In October last year, the five-year forward view noted that

“The future health of millions of children, the sustainability of the NHS, and the economic prosperity of Britain all now depend on a radical upgrade in prevention and public health.”

As the hon. Member for Central Ayrshire said, Simon Stevens has gone on record to say that as part of the efficiencies that the NHS is looking to implement, £5 billion will come from prevention, but how can we achieve £5 billion in prevention when preventive services are being cut back—or, in some cases, removed altogether? I hope the Minister can give Members of all parties, who want the same outcomes, assurances that cessation and other public health services at a local level will not see the axe fall on them in the way it is suggested they might, and that the £5 billion of efficiencies that Simon Stevens has identified as coming from prevention are achievable through the role and remit of the Minister with responsibility for public health.

I will return to the point that I opened with. A person is four times as likely to quit smoking successfully with the help of specialist support, but those services are under attack. In the autumn statement, the Chancellor announced further cuts in the public health grant, amounting to an average real-terms cut of 3.9% each year to 2020-21. That translates to a further cash reduction of 9.6%, in addition to the £200 million-worth of cuts announced in the summer Budget.

Meanwhile, tobacco, as we have heard from other Members, is still the single biggest cause of premature and preventable death, responsible for 100,000 deaths every year in the UK. Some 10 million adults still smoke. More than 200,000 children aged 11 to 15 begin smoking every year. This is an income inequality issue, too. In 2014, 12% of adults in managerial and professional occupations smoked, compared with 28% in routine and manual occupations. People with mental health conditions, prisoners and the homeless are far more likely to smoke than the general population. In my constituency, smoking rates are still far too high and well above the national average. In Tameside, where smoking is prevalent—a quarter of the population smokes—450 deaths a year and 2,500 hospital admissions are attributable to smoking. I know how much this contributes to poor health, which places a huge pressure on health and care services locally, and causes untold misery for the communities and the families of those affected.

I want to touch briefly on the point made by my right hon. Friend the Member for Rother Valley about e-cigarettes, because I have seen them work for people who have smoked for a very long time. The e-cigarette is not only helpful to wean them off tobacco, but, by reducing nicotine levels over a long time, removed the need for nicotine and got them off cigarettes altogether. I implore the Minister to ensure that any regulations she introduces are proportionate, as my right hon. Friend said.

I ask the Minister to keep a watching brief, though, because I am a little concerned. I am starting to see in my constituency the glamorising and normalising of smoking among young people through the use of e-cigarettes. I fully support them as a product to help people come off smoking, but as a gateway product to smoking, they worry me considerably. I accept that there is probably nothing more than anecdotal evidence at this stage, which is why I urge the Minister to keep a watching brief, but having seen the marketing of some e-cigarette products, I am concerned that it uses precisely the same marketing tactics as we saw used by tobacco companies, which brought about the introduction of the regulations on standardised packaging. Let us make sure that e-cigarettes are used for their correct purpose: to bring people off smoking. If there is evidence that they are starting to become a gateway product to smoking, I hope very much that the Minister will look again at whether action is required.

Health inequality is one of my biggest bugbears, and smoking is one of its most virulent causes. A comprehensive strategy to reduce smoking rates is imperative if we are to tackle the issue. The Opposition will support the Minister with responsibility for public health and the Government in developing such a strategy, building on the achievement of both her Government and the previous Labour Government over a number of years. I hope that she can give some assurances on the issues that Members have raised, and some Christmas cheer to Members looking for a renewed strategy on this very important issue.

2.52 pm

The Parliamentary Under-Secretary of State for Health (Jane Ellison): It is a pleasure to serve under your chairmanship, Mr Betts. What an excellent and extremely
well-informed debate we have had. I thank the right hon. Member for Rother Valley (Kevin Barron) for raising this important issue for debate. In a way, the timing is more helpful for me than for right hon. and hon. Members, inasmuch as this is a piece of work to which we in the Department of Health are turning our minds, so it has been enormously helpful to hear the views of colleagues from across the House on how we go forward. There are some areas of the topic on which I can respond, but some on which Members might have to wait until a little way into the new year.

The Government have a very clear position on tobacco control, recognising that smoking is and remains one of the most significant challenges for public health, with all the devastating social and personal consequences that Members have outlined. The Government have been proactive and, I think, ambitious in their approach to tobacco control. That was reflected in the comments made by both Government and Opposition Members, for which I thank them. It is also reflected by the fact that many other countries approach us for advice on tobacco control matters. Over the time I have been in this post, it has been a pleasure to attend a number of international events at which we were asked to provide a leadership role. I will say a little more about international matters before I finish.

Our efforts are paying off, and have paid off. As the shadow Minister said, they build on the good work done by previous Governments in previous Parliaments, and we continue to see year on year reductions in smoking. Since 2010, its prevalence has decreased by almost 3%, saving thousands of lives and, of course, countless families from the pain and harm caused by smoking. At various events in the past I have been open about discussing my experience of that harm in my own family. I know that I speak for other Members who have seen that as well.

Before I talk about the new strategy, it is worth reflecting on progress against the current tobacco control plan. We have met, or are on track to meet, the three national ambitions. Adult smoking prevalence is now at 18%, which is the lowest rate since records began; only 8% of 15-year-olds smoke, which is also an all-time low; and rates of smoking in pregnancy are falling, with the most recent figures showing a rate of 10.5%, so we have a high degree of confidence that we will meet that national target as well. On 1 October, it became an offence to smoke in a car carrying children and for adults to buy tobacco for those aged under 18. Making the latter—also known as proxy purchasing—an offence has been called for a great deal in the past I have been open about discussing my experience of that harm in my own family. I know that I speak for other Members who have seen that as well.

Despite those achievements, smoking is still the leading cause of premature death and health inequality, and Members have rightly focused on that throughout the debate. About 8 million people still smoke, and the resulting number of premature deaths has been recorded. There continues to be enormous regional variation, which weighs heavily on me—I know that the right hon. Member for Rother Valley is very conscious of that as well. In some areas the prevalence rate is as high as 29%. With that backdrop, we can by no means think that the battle is won.

There is similar variation in ill health and death rates associated with smoking, as the hon. Member for Central Ayrshire (Dr Whitford) eloquently outlined. That variation means that there can be the tragic reality of 472 deaths per 100,000 people in one area and fewer than 200 deaths in the same population in others. Throughout the country, we see variation in rates of smoking by pregnant women from more than 25% to about 2%. I know that some areas are working really hard to address that variation. I pay tribute to the people working in places that, despite the high rates that they battle, have seen encouraging results, such as the public health and NHS teams in Blackpool. They are bearing down on their high rates with some success and have done very well.

While we are discussing the ill health caused by smoking, perhaps this is a useful moment to give the shadow Minister a little reassurance in two regards. He made a good point about oral cancer, and I can confirm that one of the pictures in the new library of photographs being introduced with the tobacco products directive will feature throat cancer, so that will draw attention to it. Also, we received welcome information today from the British Dental Association setting out how dentists can help with smoking reduction and the identification of oral cancer. We will consider that further as we develop the strategy. That is welcome and timely news.

As we are talking about the work that people have done in different areas, such as the efforts to bear down on smoking in pregnancy, which have been some welcome steps, I want to mention the role of health professionals. Their role has run as a thread through the debate, and I suppose it will be ever more relevant as some services look to integrate more with health professionals in the NHS and elsewhere. The movement of health visiting into local government in October—it is now commissioned through local government, as are public health services—offers a welcome opportunity to get some really close working between those two functions in local government right across the board.

As we look at the new tobacco strategy, we are working with Health Education England to identify how NHS health professionals can be further supported to act on smoking. Nevertheless, progress has been made, and I congratulate the midwives and health visitors who have done such good work to identify women who smoke during pregnancy. We have seen their work reflected in the ongoing reductions in the level of smoking during pregnancy, but there is more to do, so we are looking to build on that success.

As I have said, the Government remain committed to tobacco control, and our goal is to drive down the prevalence of smoking in England. At this point, I should say that we are working very closely and constructively with colleagues in the devolved Administrations on that shared objective. Our officials speak to each other regularly, and we are always interested to look at what measures are introduced. As always, it was good to hear the contribution from the hon. Member for Central Ayrshire. Tobacco-related deaths are avoidable, so we want to do more to avoid them.

Although I have said this in an event in the Palace of Westminster, I have not yet confirmed it in the Chamber, but I can confirm that the Government will publish a new tobacco control strategy for England next summer, which I think is a sensible timetable. I hope Members agree that, given the significant measures coming into
force in the spring and the fact that we want a little time to reflect on the current strategy, that strikes the right balance. The work is under way already, which is why this debate is a timely opportunity to hear Members’ thoughts. I will ensure, throughout the timetable for developing and producing a new strategy, that there are ample opportunities for Members on both sides of the House to contribute to the strategy development. Important stakeholders, such as those who contributed through Members’ speeches today and supplied useful briefing materials ahead of the debate, will have important and regular opportunities to influence the strategy and have input into it.

In developing the strategy, we will review the current national ambitions, and we will further empower local areas and support action within them, particularly where tobacco control strategies can be tailored to the unique needs of local populations. We cannot ignore the stark differences in the results of different areas across our country, so the new strategy has to focus on those discrepancies. Robust activity at that level is vital if we are to tackle the impact of health inequalities in England and ensure that smoking prevalence continues to decline in all communities. We will, of course, need to support local authorities in pursuing collaborative partnerships and securing a high return on investment as they prioritise and streamline their budgets.

A number of questions were asked about funding, and we will give careful attention to it. I am not in a position to comment in detail on the funding of the strategy itself, about which hon. Members made a number of points and expressed concerns. It was made clear in the spending review that the public health budgets are to be ring-fenced for the next couple of years and protected, with conditions stipulating that the whole budget must be spent on public health duties.

If any right hon. or hon. Members are concerned about what is happening in a particular area, I ask them to please speak to me. The chief executive of Public Health England remains the accounting officer for how the ring-fenced public health grant is spent, and I am always extremely happy to ask him to speak to Members about their concerns about what is happening in their own areas. Manchester was mentioned specifically. I can confirm that we are aware of Manchester City Council’s decision, and Public Health England is currently working with it to identify how it can provide cost-effective support to local people who want to stop smoking. The new control strategy has not been finalised, so we cannot commit to the level of funding that will be needed, but Members have made their views on that extremely clear.

I gently say to my hon. Friend the Member for Harrow East (Bob Blackman) in particular that we have championed the way in which, over the past five years, local government has done extremely well in providing excellent services for less cost. It has focused far more on outcomes than on the money spent. It is relevant to bear that in mind, given that Members have expressed reasonable concerns about the local government spending landscape.

Kevin Barron rose—

Jane Ellison: I sense an intervention coming.

Kevin Barron: I entirely accept that there are regional variations. We must all accept that, but the mass media—the news and the national media—cut across all regions. Will an evidence-based mass media campaign be part of the strategy that will be published in the summer?

Jane Ellison: I can give the right hon. Gentleman a broader assurance than that. Our approach to the subject has at all times been evidence-led, so the new tobacco strategy will clearly encompass a range of evidence-led activities. I hope that reassures him more broadly than just on that point. We must at all times be led by the evidence, as those who contributed today highlighted.

The new strategy is an opportunity to shine a spotlight on what local councils are doing locally, and to learn from innovative work. We cannot stand still in that regard. We must be open to evolving the way we do things, and that is already happening. The new devolution deals are an opportunity to focus on the exciting new ways in which local areas are reimaging the way they do things, and we have seen councils of all colours doing that. We must be optimistic in that regard and pay tribute to the innovation of local government across a range of areas. I have seen that in a host of different public health areas in the two-plus years that I have been doing this job.

But the picture in some communities and areas is not positive. Smoking rates vary across social groups—those from poorer communities and backgrounds experience higher tobacco use and much greater health burdens, as the right hon. Member for Rother Valley and others said in their speeches. Although the right hon. Member for North Norfolk (Norman Lamb) has left, I want to put it on the record—I am sure he will follow this up after the debate—that a particular focus of the new strategy will be on reducing health inequalities and their impact on people who suffer from a mental health condition. We are conscious of the great differences in smoking rates, so that will be a focus of what we do. A quarter of cigarettes are smoked by people with mental health conditions, so I can confirm that that group will be a key priority for the new strategy. We seek to embed the importance of tackling health inequalities both in the new strategy and locally, to cement the national gains that we have made.

We have introduced a significant tranche of legislation, some of which is still to come into force, so we are unlikely to commit in the strategy to a package of legislative interventions. I think colleagues appreciate the reasons for that. Rather, we will set out what we must do to identify and develop new and more effective measures for reducing smoking and smoking harm.

It might be useful to update the House on prisons, which hon. Members mentioned. We are conscious of the great differences in the rates for prisoners and non-prisoners. The Ministry of Justice has announced a programme to make prisons smoke-free, which will be implemented in stages, and prisoners will be given support to stop smoking. Public Health England continues to improve the support that it offers to prisoners who quit in prison to stay smoke-free when they leave.

Of course, tobacco control is not a matter just for legislation or for the Department for Health. There are a range of measures that can choke off the supply of new smokers and help those already addicted to quit. We will work with Her Majesty’s Treasury on tax, as
Members would expect; with Her Majesty’s Revenue and Customs on the illicit trade; with local authorities, as I have already said; and, of course, with the NHS on smoking. I can confirm that the UK has a significant role to play. The UK Government have signed the framework convention on tobacco control, and are now working in the UK and with the Commission to ensure that everything is in place to ratify that protocol. That is something we are committed to doing. The Department for Health has been awarded an overseas development assistance fund to assist other countries with developing their tobacco control policies. That funding will be used to protect people from the harms of tobacco internationally and to tackle the problem of health inequalities globally. A dedicated team will be established to deliver that work. I look forward to updating the House on that in due course.

I turn to e-cigarettes. Of course, the best thing a smoker can do for their health is to quit smoking, and to quit for good. There are now more than 1 million ex-smokers who have used e-cigarettes to help them to quit smoking completely. The evidence indicates that e-cigarettes are significantly less harmful to health than smoking tobacco. I thank Public Health England for the important piece of work it provided to advise us in the summer.

However, the quality of products on the market remains variable. It is therefore important that we have regulation that is proportionate—that is exactly the right word, and I echo that view—to ensure that we have minimum safety requirements and that the information provided to consumers allows them to make informed choices. That is exactly the aim of the regulatory framework set out in the revised directive.

In implementing the new EU rules, we intend to work towards regulation that will permit a range of products, which people want to use, to remain on the market, but with those products positioned as alternatives to smoking, not as products that introduce children to vaping or smoking.

I join the right hon. Member for Rother Valley in welcoming the arrival of licensed products that can be prescribed alongside existing nicotine replacement therapies. The Government had full support from both sides of the House when we took through precautionary legislative measures on the issue of children and e-cigarettes; indeed, most parts of the industry welcomed and supported the uncontentious approach of adopting the precautionary principle with regard to children.

We will continue to take a pragmatic approach to e-cigarettes, and we will be guided by the evidence. The right hon. Gentleman was right that, in a fast-evolving marketplace, we must be guided by the evidence. To that end, we have commissioned a comprehensive review of the impact of e-cigarettes to ensure that future policy decisions continue to be supported by a robust and published evidence base. That will build on the PHE review of evidence on e-cigarettes, which was published in August.

It might be helpful if I update right hon. and hon. Members on some relevant research projects. The National Institute for Health Research is funding a randomised controlled trial to examine the efficacy of e-cigarettes, compared with that of nicotine replacement therapy, when they are used in the UK stop smoking service. I spoke earlier of the evolving world of smoking cessation services and of understanding what works, and that will be an important piece of research. The report of the trial is expected to be published in 2018.

The Department—I hope this speaks to the watching brief—that the shadow Minister asked that we keep—is commissioning work through the Public Health Research Consortium to identify whether there are any early signals of e-cigarettes having the potential to renormalise use of tobacco products. That work is expected to report in summer 2016. Again, we will look to update the House when we have the results—I know there will be interest in them on both sides.

I congratulate the right hon. Gentleman on securing a debate on this important issue. As I said, it comes at a really timely moment. When I come back in the new year, I and my officials will certainly turn considerable attention to this important strategy. As I hope I have made clear, none of us can rest on our laurels. We have made some good progress, but the Government will continue to develop support and new measures to reduce the prevalence of smoking further and faster in England. We will, I hope, continue to work constructively with colleagues in the devolved Administrations, with the objective of preventing more people—more of our constituents—from dying prematurely as a result of smoking.

I am acutely conscious of the fact that the burden of disease and harm associated with smoking falls most heavily on the most disadvantaged. Addressing that will be right at the heart of our new strategy. Like all those who have contributed to this excellent debate, I look forward to our first smoke-free generation.

In closing, I echo the words of the shadow Public Health Minister. I wish colleagues and the staff of the House a very happy Christmas, and I thank all those who have contributed to this excellent debate.
3.13 pm

Kevin Barron: May I also echo those comments? I wish everybody a happy Christmas and a peaceful new year as well.

The debate shows just how far the House, as a legislative body, has travelled over the past two decades, taking on these major issues on the basis of their effect on people, as opposed to their potential effect on political parties. That is greatly to the House’s credit, and I thank everybody who has spoken this afternoon.

I thank the Minister for leaving the door open in terms of what will be in the strategy next summer. Things may come forward that test us—such as what happens in the e-cigarette market and how we deal with that—and I am sure we will watch the issue with great interest. I thank everybody who has contributed.

Mr Clive Betts (in the Chair): May I also take this opportunity to wish everyone here a very happy Christmas? I look forward to seeing you all again in the new year.

Question put and agreed to.

Resolved,

That this House has considered a new tobacco control strategy.

3.15 pm

Sitting adjourned.
Written Statements

Monday 30 November 2015

EDUCATION

National Reference Test Consultation

The Minister for Schools (Mr Nick Gibb): The statement is as follows:

Consultation on arrangements to implement the National Reference Test

Today, 30 November 2015, I am launching a public consultation on the introduction of secondary legislation to require selected schools to take part in the National Reference Test (NRT). The legislation will come into force on 1 September 2016 and the first full NRT will take place in March 2017.

The NRT is the next step in the Government’s reform agenda, which will deliver robust and rigorous qualifications for England’s students. Before 2010, pupils received successively higher grades at GCSE each year, but in international league tables England’s performance stagnated. Ofqual has halted this grade inflation through the use of comparable outcomes.1

Ofqual is now introducing the NRT which will indicate if GCSE results should change from year to year. Over time, this will provide an additional method of measuring real changes in national performance at GCSE which is distinct from the use of international comparisons such as the PISA study.

This consultation is an opportunity for teachers, parents, pupils, and all those with an interest to provide their views, which will be taken into account when preparing the final legislation.

The National Reference Test

Each year, a different sample of 300 secondary schools, both in the state and independent sectors, will be selected to take part. Random samples of pupils from each selected school will take a test lasting about an hour. About 30 pupils will take the English language test and another 30 will take the mathematics test. Ofqual will publish information about overall test performance each summer when GCSE results are announced. The results will not be used for school accountability purposes and results will not be given to individual pupils. Instead, the NRT will provide Ofqual with additional evidence on year-on-year changes in performance.

Participation in the test will benefit both schools and pupils, as it will help to provide more direct evidence of improving school performance at the national level which can be reflected in the grades that are awarded at GCSE, ensuring higher-attaining cohorts are rewarded.

The proposed legislation would apply to maintained schools. It would also apply to most academies and free schools through an existing provision in their funding agreement that requires them to comply with guidance issued by the Secretary of State in relation to assessments. It would not apply to independent schools although pupils at independent schools will also be asked to take the test to ensure that the sample of pupils that take the test is nationally representative.

1 For further information, see https://ofqual.blog.gov.uk/2015/08/05/gcse-marking-and-grading/

HOME DEPARTMENT

Security Industry Authority

The Minister for Policing, Crime and Criminal Justice (Mike Penning): The 2014-15 annual report and accounts for the Security Industry Authority are being laid before the House today and published on https://www.gov.uk/. Copies will be available in the Vote Office.

PRIME MINISTER

Commonwealth Heads of Government Meeting: Malta

The Prime Minister (Mr David Cameron): I attended the Commonwealth Heads of Government meeting in Valletta, Malta, between 27 and 28 November. The Secretary of State for Foreign and Commonwealth Affairs, the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for East Devon (Mr Swire), who has responsibility for the Commonwealth, Lord Maude, the Minister for Trade and Investment, and Baroness Verma, the Under-Secretary of State for International Development also attended.

Her Majesty the Queen opened the meeting in her role as Head of the Commonwealth. Her Majesty was accompanied by His Royal Highness the Duke of Edinburgh, and Their Royal Highnesses the Prince of Wales and the Duchess of Cornwall.

The Government took office this May with a manifesto commitment to strengthen the Commonwealth’s focus on promoting democratic values and development. I believe firmly that the Commonwealth has unique strengths rooted in its global reach, its diversity and its shared legal systems, language and values. Combined with the 60% of the Commonwealth’s population under 30, these are foundations on which the Commonwealth can build as it takes on the challenges of a modern world.

The challenges have never been greater. This meeting provided an opportunity for leaders to discuss in particular extremism, climate change, the challenges faced by small states and sustainable development. Leaders were united in condemning the recent terrorist atrocities in Paris and elsewhere. They agreed that the Commonwealth has an important role to play in broadening international efforts to counter extremism, including by working through its civil society, youth and education networks to reduce the appeal of poisonous ideologies. To help the Commonwealth to take practical action, I announced that the Government would be committing £1 million each year for five years to establish and run a new Commonwealth unit dedicated to supporting efforts to counter the causes of radicalisation. A number of Commonwealth states face significant challenges and the unit will co-ordinate the sharing of expertise.
I also announced £200,000 of seed funding to expand a recently established European counter-radicalisation youth network to the countries of the Commonwealth. The initiative will support moderate youth voices in their efforts to counter violent extremist messaging.

Heads also met in a special session to discuss climate action. This was timely, coming just ahead of the UN climate conference in Paris. President Hollande, as host to the climate negotations, and UN Secretary-General Ban Ki-moon addressed Heads, as did His Royal Highness the Prince of Wales. I spoke to encourage unity and ambition ahead of Paris and to set out UK priorities for a climate deal. Heads adopted a climate action statement setting out what they wanted the Paris climate negotiations to achieve.

I also announced a number of practical initiatives demonstrating UK support for the Commonwealth’s small island developing states, many of which are particularly vulnerable to the impacts of climate change and have a major stake in the Paris conference. The initiatives I announced include £20 million to allow more small island states to access disaster risk insurance and to aid disaster risk contingency planning. I also pledged £5.6 million of technical assistance to help small island states develop their maritime economies, and a further £1 million for expert assistance to access development finance. I also highlighted: up to £400,000 from existing budgetary contributions to support a new Commonwealth climate finance access hub; UK support for a new working group within the Commonwealth to identify ways to lever private sector investment for green projects; and £50,000 to the Commonwealth small states offices in New York and Geneva.

Heads also observed, in line with the 2030 agenda for sustainable development, that good governance and respect for the rule of law are vital for stable and prosperous societies, as well as for efficient, effective and accountable public institutions. At the Foreign Ministers’ meeting, the Secretary of State for Foreign and Commonwealth Affairs encouraged the Commonwealth, with its record of support for judicial independence, legislative capacity building and election monitoring, to make a strong contribution to goal 16. I also chaired a side meeting on anti-corruption, which provided welcome momentum ahead of the UK’s anti-corruption summit in 2016.

Heads agreed to strengthen efforts to tackle corruption including through increased transparency and co-ordination between law enforcement agencies.

On the wider values agenda, Heads resolved, through the communiqué, to promote and protect all human rights and fundamental freedoms and to support the empowerment of women and girls. I spoke about the importance of the Commonwealth seeking to narrow its divisions on LGB&T issues and announced UK support for reconciliation and human rights in Sri Lanka, as part of a £6.6 million wider programme of support. I was also pleased, in this regard, to note that Northern Ireland will take on chairmanship of the Commonwealth Forum on National Human Rights Institutions, with our support. I welcomed the report of the Commonwealth Ministerial Action Group (CMAG) and the decision to put the Maldives under formal consideration, and to visit there in early 2016. The Commonwealth has an important role to play in helping its members adhere to its values. It is vital for the organisation’s integrity that it acts to uphold the values and principles of its charter.

I am grateful to Baroness Verma for attending the first ever Commonwealth Women’s Forum and for chairing a session on LGB&T issues at the pre-CHOGM People’s Forum, where she urged the Commonwealth to do more to defend LGB&T rights.

On business and trade, Heads agreed to advance global trade negotiations and in particular ratify the WTO trade facilitation agreement. Lord Maude and Mr Swire both spoke at the Commonwealth Business Forum. Mr Swire also spoke at an event to mark the Magna Carta’s presence in Malta, as well as an event to highlight the progress made to eradicate polio—where he drew attention to the UK’s £300 million contribution to the global polio eradication initiative since 2013. He also attended an event with Commonwealth scholarships alumni.

I congratulate Baroness Scotland on her appointment as Secretary-General. The UK wanted the strongest possible candidate to steer the Commonwealth through reform, to ensure that it has a voice on the most pressing global challenges and to unite its members behind the values of human rights, democracy and the rule of law. I believe Baroness Scotland is the right person to do that and look forward to working with her in the years ahead.

Finally, leaders agreed the UK’s offer to host the next CHOGM in 2018, and welcomed Malaysia’s offer to host in 2020. In hosting CHOGM, I believe that we can build on the excellent progress made in Malta to continue to increase the Commonwealth’s stock and standing in the world.

Attachments can be viewed online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-11-30/HCWS341/.

[HCWS341]

TRANSPORT

Fuel Tank Compliance

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): Further to the written statement given by the Under-Secretary of State for Transport, my hon. Friend the Member for Devizes (Claire Perry), 18 December 2014, Official Report, column 139, the Department for Transport has continued to work with the Health and Safety Executive (HSE), Department for Energy and Climate Change (DECC) and industry to resolve an issue with fuel tankers manufactured and incorrectly certified in South Africa. Following a detailed investigation these tankers were found not to be in full compliance with internationally agreed regulations—the European Agreement Concerning the International Carriage of Dangerous Goods by Road or the ADR.

Since the previous statement, around 60 new replacement tankers have entered into service, reducing the number that are not in full compliance to about 70 tankers, all built after the middle of 2010.

During this time the Department for Transport commissioned further research of around £0.5 million, the outcome of which, published today on the Department’s website https://www.gov.uk/dft, found no reason to extend further the use of the 70 tankers, which are to be withdrawn by 31 December 2015 as planned.
The research has also shown that improvements could be made to the international regulations and the standards referred to therein to enhance the safety of fuel tankers in the event of a collision or rollover incident. The Department is already developing proposals with other European countries, and working with HSE and the industry to prevent any similar issues of non-compliance.

In addition, the research, in going beyond the scope of the normal inspections required by legislation, found a fuel tanker properly certified in the UK to contain defects of a lesser significance than those in the tankers found not to be in full compliance with regulations. A full scale test of the tanker undertaken during the research found that the safety of the tanker was not compromised by these defects, which due to the research are being addressed by the manufacturer.

[HCWS338]

**HS2 and the Northern Powerhouse**

The Secretary of State for Transport (Mr Patrick McLoughlin): The statement is as follows.

**HS2 and the northern powerhouse**

Good strategic transport links are central to the success of our country. This Government, more than any before, committed to making sure we have the infrastructure we need to deliver economic growth and rebalance the country’s economy, not just in the immediate future, but for the long term.

I am therefore making announcements today on how transport is continuing to deliver the northern powerhouse through HS2 and the northern transport strategy.

**HS2**

HS2 is a key part of the future of our country’s railways. Last week’s spending review announcement confirmed the Government’s commitment to the scheme. This is a big step forward for HS2 and the creation of a northern powerhouse. This gives funding certainty to HS2. It also gives more certainty to the towns and cities that would be served by HS2 that they can plan for its arrival, and to the private sector that there will be future investment opportunities.

HS2 will not be a separate, standalone railway. It will be the new backbone of our national rail network, with HS2 services running from London and Birmingham to cities in the north of England including Manchester, Leeds, Liverpool, Newcastle and on to Scotland. It will not only deliver significant journey time savings, but also much needed additional capacity and increased connectivity. Private sector companies will be able to bid to run HS2 services, and will also be able to use this capacity to offer a wider range of services.

We are making good progress with HS2 phase 1, from London to Birmingham. The hybrid Bill for this part of the railway is proceeding through Parliament and we are aiming to achieve Royal Assent by the end of 2016, so that construction can begin in 2017.

In his reports, “HS2 Plus” (March 2014) and “Rebalancing Britain” (October 2014), Sir David Higgins recommended that we seek to build the section of the route to Crewe more quickly to deliver further benefits to the North sooner. We agree that we should realise the benefits of HS2 as soon as possible. I am therefore announcing today my decision on the section of the route from Fradley in the West Midlands to Crewe, now referred to as “phase 2a”. We intend to accelerate phase 2a so that it opens six years earlier than planned, in 2027. This will bring more capacity and faster HS2 services to the north west of England, including Crewe, Liverpool, Manchester and Scotland much sooner than originally planned. Our plans will help to support growth and deliver jobs more quickly.

Powers to build this section of the route will be sought through a separate hybrid Bill which I intend to introduce to Parliament in 2017. HS2 Ltd has now procured professional services consultants (PSCs), for the purposes of supporting the hybrid Bill development.

In the light of my decision on the HS2 route from the West Midlands to Crewe, I am also today issuing safeguarding directions for that part of the route, having considered responses to the November 2014 consultation on this. The directions will ensure that new developments in this corridor do not affect the ability to build or operate phase 2a or lead to excessive additional costs. Safeguarding also triggers the statutory blight regime. Qualifying owner occupiers whose property is within the safeguarded zone will have the right to ask the Government to buy their property by serving a blight notice. We are committed to assisting people affected by HS2. All those living within the safeguarding zone will receive a letter informing them about potential entitlements.

We set out our initial preferred route for phase 2 of HS2 in January 2013 and later that year conducted a public consultation exercise seeking the public’s views on the route. Today, we have published the independent analysis by Ipsos MORI of all the responses to the 2013 phase 2 route consultation. My route decision on Phase 2a takes account of the consultation responses regarding that section of the route; and the Command Paper also responds to the cross-cutting issues raised.

We continue to progress plans for the rest of the HS2 Phase Two route. I welcome the way local authorities, most recently those in Leeds, the Northern Gateway Partnership and the East Midlands, have come together to support HS2 plans in their areas. Further work is needed on the remainder of the Phase Two route before a decision can be taken. I intend to make a decision in autumn 2016, but today I can update the House on my thinking as follows:

Leeds: We have now received Sir David Higgins’ report on Leeds station, which is also published today. It recommends an integrated design for the HS2 station, while maintaining a southerly route into the city. I am minded to agree with Sir David’s proposal.

South Yorkshire: Sheffield Meadowhall was the Government’s preferred station location in the phase 2 route consultation. The evidence continues to suggest that this is likely to be the best way of serving the wider South Yorkshire region and we are working with the National Infrastructure Commission and Transport for the North on the possible interfaces with northern powerhouse rail. However, we acknowledge there are arguments in favour of a city centre location and continue to examine relevant analysis.
East Midlands: Sir David Higgins has confirmed that HS2 Ltd recommends a hub station should be located at Toton. Toton is also supported by the East Midlands local authorities who are united behind this proposed location. The Government therefore continues to support Toton as the best location for an East Midlands hub. Last week the Chancellor announced growth funding to allow the area to start its planning for HS2. Part of this will be released this year, and the remainder would be released when a decision is made.

Manchester: Manchester Piccadilly continues to look like the right location for HS2’s Manchester terminus. To maximise its potential to support economic growth in the region, it will be important to ensure effective co-ordination with the development of northern powerhouse rail to transform east-west links across the north of England. We are continuing our work through Transport for the North, and with the National Infrastructure Commission, to explore synergies and integration between the schemes, in order to develop the right rail infrastructure that delivers growth across the whole of the north of England.

We also remain of the view that a Manchester Airport station is likely to be the right option, subject to agreeing an appropriate third party funding contribution to the costs.

In 2014, Sir David Higgins recommended that HS2 serve a north-west hub station at Crewe. While I am not taking decisions on Crewe hub today, I do support the vision for a Crewe hub. Work is ongoing. I intend to make further announcements in 2016, and any Crewe hub scheme will be subject to consultation. To support the work that the Northern Gateway Partnership is doing to develop growth and regeneration plans ahead of a decision I am releasing part of this funding this year.

I have asked HS2 Ltd to explore options for how we might best serve Stoke and Macclesfield, including through classic compatible trains via Handsacre Junction. Handsacre Junction is part of phase 1 and will allow HS2 trains to serve Stafford.

Scotland will benefit from reduced journey times as soon as phase 1 opens, 3 hours 56 minutes from London to Glasgow, compared with a typical journey time of 4 hours 31 minutes at present. Accelerating delivery of phase 2a between the West Midlands and Crewe will further reduce the journey time from London to Glasgow to 3 hours 43 minutes. The full “Y” network will provide faster services from London to both Glasgow, 3 hours 38 minutes and Edinburgh, 3 hours 39 minutes. The UK Government and the Scottish Government are working closely together to consider options to further reduce journey times. We hope to make a statement on the next steps in the new year.

I have not taken any decision on the remainder of the phase 2 route. We will respond in full to consultation responses relating to the rest of the phase 2 route when a route decision is taken in 2016.

Copies of the Command Paper: “High Speed Two: East and West - The next steps to Crewe and beyond” and other accompanying documents have been made available in the libraries of both Houses and can be found on the Department’s website at: https://www.gov.uk/government/collections/hs2-phase-two-from-the-west-midlands-to-leeds-and-manchester

The cost of HS2 has not changed since the spending review 2013. The spending review 2015 confirmed an overall budget of £55.7 billion in 2015 prices. This is consistent with the £50.1 billion, in 2011 prices, set in 2013, but has been uprated to take account of inflation.

Transport for the North and the Northern Transport Strategy

Today, jointly with Transport for the North, we are publishing a progress report on the northern transport strategy, which includes updates on our progress across the full range of the strategy, including international connectivity, freight, smart and integrated ticketing, strategic roads and northern powerhouse rail. The fast, frequent, reliable and comfortable rail service we plan will underpin the northern powerhouse economy. Copies of the report “The Northern Transport Strategy: Autumn Report” have been placed in the Libraries of both Houses and can be found on the Department’s website at: https://www.gov.uk/government/organisations/department-for-transport

The Government have also taken steps to support the development of Transport for the North as an organisation that represents the whole of the north of England and can speak to Government with one voice on the region’s transport priorities.

Last week’s spending review committed £50 million of funding over this Parliament to help Transport for the North drive forward plans to transform the north’s transport links and build a single regional economy.

Today, I am delighted to announce, jointly with Transport for the North, the appointment of John Cridland as the new independent Chair of the Transport for the North Partnership Board. Together with his Chief Executive, David Brown, John Cridland will have the responsibility for delivering the northern transport strategy, working closely in partnership with Lord Adonis and the National Infrastructure Commission.

Following advice from the National Infrastructure Commission in March 2016, schemes such as northern powerhouse rail will have access to a brand new £300 million national transport development fund.
Deferred Prosecution Agreement

The Attorney General (Jeremy Wright): Yesterday the Serious Fraud Office (SFO) entered into a deferred prosecution agreement (DPA) with Standard Bank Plc (now known as ICBC Standard Bank Plc) in accordance with section 45 and schedule 17 of the Crime and Courts Act 2013. This was the first time that this new power has been used by a prosecuting authority since the provision came into force on 24 February 2014. The indictment deferred by this agreement comprises a charge under section 7 of the Bribery Act 2010—corporate failure to prevent bribery—the first time this section of that legislation has been charged.

Corporate economic crime damages the British economy in monetary and reputational terms. Since May 2010, we have made structural changes to improve our strategic capability, including introducing deferred prosecution agreements in February 2014. The Government recognised the need for this additional and much-needed weapon in the prosecution’s armoury to provide the flexibility to secure appropriate penalties and better outcomes for victims. Yesterday’s agreement has resulted in the imposition of a multi-million pound penalty, payable to the Treasury. The DPA goes much further than just addressing the financial impact of the offending. It also regulates the future behaviour of the company, compelling Standard Bank to pay for and submit to an independent review of safeguards put in place to prevent future offending.

A DPA is where an agreement is reached between a designated prosecutor, in this case the SFO, and an organisation facing prosecution for certain economic or financial offences. The effect of such an agreement is that proceedings are instituted by a bill of indictment but then deferred on specific terms such as the payment of a financial penalty, compensation, disgorgement of profit along with implementation of a compliance programme, co-operation with the investigation and payment of costs. There are several stages to the process which include both a private and public hearing before a member of the senior judiciary. If the terms of a DPA and statement of facts is agreed between the parties, and approved by the judge, a declaration that a DPA is in the interests of justice and that its terms are fair, reasonable and proportionate must be given in public. Lord Justice Leveson delivered such a declaration in his judgment of 30 November 2015. Details of this particular DPA and the judgment have been published on the website of the SFO. Should the company not adhere to the terms of the agreement the SFO has the ability to prosecute the company.

Accession of Liberia to the World Trade Organisation

The Minister for Small Business, Industry and Enterprise (Anna Soubry): My noble Friend the Minister of State for Trade and Investment (Lord Maude of Horsham) has today made the following statement.

I wish to inform the House that on 3 November 2015 the Government opted in to the Council decision relating to the accession of Liberia to the World Trade Organisation (WTO).

The Council decision has the effect of extending to Liberia the horizontal commitments the UK makes to all WTO members, including in the provision of services by natural persons from third countries, otherwise known as “Mode 4”. It is the presence of these Mode 4 commitments in the relevant instruments which triggers the UK Justice and Home Affairs opt-in.

The Government have supported the accession of Liberia to the WTO on the right terms. In acceding to the WTO, Liberia will embrace a series of rules and commitments which form the foundation of an open, transparent and non-discriminatory global trading system and which will provide important guarantees for them and for other WTO members. Accession to the WTO will bring Liberia more firmly into the global economy and help make Liberia a more attractive place to do business.

Liberia’s accession to the WTO is consistent with the UK’s policy of helping least developed countries (LDC) to take advantage of the international trading system. The Liberian accession, due to be formally agreed at the 10th WTO ministerial conference in Nairobi, will also send a broader positive signal to the wider developing world, with an African LDC acceding to the WTO at the first ministerial conference to be held in Africa.
Based on the JHA decision presented by the European Commission, the Government are concerned that opting in will have the potential to prevent the UK from derogating from the extraterritoriality provision. The Government believe that the UK should retain the flexibility to derogate. Taking this into account, the Government decided not to opt in to the European Commission’s JHA proposed decision.

These proposals are still being negotiated between the European Commission and member states with no current date scheduled for adoption.

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council (Defence) and General Affairs Council

The Minister for Europe (Mr David Lidington): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the Foreign Affairs Council on 16 November. My right hon. Friend, Minister of State and Deputy Leader of the House of Lords, Lord Howe attended the Foreign Affairs Council (defence) on 17 November. I attended the General Affairs Council on 17 November and Rory O’Donnell (counsellor regions, agriculture and fisheries) represented the UK at the General Affairs Council (cohesion). The Foreign Affairs Council and Foreign Affairs Council (defence) was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini. The General Affairs Council was chaired by the Luxembourg presidency. The meetings were held in Brussels.

Foreign Affairs Council

A provisional report of the meeting and conclusions adopted can be found at:
The Foreign Affairs Council (FAC)

The Foreign Affairs Council (FAC) was overshadowed by the Paris attacks of 13 November. The meeting covered middle east peace process (MEPP), migration and Syria. There were also moments to reflect on the Paris attacks. The discussions on the Eastern Partnership and Libya were postponed to the December FAC.

MEPP

In the presence of EU Special Representative Fernando Gentilini, the Council discussed the situation in the middle east in the light of the increased violence, particularly in East Jerusalem, the west bank and Gaza, focusing on the peace process. member states agreed that the EU should explore what it could do on the ground to help preserve the two-state solution.

Migration

The Council discussed migration, following up on the high-level conference on the western Balkans route held on 8 October and the Valletta summit held on 11 and 12 November. Ministers discussed the follow-up to the decisions already taken on the central Mediterranean route and on the western Balkans. The Foreign Secretary raised the importance of Turkey as a strategic partner with whom the EU should engage across a broad agenda including migration, foreign policy, security and counter-terrorism, and business.

Syria

Over lunch, Ministers discussed Syria with UN Special Envoy Staffan de Mistura. They discussed the latest developments, taking into account recent diplomatic efforts, including the discussions in Vienna on 23 October and 14 November.

Ministers agreed without discussion a number of measures:

- The Council adopted conclusions on Burundi;
- The Council adopted conclusions on Sri Lanka;
- The Council adopted conclusions on the EU’s support to transitional justice;
- The Council adopted conclusions on Yemen;
- The Council adopted conclusions on the special report entitled: “Report by the European Court of Auditors on the EU police mission in Afghanistan”; in will have the potential to prevent the UK from derogating from the extraterritoriality provision. The Government believe that the UK should retain the flexibility to derogate. Taking this into account, the Government decided not to opt in to the European Commission’s JHA proposed decision.

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These proposals are still being negotiated between the European Commission and member states with no current date scheduled for adoption.
In his address to the FAC (D), NATO Secretary-General, Jens Stoltenberg, emphasised that NATO stood in solidarity with France, while underscoring the importance of greater EU-NATO co-operation.

Minister of State and Deputy Leader of the House of Lords welcomed the European Commission's defence action plan that proposed to brigade existing Commission instruments together under a single plan, but expressed caution towards new initiatives, emphasising the need to implement those already agreed. In discussion, the UK also emphasised support for ongoing work on “Capacity Building for Security and Development”, given its potential to strengthen a genuinely comprehensive EU approach.

The EDA steering board discussion initially focused on the reform work EDA had undertaken to date, including the presentation of its three-year planning framework. The High Representative and Vice-President of the Commission, Federica Mogherini, then sought Defence Ministers’ agreement on the EDA’s future programme of work and the 2016 EDA annual budget. The UK noted that it could not agree to any increase in the EDA’s budget for next year, but encouraged the EDA to continue with important reforms with a view to reviewing the 2017 budget.

General Affairs Council

A provisional report of the meeting and conclusions adopted can be found at:


The General Affairs Council (GAC) on 17 November discussed: preparation of the agenda for the European Council on 17 and 18 December 2015; the rule of law; the inter-institutional agreement on better regulation; the 2016 Commission Work programme; and the European semester.

Preparation of the December European Council

The GAC prepared the agenda for the 17 and 18 December European Council, which the Prime Minister will attend. The December European Council is expected to focus on: migration; economic and monetary union; the single market; the UK’s renegotiation; and external relations issues, likely to include Russia and Ukraine.

In light of the attacks in Paris, I highlighted the importance of further discussion of counter-terrorism issues following the extraordinary Justice and Home Affairs Council on 20 November.

On migration, I stressed the urgent need to make progress on implementing the action plan agreed at the Valletta summit on 11 and 12 November.

On the UK’s renegotiation, I underlined the areas where the UK wanted to see reform as set out in the Prime Minister’s letter to the President of the European Council on 10 November.

Rule of Law

The Council held the first annual dialogue on promoting the rule of law in the European Union. The theme of this year’s dialogue was “rule of law in the age of digitalisation” and member states were invited to present examples of good practice and challenges at national level.

I highlighted the need to tackle online extremism and set out the successes achieved in the UK through the work of the counter-terrorism internet referral unit and the voluntary participation of online service providers. This has enabled the UK to ensure regular and swift removal of extremist material without the delays and concerns over extraterritoriality that would hamper attempts to achieve the same results through enforcement of legislation.

First Vice-President Timmermans also updated the GAC on October’s human rights colloquium, hosted by the European Commission, on combating anti-Semitism and anti-Muslim hatred.

Inter-Institutional Agreement on Better Regulation (IIA)

The GAC received a presentation from the Luxembourg presidency updating Ministers on the progress of the IIA negotiations, including the recent political talks between the Commission, the European Parliament and the Council.

2016 Commission Work Programme

The GAC discussed the 2016 Commission Work programme (CWP), “No Time for Business as Usual” published on 27 October. The UK welcomes and looks forward to working on the Commission Work programme—a step towards a more effective EU.

Annual Growth Survey and Road Map for the European Semester 2016

The Commission outlined that the publication of the annual growth survey (AGS) had been delayed until 25 November. The AGS will mark the beginning of the European semester process and is due to be published alongside the alert mechanism report, the joint employment report and the Commission draft budgetary opinions on eurozone member states. The AGS sets out broad EU level economic and social objectives for the year ahead and is expected to contain a focus on euro area level priorities, as set out in the European Commission’s 21 October communication on steps towards completing economic and monetary union.

The GAC received a presentation from the Luxembourg presidency and incoming Dutch presidency on the newly revised European semester road map focusing on the implementation of country specific recommendations (CSRs) and sharing of best practice between member states.

General Affairs Council (Cohesion)

The session of the GAC on 18 November was dedicated to cohesion policy. Ministers agreed Council conclusions on: the contribution of the European structural and investment funds to support the transition to a low-carbon economy; European territorial co-operation (or Interreg) programmes; and steps that might be taken to simply the implementation and administration of European structural and investment funds.

[HCWS345]
Written Statements

Wednesday 2 December 2015

BUSINESS, INNOVATION AND SKILLS

Disabled Students’ Allowances

The Minister for Universities and Science (Joseph Johnson): Today I am announcing the Government response to a consultation on better targeting of disabled students allowances (DSAs), which are available to higher education students from England.

Disabled students allowances are non-repayable grants that assist with the additional costs that a disabled student incurs in relation to their study in higher education. DSAs currently provide a range of support. This includes the purchase of specialist equipment, provision of support workers and assistance with additional travel costs. The support is not means-tested and is available for eligible full-time and part-time students studying at undergraduate and postgraduate level.

I am determined to ensure that disabled students should be able to make use of and develop their talents through higher education and that there should be no cap on their aspirations. Ensuring that disabled people can access higher education is an important part of cutting the disability employment gap. I am extremely pleased that we have seen a rise in disabled students accessing higher education.

In 2012-13 DSAs provided £145.8 million of additional support for 64,500 disabled higher education students, compared with £101.3 million awarded to 47,400 students in 2009-10, a rise of around 44%.

A review of the DSAs scheme has been long overdue, and the rationale for reform has been the subject of two previous statements. The DSAs system has been in its current form for nearly 25 years. The current arrangements do not recognise technological advances, increases in use of technology, or the introduction of the Equality Act 2010, which placed specific legal duties on higher education providers. The rise in the number of disabled students in higher education highlights the need for better provision of inclusive practices. My predecessors therefore announced a programme of reform of DSAs in April 2014 and September 2014.

There is widespread agreement that higher education providers should discharge their duties under the Equality Act to make reasonable adjustments to accommodate disabled students, as other organisations and businesses do. I believe HE providers share my ambition for the development of more inclusive learning environments. The increasing numbers of disabled students entering HE is to be celebrated, as is the increasing numbers of those declaring their disability. However, it is possible that the continued provision of DSAs may have removed the urgency of some HE providers to expand provision for all disabled students. Higher education providers should increasingly expect disabled students to study with them and strive to ensure that those students have equal access to their learning. In recognition of this and the great work that some HEPs have already done to meet this end, the Parliamentary Under-Secretary of State for Disabled People and I can announce that BIS is looking into how it can encourage a sector-led approach to the sharing of good practices in the lead up to the changes and as they bed in.

The Government’s intention is that DSAs will remain available to support those disabled students who require additional help, but should complement the support put in place by HE providers to help all disabled students. Some reforms have already been implemented, with changes made to the funding of computer equipment from the academic year 2015-16.

My predecessor Greg Clark heard views from across the higher education sector and received representations from hon. Members, and he and the previous Minister of State for Disabled People heard views and concerns from representatives of disabled students. Concern was expressed that some institutions were not able to meet their obligations in full by the beginning of the 2015-16 academic year, given their need to invest in additional support for their students. Accordingly changes to non-medical help and accommodation costs were deferred to the start of the 2016-17 academic year, to enable further consultation and additional time for institutions to prepare themselves.

I have undertaken a full public consultation which sought further information on the proposed reforms for 2016-17, and which set out the Government’s preferred options. I have considered the responses to the consultation, and have properly considered the equality analysis. The Parliamentary Under-Secretary of State for Disabled People and I can now announce that the original Government proposal will now be implemented from 2016-17, but further engagement with stakeholders will be undertaken to identify whether exceptions to the general rules for non-medical help (NMH) should be considered.

These changes will ensure that the limited public funding available for DSAs is targeted in the best way and to achieve value for money, while ensuring those disabled students most in need continue to get the help they require. They also aim to ensure that higher education providers all properly adhere to their Equalities Act 2010 duties, which is to the benefit of all disabled students.

The changes set out below seek to rebalance responsibilities between government funding and institutional support. We expect HE providers to play an increasing role in supporting all disabled students and are asking them to take primary responsibility in a number of areas. Disabled students will continue to be supported, but we believe that HE providers are better placed to consider how to respond in many cases, including giving greater consideration to the delivery of their courses and how to provide support. The need for some individual support may be removed through different ways of delivering courses and information. It is for HE providers to consider how they make both anticipatory reasonable adjustments and also reasonable adjustments at an individual level.

DSAs will continue to retain primary responsibility for certain types of support, and will continue to be available across the range of support, where an adjustment by the HE provider may not be considered a reasonable adjustment.
The key changes, which will take effect from academic year 2016-17, are set out below:

DSAs will retain primary responsibility for funding sighted guides, for those students that need such support to enable them to get around campus effectively. HE providers will be expected to take primary responsibility for the remainder of the non-medical support roles that are classified as bands 1 or 2 in the Student Loans Company non-medical help (NMH) manual. We will seek further information from stakeholders, including from disabled students and their representatives, on whether specific exceptions to this general rule should apply. In addition, HE providers are expected to consider how they deliver information to students and whether strategies can be put in place to reduce the need for support workers and encourage greater independence and autonomy for their disabled students.

DSAs will retain primary responsibility for funding the most specialist non-medical help support, that are set out in the SLC NMH manual under bands 3 and 4, with the exception of specialist transcription services. HE providers will be expected to take primary responsibility for the provision of specialist transcription services, other than by exception.

DSAs will meet the additional costs of accommodation where that accommodation is not provided by the HE provider or its agent. DSAs funding will not be available where specialist accommodation is provided by the HE provider or their agent, other than by exception. HE providers should no longer pass any additional costs for accommodation onto the student.

Devices for printing and scanning will continue to be funded through DSAs. However, HE providers are expected to strive to meet the needs of their disabled students to reduce the need for the purchase of individual devices for printing and scanning. The assessment process will be more robust and individual devices will only be funded if the need cannot be met through other measures.

Standard computer peripherals and other accessories will now be funded by exception only. Laptop carry cases will continue to be provided as standard to help students protect their equipment.

The Parliamentary Under-Secretary of State for Disabled People and I are passionate about the importance of ensuring that disabled students can fully participate in higher education. Recognising that there is an implementation journey to undertake, an exceptional case process will be put in place to respond to cases where the individual circumstances mean that an institution does not provide the support that is expected, or the needs of the student are such that it may not be reasonable to expect the institution to provide the support in the individual case. The exceptional case process will be monitored to ensure that it remains timely, robust and fit for purpose.

In parallel a new quality assurance framework will be put in place to ensure financial and quality assurance of the provision of non-medical help. The Parliamentary Under-Secretary of State for Disabled People and I expect all disabled students to have access to good quality support and that public funding is managed effectively in the delivery of that support. Changes to the way equipment will be purchased in the future are also being explored, to ensure value for money is achieved in this area.

The changes in this statement will apply to all full-time, full-time distance learning, part-time and postgraduate students applying for DSAs for the first time in respect of an academic year beginning on or after 1 September 2016.

Existing DSAs students and DSAs students for 2015-16 will remain on their existing system of support for 2016-17.

We are grateful to all those who have engaged for their assistance in informing these changes.

[HCWS347]

UK Justice Home Affairs: Least Developed Countries Services Waiver

The Minister for Small Business, Industry and Enterprise (Anna Soubry): My noble Friend the Minister of State for Trade and Investment (Lord Maude of Horsham) has today made the following statement.

I wish to inform the House that on 16 November 2015 the Government opted in to the Council decision relating to the “LDC Services Waiver” at the World Trade Organisation (WTO).

The LDC Services Waiver is part of the Bali package of measures agreed at the 9th WTO ministerial conference in Bali in December 2013. The waiver allows WTO members to grant preferential treatment to the least developed countries (LDCs) for trade in services; it waives the usual non-discrimination rules of the WTO in order to benefit the poorest members. These preferences are unilateral, non-negotiable and not legally binding.

The Council decision has the effect of establishing the position to be taken on behalf of the European Union within the WTO to notify the preferential treatment that the EU will grant to services suppliers of LDCs. The content of the EU’s notification has been agreed with member states.

These preferences include the provision of services supplied by natural persons from third countries who are present temporarily in order to provide the service in the country where it is supplied, otherwise known as “Mode 4” trade in services. It is the presence of these Mode 4 commitments in the relevant instruments which triggers the UK justice and home affairs opt-in.

[HCWS348]

ENERGY AND CLIMATE CHANGE

Energy Council

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): I am writing to report discussions at the Energy Council held under the Luxembourg presidency which I attended in Brussels on 26 November 2015.

Speaking for the Commission Vice-President Sefcovic outlined the first annual report on the state of the energy union, arguing that 2016 would be the “year of delivery”, with legislation on gas security of supply, renewables, governance, energy efficiency and market design. On governance in particular the Commission urged member states to make early progress on their integrated climate and energy plans (National Plan), so that final plans could be agreed in 2018. I and a number of other member states highlighted the need for a flexible governance framework while another member state called on the Commission to introduce an EU-level instrument to address any anticipated shortfall against the 2030 renewable energy target. Another group of member states used the opportunity to call for further discussions on the proposed extension of the Nordstream gas pipeline (Nordstream II) and urged the Commission to conduct a rigorous cost benefit analysis of the project against the objectives of the energy union.
The Council then agreed a general approach on the proposed energy labelling regulation which would establish a revised and improved legal framework for the energy efficiency labelling of energy-related products. The Commission thanked the Council for its efforts but retained its position that existing labels must be removed from the market sooner than the Council provided for; defeat devices must be dealt with by the regulation; and durability should be included in the definitions. Several member states voiced strong support for the approach agreed while others objected, arguing in particular that the proposed “product database” was too burdensome on economic operators.

The Council later discussed electricity market design focusing on the future role of distribution system operators (DSOs) and consumer empowerment. There was widespread agreement on the growing importance of the role of DSOs, the need for better co-ordination with transmission system operators and how they should act as neutral market players. However, there were differing views on whether a new EU regulatory framework setting out clear roles and responsibilities was required. Along with a number of other Ministers, the UK emphasised the need to avoid a “one size fits all” approach while others called for greater harmonisation.

There was a broad consensus on the need for consumers to play a more active role in the market. Some member states highlighted the important role of smart meters in facilitating this while others stressed the need for more affordable retail prices, calling for a rigorous cost benefit analysis to drive the introduction of smart meters. A small number of member states argued for the abolition of price regulation and greater scarcity pricing to incentivise investment while others, including the UK, argued that the EU should take a framework approach to market design, establishing the broad principles but allowing for different models of national implementation (e.g. on capacity mechanisms).

In the afternoon the Commission provided an update on external energy relations, noting the Russia/Ukraine gas agreement as the key achievement over the past six months, while acknowledging that further gas reforms were still needed in Ukraine. Finally, the Dutch delegation presented their work programme ahead of their forthcoming EU presidency, announcing that they would prioritise the internal energy market and regional co-operation. They set out the legislative agenda which will include the start of negotiations with the European Parliament on energy labelling and in the Council on the gas security of supply regulation and revised inter-Government agreements decision.

The presidency will also be seeking conclusion to the proposed European Public Prosecutor’s Office (EPPO) where the presidency will likely seek to agree a partial general approach to the EPPO’s competence. The UK will not participate in any EPPO.

The presidency will also be seeking conclusion to the negotiation of the proposals on matrimonial property regimes and the property consequences of registered partnerships. The UK has not opted in to either proposal. Negotiations recently resumed following a period of reflection initiated by the Italian presidency at the end of last year. It is as yet unclear whether the differences between some member states, in particular regarding the status of same-sex relationships, will be capable of resolution. Given that these proposals must be agreed by unanimity it is possible that one or more member states might veto one or both of them.

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This will be followed by a state of play update by the presidency on the directive for the protection of the Union’s financial interests, reporting back to Ministers following October Council and subsequent working party meetings. The presidency proposes that the VAT issue needs to be explored further in order to take the file forward. An agreement in principle has been reached at official level to discuss VAT fraud at a joint justice/finance meeting.

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There will then be a short update on the role of judicial co-operation, and particularly Eurojust, in addressing the current migration crisis. This issue was discussed at the October Council, and we do not expect a significant debate at this meeting.

There will then be a general discussion on the fight against online hate speech, which has been the focus of attention in the wake of recent terrorist attacks and the current refugee movements. We expect the discussion to focus on the value of EU-wide, cross-border collaboration; this includes the need for effective counter-narratives and for internet industry partners to take more responsibility for content hosted on their platforms.

This will be followed by a discussion on the challenges encountered by member states in obtaining and sharing electronic evidence in criminal investigations and proceedings. We will stress the importance of member states using the full range of investigative tools to investigate and use of this type of evidence.

Finally, there will be a discussion on data retention. The presidency wishes to have a detailed discussion following the judgment of the Court of Justice of the European Union in the case of Digital Rights Ireland (C-293/12) which invalidated the data retention directive.
We will continue to argue that, given the importance of this issue, the consequences of any new legislation in this area must be thought through very carefully before any new proposal is considered.

The interior day will begin with a discussion on the passenger name records (PNR) directive. The Government support the call made by the 20 November extraordinary JHA Council for the directive to be agreed by the end of the year, and for it to include intra-EU economic area flights within its scope. The presidency is likely to give a progress report and, if necessary, we will call for a greater focus on meeting the Council’s target.

The Council is then expected to confirm political agreement on the new draft regulation governing Europol, proposed by the Commission in 2013. The UK has not opted in to this proposal, so does not have a vote. The Government will consider whether to apply to opt in post-adoptions.

The Council is also expected to confirm political agreement on the draft directive on the conditions of entry and residence of third-country nationals for the purpose of research, studies, pupil exchange, remunerated and unremunerated training, voluntary service and au pairing—the “Students and Researchers Directive”. The UK has not opted in to this directive so again does not have a vote.

The Council will discuss the proposal for a regulation establishing a crisis relocation mechanism and the accompanying amendment to the Dublin regulation. The Government’s position on relocation measures is clear: we think they are the wrong response and we will not opt in. The Government are also of the view that amending the Dublin regulation is unnecessary and risks undermining a vital tool in managing asylum claims within the EU. The fundamental principles underpinning the Dublin regulation remain sound and the upcoming review should be used as an opportunity to improve the operation of the regulation.

The presidency will look to progress negotiations on the draft directive establishing an EU list of safe third countries. Discussions will focus on which countries should be included in the list and next steps. The Government acknowledge the value of such lists and the UK has successfully operated its own national list for many years. We see no added value to the UK in being part of an EU-wide list.

The CT agenda item will commence with a presentation, based on a paper, by the counter-terrorism co-ordinator. The presentation reviews progress made against a European Council statement of 12 February 2015, on ensuring the security of citizens, preventing radicalisation and safeguarding values, and co-operating with our international partners. The presentation will be followed by a discussion. The UK will welcome agreement of the implementing regulation on firearms deactivation and push for a robust revised firearms directive including a prohibition on high-powered semi-automatic weapons. We will also seek to agree in principle burden-sharing commitments to improve aviation security standards in priority third countries and assert that a common approach for the second generation Schengen information system (SISII) should be prioritised in order to strengthen the external border of the EU. The UK will welcome support for Europol through the Europol regulation while reiterating that information-sharing should not encroach on member state competence in matters of national security. Post Paris there has been increased appetite for meaningful change to the security framework in Europe, as evidenced by ambitious Council conclusions agreed on 20 November. Against this backdrop we believe our asks will be well received.

The presidency will present their report on the implementation of the renewed internal security strategy (2015-19). The report sets out the progress made on the strategy under their presidency, which is being led and monitored by the Committee on Internal Security (COIS). This work will continue under the forthcoming Dutch presidency.

We then expect the discussion to move to the migration situation, where the presidency wishes to monitor the implementation of existing measures and discuss future action.

We expect this discussion to include an update on the development of hotspots and on the assistance that member states are providing to Frontex and European Asylum Support Office. It is also likely to build on the conclusions of the 20 November Council that there should be systematic checks at external Schengen borders on all persons including EU citizens. I will reiterate a key message from my interventions at the JHA Councils on 9 November and 20 November in relation to the strengthening of the EU external border, where I noted that the EU is seeing an unprecedented interaction between organised crime and migration. I also intend to call again for reciprocal access to key data between Schengen and non-Schengen countries, join others in pressing for the immediate implementation of effective hotspots, and reiterate my support for the long-established principle that asylum seekers should seek protection in the first safe country they reach—the keystone of the Dublin system.

Finally, there will be a discussion on the situation in the Schengen area, based on the latest information from the presidency. The UK does not participate in the border controls elements of Schengen. However, we will follow these discussions closely as there is, in our view, an intrinsic connection between the strength of the external border of the EU and security within the EU, as well as the need to improve the management of the external border given continuing migratory pressures. It is therefore imperative that the EU takes further urgent steps to strengthen the external border.

[HCWS350]
Written Statements

Thursday 3 December 2015

CULTURE, MEDIA AND SPORT

Horserace Betting Levy

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): On 4 November 2015 the Chair of the Horserace Betting Levy Board (“the HBLB”) informed me that the HBLB had been unable to approve a recommendation from the Bookmakers’ Committee as to the terms of the 55th levy scheme. Under section 1(2) of the Horserace Betting Levy Act 1969 (“the Act”), it therefore now falls to me to determine those terms. The Act allows me to determine a new scheme for the said period or direct that the current scheme shall continue to have effect for that period.

I have decided to direct that the current levy scheme should continue to have effect for 2016-17. In making this determination I have had regard to the offer made by the Bookmakers’ Committee, which also proposed that the headline rate of 10.75% was maintained for another year. I also took into account the reason why the offer was rejected by the HBLB, which is that racing felt that it could not accept the overall proposed package, which included supplementary contributions outside of the statutory levy.

Any discussions or negotiations about voluntary levy contributions in respect of offshore remote betting operators are outside the scope of my statutory role in making this determination. I am aware that such negotiations took place and several bookmakers had undertaken to make wholly voluntary levy contributions, which would have secured additional funding for racing for the next three years, and I welcome this offer. With the statutory levy rate now set for next year, I hope that these discussions shall continue to have effect for that period.

Having concluded the determination I would like express my disappointment that the HBLB and Bookmakers’ Committee were not able to agree the levy scheme and that it has been necessary to refer this matter to Government.

[HCWS355]

HEALTH

Employment, Social Policy, Health and consumer Affairs Council

The Parliamentary Under-Secretary of State for Health (Jane Ellison): The Employment, Social Policy, Health and Consumer Affairs Council will meet on 7 December in Brussels. The Health and Consumer Affairs part of the Council will take place in the afternoon.

The main agenda items will be the following:

- Council conclusions—the Council will adopt conclusions on:
  - “An EU strategy on the reduction of alcohol-related harm”
  - Personalised medicines for patients
  - Supporting people living with dementia: improving care policies and practices

Lessons learned for public health from the Ebola outbreak in west Africa—health security in the European Union

Under any other business there will also be presentations on three other points:

- Regulations on medical devices and in vitro diagnostic medical devices—the presidency will provide an update on the state of play, with negotiations currently at trialogue stage.
- The regulations seek to address weaknesses in the current regulatory system, ensure a more consistent level of implementation across the EU, and ensure that the EU will continue to be viewed by business as an innovation-friendly regulatory environment. The UK has broadly supported the Commission’s proposals in order to ensure high standards of patient safety.
- Public health conferences—information from the presidency of conferences it organised in this field
- Dutch presidency—the Dutch delegation will set out priorities for their forthcoming presidency, which will run from January until June 2016.

A copy of the latest agenda can be found online at: http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2015-12-03/HCWS354/

[HCWS354]

HOME DEPARTMENT

Online Child Sexual Exploitation

The Secretary of State for the Home Department (Mrs Theresa May): I am pleased to share with the House the Government’s progress in galvanising a co-ordinated global response against online child sexual exploitation.

On 16 and 17 November the UK and United Arab Emirates brought together Governments, companies and civil society organisations in Abu Dhabi for the second WePROTECT summit, to protect children from online sexual exploitation. This built on the first summit hosted by the Prime Minister in London last year.

While I could not attend due to the Paris attacks, Baroness Shields and His Highness Sheikh Saif bin Zayed Al Nahyan opened the summit. I am pleased Baroness Shields was able to attend in my place, and welcome that she has been appointed as joint Minister for Internet Safety and Security for the Department for Culture, Media and Sport and the Home Office. This appointment serves to further underpin the importance this Government place on tackling online child sexual exploitation. The event secured a wider global reach for WePROTECT, with new countries from the middle east and Latin America and, for the first time, China. This brought to 62 the total number of countries and international organisations signed up to the WePROTECT commitments.

The summit commitments included an agreement on taking co-ordinated national action against online child sexual exploitation, guided by the WePROTECT model national response. To drive national action, Governments will publish an analysis of their own response and use this to identify further capabilities needed.
I am pleased to say that the UK has already made significant progress in tackling this crime. All UK police forces and the National Crime Agency are now connected to the new child abuse image database (CAID) that was launched last year. A new operational victim identification strategy has been established around CAID by the National Crime Agency and is helping to identify even more victims of online child abuse. In the first six months of this year alone, UK authorities identified over 185 victims—already more than for the whole of any previous year.

In addition, the Internet Watch Foundation shared almost 19,000 digital fingerprints of child sexual abuse material—all of which originated from CAID—with five major global technology firms, to enable the removal and prevent the sharing of potentially thousands of images from their platforms and services. Companies have committed to build on this by co-ordinating the sharing of these digital fingerprints globally. The Prime Minister will hold international discussions next year to take this forward.

We are also fulfilling our commitment to support others to build their capabilities. At the London summit, the Prime Minister pledged £50 million over five years to tackle violence against children globally. The first £10 million of this funding is financing a global programme by UNICEF to tackle online child sexual exploitation in 17 countries.

To drive further progress, all WePROTECT signatories at the Abu Dhabi summit agreed to put the WePROTECT advisory board on a firm long-term footing, as a body responsible to all those signed up to this initiative and charged with supporting countries and other stakeholders to implement their commitments. The board will also take forward a joint proposal by the UK, US and EU Commission to merge WePROTECT with the global alliance against child sexual abuse online to bring together global efforts to combat online child sexual exploitation.

The basic principle behind the policy—that those who have broken the law should bear some of the costs of running the criminal courts—is right. However, as the Justice Select Committee set out in its recent report, there have been concerns raised about how this has worked in practice.

I am today laying in Parliament an amending statutory instrument which will mean that, as of 24 December, the criminal courts charge will no longer be imposed. Our review will consider alternative ways of ensuring that criminals pay their fair share.

**JUSTICE**

**Courts**

The Lord Chancellor and Secretary of State for Justice (Michael Gove): The courts take money from offenders in a number of ways, including fines, the victim surcharge, compensation orders, prosecution costs and the criminal courts charge.

This array of penalties, fines and charges is complex and confusing. I have therefore asked my Department to review the entire structure and purpose, of court-ordered financial impositions for offenders, in order to bring greater simplicity and clarity to the system.

This review will seek to achieve three goals: giving the judiciary greater discretion in setting financial impositions; making financial penalties a more effective tool in delivering improved noncustodial sentences; and ensuring that money raised through financial penalties plays an appropriate—and sustainable—role in supporting taxpayers to meet the costs of running the courts.

The review will consider how to ensure offenders make a fair contribution. The criminal courts charge was introduced in order to ensure that those who break the law make a financial contribution to the costs of seeing justice done.

The Parliamentary Under-Secretary of State for Transport (Claire Perry): Today I have announced the successful conclusion of negotiations for a new directly awarded franchise agreement with London Midland. This deal will see London Midland continue to run passenger rail services on the West Midlands franchise until October 2017 covering services between London, the West Midlands and the North West of England. The direct award ensures continuity of passenger services and paves the way for the start of the formal franchise that will commence in autumn 2017. This franchise competition will be launched later this month.

During the course of this direct award, West Midlands passengers will benefit from a £13 million package of improvements; which builds on the massive £750 million refurbishment of Birmingham New Street station and the investment of a £60 million fleet of brand new trains, which has already been delivered.

First, the new direct award will put the passenger first and provide new and extended services across the route, resulting in around 6,600 additional seats from Euston to Crewe, into Birmingham on a Sunday and the Abbey line every week. These services include two extra evening services every weekday from London Euston to the Trent Valley providing 2,300 extra seats each week; earlier services to Birmingham on Sunday mornings from a number of towns including Rugby and Lichfield, with new Sunday services from Dorridge, Whitlocks End and Longbridge providing more than 900 extra seats, and an extra return evening service on the Abbey line between Watford Junction and St Albans Abbey which will provide an extra 3,400 seats every week.

Secondly, passengers will benefit from new ticket machines, an upgrade of existing ticket machines with “click and collect” capability and contactless payment options. Also, passengers on all long distance services between London Euston, Birmingham, Crewe and Liverpool will be able to enjoy free wi-fi. When the next full franchise starts in 2017, it is our commitment to roll-out free wi-fi on all London Midland services.

Thirdly, new passenger satisfaction, punctuality and cleanliness targets will be introduced on the franchise. These commitments will be supported through greater staff presence. In the contract, London Midland will recruit additional drivers, conductors, revenue protection staff and employ more apprentices in different departments across the business. London Midland will be contracted to achieve a 2% improvement in overall customer satisfaction before the end of the direct award franchise.
As well as the benefits delivered through the direct award franchise, the Government are also continuing to invest in rail infrastructure in the franchise area, improve rail services in the West Midlands including projects to electrify the line at Bromsgrove and between Walsall and Rugeley, as well building a new station at Kenilworth.

Reaching this agreement with London Midland builds on the success of my Department's ongoing rail franchising programme; working in partnership with the rail industry to deliver better services for passengers as well as value for money for the taxpayer.

The Minister for Employment (Priti Patel): The Employment, Social Policy, Health and Consumer Affairs Council will take place on 7 December 2015 in Brussels. Baroness Neville-Rolfe, Under-Secretary of State at the Department for Business, Innovation and Skills, will represent the UK.

The Council will be invited to seek a general approach on the proposal for a directive of the European Parliament and of the Council on a better gender balance among the non-executive directors of listed companies and related measures.

The Council will receive a progress report on the proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.

The Council will be invited to adopt draft Council conclusions on: equality between women and men in the field of decision making, the promotion of social enterprise as a key driver of economic and social development in Europe and on social governance for an inclusive Europe.

The Council will be invited to seek political agreement on a proposal for a Council recommendation concerning the integration of the long-term unemployed into the labour market.

The European Commission will present the annual growth survey 2016, the draft joint employment report, the alert mechanism report and also seek the views of member states on a draft recommendation of the Council of the eurozone.

Under any other business, the presidency will provide an update on progress on EURES and undeclared work. The Commission will present information on the pact for youth employment launched at the summit “Enterprise 2020”, the European Accessibility Act and measures to advance the equal treatment of LGBTI people. The current presidency will report on the conferences and initiatives it has organised and the Dutch delegation will present the work programme of their upcoming presidency.
Written Statements

Friday 4 December 2015

BUSINESS, INNOVATION AND SKILLS

Foreign Affairs Council: Post-Council Statement

The Minister for Small Business, Industry and Enterprise (Anna Soubry): My noble Friend the Minister of State for Trade and Investment (Lord Maude of Horsham) has today made the following statement.

The EU Foreign Affairs Council (Trade) took place in Brussels on 27 November 2015. I represented the UK on all the issues discussed at the meeting. A summary of those discussions follows.

**DDA/WTO - 10th World Trade Organisation Ministerial Conference**

On the preparations for the 10th World Trade Organisation ministerial conference,

Commissioner Malmstrom said the prospects for a deal on DDA were challenging. Nonetheless member states united in expressing their ongoing support for the multilateral system.

I, supported by a number of other member states, pushed in particular for progress on the information technology agreement and environmental goods agreement—two key plurilaterals agreements that could be concluded in the near future.

**Free Trade Agreements:**

**TTIP**

Commissioner Malmstrom reported positive progress from the last round in several areas, most notably the exchange on tariff offers at 97% liberalisation. However, progress was slower in areas such as GI, public procurement and technical barriers to trade.

I shared my view that the Obama administration wanted to conclude TTIP and that to achieve this member states would need to give the Commission maximum flexibility.

Twenty-two other member states spoke, mostly to call for solid progress in the near future.

**Mercosur**

Commissioner Malmstrom spoke of the pending decision as to whether to exchange tariff offers now with Mercosur given that we knew their offer was below the level of ambition the EU had been asking for. The choice would be between exchanging offers at this lower level now, or seek an improved offer but risk a drawn out impasse. The external action service supported an exchange now, noting that Mercosur was the EU’s biggest investment partner outside of North America. I, supported by more than half of member states, advocated moving ahead with the 87% offer subject to further progress being made thereafter. The Commissioner concluded that she would speak to the new Government of Argentina before reaching a decision.

**Japan**

Commissioner Malmstrom said negotiations on Japan were tough, but that she thought a deal could be concluded next year if Japan demonstrated the political will to move on the EU’s asks. I, supported by Denmark, expressed my strong support for progress on this important FTA, and pointed to the G7 in May as a potential backstop for conclusion.

**Other ASIA**

Vietnamese PM Dung would be in Brussels the following week to conclude the ambitious EU-Vietnam FTA. After a lengthy break, Indian and EU Chief Negotiators would meet again in January.

**AOB:**

**Ukraine’s DCFTA**

During the technical trilateral consultations between the EU, Russia and Ukraine on DCFTA implementation, Russia had not been interested in the EU’s suggested practical solutions to Russian concerns. Commissioner Malmstrom stated she would not acquiesce to Russian attempts to broaden the scope of these discussions.

I supported the Commissioner’s stance. I currently saw no benefit in enhanced co-operation with the Eurasian Economic Union—one of Russia’s requests. The Commissioner agreed.

**Steel**

Following the 9 November extraordinary competitiveness Council, Italy raised steel proposing further EU action based upon the ‘threat of injury’; greater control of trade flows through registration and surveillance; faster use of interim measures: and the use of ex-officio powers to launch cases.

The Commissioner responded that she would continue to raise Chinese overcapacity in the OECD and China steel dialogues. The Commission were open to action on ‘threat of injury’, and use of registration. This discussion merged with the lunchtime discussion on China. I was clear that we should speed up investigations and in any detailed attempts to modernise trade defence instruments the EU should not row back on the lesser duty rule.

**Lunch Discussion - China**

In the presence of High Representative/Vice President Mogherini, the discussion focused on the pending decision on granting market economy status (MES) to China.

I stressed that if the EU wanted China to take its international obligations seriously then so must the EU. I also took the opportunity to state that the UK Government’s approach on trade defence remained case-by-case.

**Council Conclusions**

The Council adopted the attached Council conclusions, welcoming the Commission’s “Trade for All” strategy published on 14 October 2015. See below.

**Annex**

Council conclusions, 27 November 2015 on the communication from the Commission of 14 October 2015 on “Trade for All: Towards a more responsible trade and investment policy”.

Recalling the European Council conclusions of 7/8 February 2013 and its previous conclusions on trade of 21 November 2014, the Council broadly welcomes the communication
from the Commission of 14 October 2015 on “Trade for All: Towards a more responsible trade and investment policy”.

The Council takes note of the communication's conclusions and recommendations, which pave the way for an ambitious trade and investment agenda, in line with the EU's external relations and other relevant policies.

The Council remains fully committed to a strong, rules-based multilateral trading system and strongly supports the Commission’s ambitious approach in this regard. It supports the further strengthening of the multilateral system, including dispute settlement as one of its central pillars, on the basis of a robust and effective WTO that responds to current and future global trade challenges, and which better reflects the capacities of other WTO members to contribute to the system. A successful WTO ministerial conference (MC10) in Nairobi with concrete, balanced and meaningful outcomes and progress on the remaining issues of the Doha development agenda (DDA) will be important to foster trust and confidence in the multilateral trading system and boost international trade. Following the ratification by the EU of the WTO trade facilitation agreement (TFA), the Council now expects other WTO members which have not yet done so to fulfill all the required procedural steps without delay, so that companies, in particular in developing countries, can experience the tangible benefits of the TFA as soon as possible. The EU is also committed to exploring ways to make the multilateral trading system work better in the future and is open to considering the addition of new issues to the future trade agenda.

The Council looks forward to swift progress in plurilateral negotiations, including the trade in services agreement (TISA) and, by MC10, the expansion of the information technology agreement (ITA) and a significant outcome on the environmental goods agreement (EGA). These agreements, and any new plurilateral initiatives among WTO members, should contribute to stronger global trade and to more growth and jobs, and should act as building blocks for future multilateral agreements.

The Council supports the conclusion of ambitious, comprehensive and mutually beneficial bilateral trade and investment agreements and calls on the Commission to work to advance negotiations with the US, Japan and key partners in Latin America, and in the Asia-Pacific region. It welcomes the strong positive results stemming from the implementation of the EU–South Korea free trade agreement, which is the first and most ambitious new generation bilateral trade deal ever implemented by the EU. The Council also welcomes progress achieved in the context of the economic partnership agreements with ACP countries and looks forward to swiftly moving ahead with signature, ratification and implementation of these agreements. Deepening the trade and economic integration of the eastern and southern neighbourhood with the EU should also be pursued, taking into account the different ambitions of partner countries, in order to further develop an area of shared stability, security and prosperity.

The Council welcomes the ambitious programme of future bilateral trade negotiations set out by the Commission in its communication, and underlines the need to consider any decision to open negotiations on a case-by-case basis, taking into account the EU’s interests, taking into account the broader political context, as well as prioritising those negotiations that will provide most benefit in terms of growth and jobs. Bilateral, regional and plurilateral agreements should complement each other, be transparent, consistent and contribute to a stronger multilateral trading system under WTO rules.

The Council agrees that trade should benefit all, whether consumers, workers or economic operators and be coherent with other EU policies. It stresses the importance of national and European economic, social, environmental and labour market policies to help workers and businesses adjust to the process of continuous change in the global economy, making sure that they enhance their international competitiveness, harness new market opportunities and that the benefits of globalisation are fairly distributed and negative impacts mitigated. The Council underlines that EU trade agreements will not lead to lower levels of consumer, health, environmental or social and labour protection standards, and that any changes to levels of protection can only be upward and need to respect fully Governments’ right to regulate.

The worldwide economic shifts outside the EU will require Europe to further tap into the new centres of global growth in order to consolidate economic recovery and create more and better jobs to address continued unemployment, especially among young people, on our continent. Taking into account the EU’s interests, trade agreements should provide equal opportunities across EU member states, regions, including outermost regions and overseas territories of the EU, and all relevant sectors, including industry, agriculture and services. In this context, the Council underlines the need to facilitate and improve the integration of European companies in global value chains, in particular small and medium sized enterprises.

Given the importance of small and medium sized enterprises in the EU, their key role in job creation and their significant contribution to EU trade, the Council stresses the need to cut trading costs for SMEs through streamlining customs procedures, reducing non-tariff barriers and regulatory burdens, and strengthening trade enforcement. Accordingly, the Council welcomes the Commission’s intention to address these issues through provisions dedicated to SMEs in all trade and investment negotiations, in order to enhance the effective use of trade preferences by SMEs.

As the world's largest exporter of digitally deliverable services, the EU needs an ambitious and pro-active digital trade strategy in order to reap the benefits of digitalisation, in line with the Digital Single Market and relevant policies. This includes addressing new types of trade barriers which European businesses of all sizes face, such as non-transparent rules, undue Government interference, and unjustified data localisation and data storage requirements. The Council stresses the need to create a global level playing field in the area of digital trade and strengthens support of the Commission's intention to pursue this goal in full compliance with and without prejudice to the EU's data protection and data privacy rules, which are not negotiated in or affected by trade agreements.

The Council recalls that trade in services is becoming all the more important for the EU economy and is closely interlinked with trade in goods. EU trade policy therefore needs to aim at improving market access for both goods and services together, as well as facilitating the mobility of highly skilled service providers and professionals, including recognition of their qualifications. The Council also reiterates that EU trade and investment agreements do not and will not require Governments to privatise any public service, or prevent Governments, at any level, from providing, supporting or regulating the provision of public services in areas such as water, education, culture, health or social services, nor from expanding the range of services they supply to the public.

The Council underlines that investment, both inward and outward, is essential for Europe's economy and companies to succeed. Regarding investment policy, which is an area of shared competence and responsibility, the Council stresses the need to promote defensive investment protection, to leave a level playing field for all investors. It welcomes the Commission's innovative and ambitious approach to modernise investment protection, and takes note of the transmission of a negotiating text proposal to the United States in this regard. The Council further takes note of the Commission's intention to consider this approach, where appropriate, in other EU trade agreements and to work towards the establishment of a multilateral investment court as a final goal. The Council welcomes the renewed pledge to respect Governments’ right to regulate.

The Council underlines the need to seize the benefits of open trade in a spirit of reciprocity and mutual benefit, and taking into account third countries' level of development. Open trade also depends on and benefits from fair and undistorted competition. It is therefore of utmost importance to fight all forms of protectionism by reducing barriers to
trade, including as regards non-tariff trade barriers, ensuring better market access, promoting appropriate investment conditions including as regards investment protection, enforcing and promoting intellectual property rights (including geographical indications, patents, designs, trademarks and copyright), opening up public procurement markets, and securing access to energy, raw materials and components. It encourages the Commission to continue its efforts for market opening, reinforced international regulatory co-operation, raising global standards, as well as tackling trade barriers and unfair trade practices, including through using the full range of EU trade policy instruments. It also supports the Commission in its efforts to ensure compliance and enforcement of WTO rules and the better implementation of the EU's own bilateral trade and investment agreements.

The Council acknowledges that trade policy and a better implementation of the EU's agreements are a joint responsibility of the Commission, member states, the European Parliament and stakeholders, building on an effective co-operation and timely consultations, and welcomes the proposed enhanced partnership for implementation with a view to maximising the benefits stemming from trade and investment agreements. The Council recalls the importance of ensuring the non-discrimination of member states as well as the integrity of the single market when it comes to trade preferences granted by third countries. It welcomes the Commission's intention to improve "ex-ante" impact assessments, to report annually on the implementation of FTAs and to intensify its work on "ex-post" impact evaluations.

A responsible EU trade policy must be accompanied by a high level of transparency and an effective communication with citizens about the benefits and challenges of trade and open markets. The intensification of the debate around the EU's trade policy is an opportunity to better involve all stakeholders in the preparation, negotiation and implementation of our different initiatives in the field. This should respect the existing institutional balance and applicable rules regarding classified information, and not prejudice the EU's negotiating positions or international relations.

Only through an ambitious and responsible trade policy agenda, which takes account of other relevant policies, will the EU be able to shape globalisation and participate in the drawing up of robust international rules in future. The Council is therefore committed to ensuring that trade agreements safeguard the values on which the EU is founded, as well as EU standards and regulatory practices. This includes strengthening measures to support sustainable development and good governance through trade agreements, multi-stakeholder initiatives and beyond, with an emphasis on free, fair and ethical trade, environmental protection, labour rights, decent working conditions, as well as human rights, health and consumer protection, animal welfare, ensuring the protection of cultural diversity and promoting development through trade, including Aid for Trade and the 2030 agenda. The Council attaches great importance to ensuring the inclusion and effective implementation of related provisions in all trade agreements and the generalised system of preferences.

The EU needs to be at the forefront of the fight against corruption and the Council looks forward to the Commission's proposals on how to tackle related issues in trade agreements. Corporate social responsibility and due diligence, in particular regarding global value chains, needs to be increased. The EU will support partner countries, and in particular least developed countries, in taking advantage of responsible global value chains to foster inclusive and sustainable growth, thereby creating jobs and strengthening competitiveness.

[HCWS357]

TREASURY

Financial Services

The Economic Secretary to the Treasury (Harriett Baldwin): Further to the statement provided to the House on 2 June 2015 [HCWS10], the Chancellor has announced that the trading plan to sell part of the Government’s shares in Lloyds Banking Group will be extended. We will stop the plan before the launch of the Government’s retail sale of Lloyds shares.

The extension of the plan is a further step in returning Lloyds to the private sector and reducing our national debt. A statement will be laid before Parliament with further details at the end of the plan.

[HCWS358]

Asian Infrastructure Investment Bank

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): Yesterday the UK became the seventh member of the AIIB after ratifying the articles of agreement: the first non-regional member, first member of the G7 and first major western country to do so. In order to come into force the articles of agreement need to be ratified by at least 10 countries together holding 50% of the shares. This requirement is expected to be met during December.

In joining the AIIB the UK is demonstrating its support for China’s initiative to establish the bank to address the historic shortage of infrastructure investment in Asia. This will support economic growth in the region and drive up living standards. The UK’s membership will deepen economic ties with Asia and create opportunities for British businesses.

[HCWS359]
Monday 7 December 2015

CULTURE, MEDIA AND SPORT

Education, Youth, Culture and Sport Council

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): A meeting of the Education, Youth, Culture and Sport Council was held in Brussels on 24 November. Fiona Hyslop, Scottish Government Minister for Culture, Europe, and External Affairs, represented the UK for the cultural and audio-visual section of the Council and Shan Morgan, the UK’s Deputy Permanent Representative, represented the UK for the sport section of the Council.

Culture and audiovisual

The overarching theme of this ministerial Council was the relationship between culture and foreign policy, within the context of the destruction of cultural heritage in Syria by ISIS, and the recent attacks in Paris.

The Council adopted Conclusions on culture in the EU’s external relations, with a specific focus on development co-operation: as well as conclusions amending the EU work plan for culture 2015-18 to add a new priority of intercultural dialogue, so as to address the current migration crisis.

Ministers debated how best to act together against the destruction and illicit trafficking of cultural heritage in conflict areas, with the focus on the international community, and the need to mitigate the effects of the fragmentation of competences and legislation in this area.

The UK confirmed its determination to play a full part in the protection of cultural heritage, and highlighted its work on the establishment of a cultural protection fund. It also drew attention to the significant experience that has been built up in digital documentation and visualisation of the historic environment through the Scottish Ten programme.

Overall the UK policy in this area is to preserve, to prevent, and to protect, and we underlined the importance of targeted EU interventions or actions that played to its area of competence and avoided duplication with other international bodies.

During the course of the ensuing discussion on culture and digitisation the UK noted the importance of digitisation as a powerful tool which can help deliver many cultural, social, and educational initiatives.

On the specific issue of the Europeana digital cultural portal, we noted the need to develop a sustainable funding model which did not exclude the participation of private-sector organisations, including those which were in a position to either contribute content, or to introduce Europeana to a wider audience.

Under other business, the European Commission updated on the current situation concerning the regulatory fitness and performance (REFIT) exercise in the audio-visual sector, and other relevant initiatives of the Digital Single Market Strategy.

Its public consultation on the audio-visual media services directive had revealed a very strong majority in support of maintaining the country of origin principle for regulating broadcast media, as well as for extending the scope of the instrument to include new types of services.

There was divergence on how to enhance protection of minors, commercial works and communications. The Commission confirmed that the first of the copyright regime proposals, on portability and unjustified geoblocking, would be published in the first half of 2016.

Finally, under this part of the agenda, the Council took note from the Netherlands delegation of its main priorities in the field of culture when it takes over the presidency for the period January - June 2016. These will include the importance of digitisation for the preservation and dissemination of culture, and the need to establish a sustainable funding model for the Europeana digital culture portal.

Sport

The Council adopted conclusions on EU representation in the World Anti-Doping Authority (WADA): and also on the promotion of motor skills, physical and sport activities for children.

These were followed by a policy debate on the educational potential of sports: in helping disadvantaged youth find their place in society. The debate was introduced by two external speakers, of which Olympic champion Ed Moses described the struggle to build an evidence base for convincing media and Government that the sports sector was credible in playing a role, and appealed to Governments to think longer-term and fund research. He was followed by the Premier League, which introduced a video of its Crystal Palace FC project, from which two participants had since built careers in Premier League clubs.

The UK described several of its projects in this area, such as Get on Track, and was the only member state to emphasise the importance of including young people with disabilities.

Under other business: The Council was subsequently briefed by the presidency on the state of play regarding the European Union’s signing of the Council of Europe Convention on the manipulation of sports competitions.

The Council was also briefed by the EU representatives on the outcome of the World Anti-Doping Agency (WADA) meeting which took place in Colorado Springs on 17 - 18 November 2015. The UK’s Sports Minister, Tracey Crouch, has been named as the newly elected EU representative on the WADA Foundation Board for the UK-Estonia-Bulgaria presidency trio, and will take up her post in 2016. Two of the three EU member states that were not yet fully code-compliant, Greece and Spain, (the third being the Czech Republic) intervened to stress they were preparing the required amendments to national legislation.

This was followed by information on the informal meeting of Ministers for Sport, held in Luxembourg from 06 - 07 July 2015: and guidelines presented by the European Commission on next year’s European week of sport.

Finally, under other business the Council took note of information from the Netherlands delegation of its main priorities in the field of sport when it takes over
the presidency for the period January - June 2016. These will include the promotion of good governance and education in and through sport, with specific attention paid to international major sports events, sport diplomacy and voluntary activities.

[HCWS363]

EDUCATION

Education and Adoption Bill

The Secretary of State for Education (Nicky Morgan):

We have today announced that we will table a substantive Government amendment to the Education and Adoption Bill.

The Bill fulfils the Government’s manifesto commitment to raise standards across the country by speeding up the process by which failing maintained schools become sponsored academies, as well as introducing new measures to allow us properly to tackle coasting schools for the first time. The Bill seeks to improve the life chances of every child and ensure that all children have the same opportunities to fulfil their potential, wherever they live. These principles are at the heart of the Government’s education agenda.

As currently drafted, the Bill focuses on ensuring Regional Schools Commissioners (RSCs)—acting on my behalf—have the powers they need to tackle failing and coasting maintained schools. The Bill does not apply to academies and free schools as they are governed by a different legal framework—they are held to account through a legally binding contract known as a funding agreement.

The vast majority of academies are performing well and the academy programme is central to our commitment to extending opportunity through delivering educational excellence in every part of the country. I am clear, however, that underperformance is unacceptable wherever it occurs—whether that is in a maintained school or an academy. We have already shown that we are tough on underperforming academies and that RSCs take robust action where needed—we have issued 122 formal notices to underperforming academies and free schools and moved to change the sponsor in 118 cases of particular concern. Our formal powers in relation to underperforming academies can, however, vary depending on the terms of an academy’s funding agreement. In a minority of cases, this can hinder our ability to intervene as swiftly as we would like. This is unacceptable and at the heart of this Bill lies our belief that a single day spent by a child in an underperforming school is a day too many. We have also taken the views of some of our leading sponsors, who tell us they are frustrated that not being able to act swiftly in a few cases of high-profile failure creates a misleading picture of the work that is being done by academies across England to raise standards and transform young lives.

I am responding with an amendment to the Bill designed to ensure that RSC’s always have the power to act whenever or wherever they encounter underperformance in our schools. I propose to amend the Bill so that when an academy or free school’s performance meets one of two triggers in legislation—an inadequate Ofsted judgement or performance that falls within the coasting definition—then their funding agreement will be read as having the latest provisions around failing and coasting schools. The amendment will not impinge on academy freedoms; on the contrary, it reinforces the central principle of the academy programme—trusting heads to run their schools through freedom and autonomy, but at the same time holding them to account for the results their pupils achieve. This amendment will not lead to any interference from central Government in the academies and free schools that are performing well.

In practice, the amendment will ensure that we can move any failing academy swiftly to a new sponsor. The amendment will also subject academies to the same coasting definition as maintained schools and where a coasting academy does not have a credible plan, further action will be taken by RSCs. This could ultimately include terminating the funding agreement and bringing in a new sponsor if necessary.

The amendment will create a more consistent framework for tackling underperformance across all types of schools and stands as another example of our determination to create a world class education system. The amendment will be tabled this week and first debated when the Bill returns to the House of Lords for Report Stage (currently scheduled to take place on 16 December 2015).

[HCWS362]

HEALTH

NHS: Charging Overseas Visitors and Migrants

The Secretary of State for Health (Mr Jeremy Hunt):

The visitor and migrant National Health Service cost recovery programme was established in July 2014 to design and implement improvements in the systems for charging patients who are not resident of the United Kingdom. The programme has focused so far on improving identification and cost recovery from chargeable patients in hospitals.

I am pleased to announce the Department of Health will now be seeking the public’s views on extending charging of overseas visitors and migrants who use the National Health Service. We have proposed a number of changes to enable overseas visitors and migrants to be charged for NHS healthcare they receive, in addition to the existing system for cost recovery for hospital treatment. The proposed extension of charging will not affect free healthcare at the point of use for permanent residents of the UK.

The consultation seeks opinions on proposals affecting:

- Primary Medical Care
- NHS Prescriptions
- Primary NHS Dental Care
- Primary NHS Ophthalmic Services (Eye Care)
- Accident and Emergency (A&E)
- Ambulance Services
- Assisted Reproduction
- Non-NHS providers of NHS Care and Out-of-Hospital Care
- NHS Continuing Healthcare
- EEA National’s residency definition
- Overseas visitors working on UK-registered ships


The consultation also seeks views on:

- How we should define ‘overseas visitors’ and ‘migrants’ for charging purposes
- Standardising the level of contribution that overseas visitors and migrants pay to the National Health Service
- Clarifying the NHS charging overseas visitors and migrants


The consultation seeks views on these proposals:

- The consultation seeks to understand what measures should be taken to ensure that the NHS can recover the full cost of treatment from those who pay by:
  - being charged a higher contribution for NHS care in hospital
  - paying a contribution up-front for all treatment
  - owing an additional charge where a patient’s treatment is not free under the NHS


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The consultation also seeks views on any further areas that could be considered for charging.

The proposals explored within the consultation aim to support the principle of fairness by ensuring those not resident in the United Kingdom who can pay for National Health Service care do so. The proposals we are consulting on do not intend to restrict access, but aim to ensure everyone makes a fair contribution for the care they receive.

We propose that the most vulnerable people, including refugees, remain exempt from charging. Furthermore, the National Health Service will not deny urgent and immediately necessary healthcare to those in need, regardless of residency. We also propose that exemptions from charging will also remain in place for illnesses that pose a risk to public health.

The potential income generated through the extension of charging will contribute towards the Department of Health’s aim of recovering up to £500 million per year from overseas migrants and visitors by the middle of this Parliament (2017/18). The recovery of up to £500 million per year will contribute to the £22 billion savings required to ensure the long-term sustainability of the National Health Service.

The Secretary of State for the Home Department (Mrs Theresa May): On Saturday 5 December, I launched a public consultation on introducing a new stalking protection order. Stalking is an insidious crime which traumatises its victims and, at its most extreme, can lead to the loss of innocent lives. We are addressing stalking as part of our wider work to tackle violence against women and girls (VAWG) and the work we are driving in this area will be captured in our refreshed VAWG strategy to be published in due course.

We introduced new legislation in 2012 to fill a gap in the law to tackle stalking and have driven a programme of training for police and prosecutors to ensure that stalking is recognised and dealt with effectively. Prosecutions are rising which is encouraging. However, I want to be absolutely sure that we are doing all we can to protect victims from this frightening act, which can cause considerable distress and alarm.

The nature of stalking can be delusional and obsessive and while the actions of a stalker can seem innocuous on the surface, there is a risk that the developing fixation may be missed. Early identification of stalking behaviour is crucial and I am determined that this Government will do everything possible to protect victims and deter perpetrators, even before the stage is reached to commence prosecution.

We know that stalking can take place in the context of an ongoing pattern of domestic violence and abuse and we have introduced a range of measures to protect victims in these circumstances, including the domestic violence disclosure scheme, and the domestic violence protection order. Our stalking legislation, along with the new offence of coercive or controlling behaviour, is already helping to protect victims from this abuse.

However, in around half of cases, stalking occurs where only a very casual acquaintanceship exists between the perpetrator and their victim. While existing injunctions or orders may place restrictions on a stalker, this alone will often not deter them from their behaviour. Stalking needs to be recognised for what it is to ensure interventions are effective and meaningful.

A new stalking protection order could ensure that pre-charge options are available to the police to protect these victims of ‘stranger stalking’ to the same level that victims of domestic violence and abuse can be protected. The consultation will explore whether ‘positive requirements’ can be placed on perpetrators at this early stage to help stop their behaviour in its tracks.

I launched the consultation on 5 December during the 16 days of actions following the international day for the elimination of violence against women on 25 November. The consultation can be accessed at: https://www.gov.uk/government/consultations/introducing-a-stalking-protection-order.

A copy will also be placed in the House Library.
Three influential member states gave implicit support for the principle, as long as it remained flexible. Two other member states welcomed that the boards were open to all member states. The UK did not intervene. The presidency concluded that while there was broad support for structural reforms, the vast majority of member states had hesitations and doubts as to whether the boards are necessary or useful.

There were no more substantive items discussed on day one.

The remaining agenda items were Commission updates to the council on a package to ensure emissions from diesel engines used in light vehicles reflected “real driving emissions” (RDE), proposals adopted by the Commission on the control, purchasing and possession of firearms and the work of the small and medium-sized enterprises envoy network.

Day one ended with a presentation on the priorities of the incoming Netherlands presidency. The Netherlands will prioritise work on the single market, digital single market and better regulation.

Shan Morgan also represented the UK on day two of the Competitiveness Council.

In response to the council conclusions on research integrity, the Commission reported that it would strengthen the European research model grant agreement to embed the principles set out in the conclusions.

The Commission welcomed the council conclusions on gender equality in research and urged member states to implement the measures therein as soon as possible. The UK supported the conclusions, as they highlight the importance of action in this area but do not impose mandatory targets or quotas, which would undermine the merit principle and conflict with the recommendations of the Davies review. The conclusions were accepted unanimously, though some countries commented that they would have preferred them to go further in the direction of legal or financial incentives and targets at EU level.

The UK intervened to support the conclusions on the governance of the European research area and called for the swift implementation of a number of reforms to streamline the reporting lines and governance of a number of committees in this area. These reforms, steered through by the UK co-chair of the European Research Area and Innovation Committee (ERAC), will bring to an end a protracted period of discussion on the subject.

The Commission then gave a presentation on the European fund for strategic investments (EFSI), outlining how it interacts with all other EU financial mechanisms: such as Innovfin—a joint initiative launched by the European Investment Bank—and the SME guarantee. This was followed by a round table discussion, in which the UK supported the principle of deploying innovative finance products to support research and innovation. Most member states commented that there was a need for more information on who received funding and how many research projects were being funded.

The incoming Netherlands presidency then outlined its priorities. It will focus on encouraging the EU and member states to invest more in research and development, creating the framework conditions for innovation and encouraging open science.

[BHCWS364]

TREASURY

ECOFIN: 8 December 2015

The First Secretary of State and Chancellor of the Exchequer (Mr George Osborne): A meeting of the Economic and Financial Affairs Council will be held in Brussels on 8 December 2015. Ministers are due to discuss the following items:

**Financial Transaction Tax**

An update on the progress of implementing a financial transaction tax in participating member states will be provided. Britain is not taking part in the financial transaction tax.
Common Consolidated Corporate Tax Base (CCCTB)

Following a presentation by the presidency on the state of play regarding the CCCTB proposal, the Council will have an exchange of views.

Completing the Banking Union

A presentation will be given by the Commission on the proposal for a European deposit insurance scheme and the Commission communication “Towards Completion of the Banking Union”. This will be followed by an exchange of views.

Current Legislative Proposals

The presidency will update the Council on the state of play of financial services dossiers.

Implementation of the Banking Union

The Commission will give an update on several dossiers linked to the banking union: the single resolution fund, the bank recovery and resolution directive and the deposit guarantee scheme directive.

Fight against the financing of terrorism

After taking note of a Commission presentation on the next steps to reinforce the European framework in the fight against terrorism, the Council will hold an exchange of views.

Future of the Code of Conduct (Business Taxation)

The Council will be invited to adopt conclusions on the future of the code of conduct group on business taxation.

Base Erosion and Profit Shifting (BEPS)

The Council will be invited to adopt conclusions on base erosion and profit shifting (BEPS) in the EU context.

European Semester

Following the publication of the annual growth survey, the Commission alert mechanism report and the draft Council recommendation on the euro area, a presentation will be given by the Commission followed by an exchange of views.

Common position on flexibility in the Stability and Growth Pact (SGP)

A debrief will be provided by the chair of the Economic and Financial Committee on the common position agreed with regards to flexibility in the SGP for short-term economic conditions, structural reforms and public investments.

Statistics: EU Statistics and implementation of the European Statistics Code of Practice

Council conclusions will be adopted on the annual statistical package followed by a Commission presentation on the implementation of the European statistics code of best practices.

European Court of Auditors’ annual report on the implantation of the budget for the EU for the financial year 2014

The European Court of Auditors (ECA) will present its report on the implementation of the 2014 budget followed by an exchange of views by the Council.

FOREIGN AND COMMONWEALTH OFFICE

NATO: Montenegro Accession Talks

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): At their meeting of 1-2 December in Brussels, Foreign Ministers of the North Atlantic Treaty Organisation (NATO) took an important political decision on enlargement, and asked the Secretary-General to invite Montenegro to begin the accession process, with a view to Montenegro becoming the 29th member of the alliance upon signing and ratification of its protocols of accession.

In taking this decision, NATO Foreign Ministers recognised the progress that Montenegro has made on internal reform, particularly in relation to intelligence and security services, rule of law, fighting corruption and organised crime, and in building public support in Montenegro for its prospective NATO membership.

I congratulate Montenegro on this achievement. The United Kingdom has long supported Montenegro’s partnership with NATO and its membership ambitions, and we and allies will continue to work with the Montenegrin Government through the accession process to ensure that the reforms they have undertaken so far are continued and built upon as Montenegro prepares for membership. NATO Secretary-General Stoltenberg will now officially invite Montenegro to open accession talks in the coming weeks. We will bring the protoc...
Policing: Review of Local Targets

The Secretary of State for the Home Department (Mrs Theresa May): In May 2015, I announced at the Police Federation conference a comprehensive review of targets in policing, to be led by Chief Superintendent Irene Curtis. I said that the review would examine the use of targets in each force to understand where, how and why targets are being used, and analyse the impact of targets on police officers’ ability to fight crime.

I am pleased to tell the House that the review has now concluded. I am grateful to Irene Curtis for her thorough investigation and analysis of the use of targets in policing.

The review sheds light on current practice among forces and confirms the problems I have long noted with numerical targets: skewing priorities; causing dysfunctional behaviours; and reducing officer discretion. It shows that the police need to go further in order to tackle the culture of narrow target-chasing and bureaucracy that has hampered and limited officers, preventing them from exercising their professional judgment. Quite rightly the public expect to see forces serving their communities, not chasing arbitrary targets. The police need performance management systems that help effective decision-making to improve performance, while also enabling individuals to be appropriately held to account.

The review makes recommendations for the leading organisations and individuals in policing: chief constables, who are tasked with improving their performance measurement, monitoring and reporting processes; Police and Crime Commissioners, who will need to develop a more sophisticated dialogue with the public on police and crime “success” factors; the College of Policing in developing a set of principles for performance management; and Her Majesty’s Inspectorate of Constabulary to improve the presentation of performance data and communication of monitoring processes. It will be for each organisation to consider its own response but I welcome the evidence the review provides. Its implementation will help improve performance measurement and management practices across policing.

Irene Curtis’s review has highlighted the importance of understanding the demands upon the police. A key step to achieving this is a robust and consistent framework for recording those demands—both crime and non-crime incidents. We will engage with our partners to consider options for greater alignment of National Standard for Incident Recording (NSIR) with the National Crime Recording Standard (NCRS).

The review also recommended that the Home Office review the annual data requirement for victim satisfaction data. A police-led review of user satisfaction surveys, to ensure that changes proposed to the data requirement are of assistance to police forces, will be undertaken by April 2016. The Home Office will consider its findings as part of the 2017-18 annual data requirement process. In the meantime, the current annual data requirement for user satisfaction surveys will continue for 2016-17.

A copy of Chief Superintendent Irene Curtis’s report will be placed in the Library of the House. It can also be found at: https://www.gov.uk/government/publications/departments%5B%5D=home-office.

[HCWS367]

Justice

Offender Management

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): The management and care of transgender people in prison is a complex issue and one that the Government take very seriously. The National Offender Management Service is committed to incorporating equality and diversity into everything it does and treating offenders with decency and respect.

Currently, transgender adult prisoners are normally placed according to their legally recognised gender. However, we recognise that these situations are often complex and sensitive. That is why prisons exercise local discretion on the placement of those who live, or propose to live, in the gender other than the one assigned at birth. In such cases, senior prison management will review the individual circumstances, in consultation with medical and other experts.

However, we have received a number of representations expressing concern that the present system does not sufficiently address the needs of transgender prisoners.

As already announced, NOMS is undertaking a review of prison service instruction 7/2011 to ensure that it is fit for purpose and provides an appropriate balance between the needs of the individual and the responsibility to manage risk and safeguard the wellbeing of all prisoners.

The review will now be widened to consider what improvements we can make across prisons and probation services and across youth justice services.

The review will develop recommendations for revised guidelines which cover the future shape of prison and probation services for transgender prisoners and offenders in the community.

The review will be co-ordinated by a senior official from the Ministry of Justice who will engage with relevant stakeholders, including from the trans community, to ensure that we provide staff in prisons and probation with the best possible guidance. NOMS, the Youth Justice Board, the NHS and the Government Equalities Office will provide professional and operational expertise.

In addition, Peter Dawson and Dr Jay Stewart will act as independent advisers to this review. Peter Dawson is deputy director of the Prison Reform Trust and has served as deputy governor of HMP Brixton and governor of HMP Downview and HMP High Down. Dr Jay Stewart is a director of Gendered Intelligence, an organisation that aims to increase understandings of gender diversity.

A copy of the terms of reference will be placed in the Libraries of both Houses. The review will be expected to conclude its work early next year.

[HCWS368]
Annual European Union Finances Statement

The Financial Secretary to the Treasury (Mr David Gauke): I am today laying before Parliament, “European Union Finances 2015: statement on the 2015 EU budget and measures to counter fraud and financial mismanagement” (Cm 9167). This is a routine annual publication. It is the 35th in the series. The statement gives details of revenue and expenditure in the 2015 European Union (EU) budget, recent developments in EU financial management and measures to counter fraud against the EU budget. It also includes an annex on the use of EU funds in the UK.

Draft Finance Bill 2016

The Financial Secretary to the Treasury (Mr David Gauke): The Government have consulted on a number of tax policies following announcement at summer Budget and previously. Today, the Government are publishing responses to these consultations alongside draft legislation to be included in Finance Bill 2016. This fulfils our objective to consult, where possible, on draft clauses for the Finance Bill, at least three months in advance of the introduction of the Bill.

The Government are publishing draft legislation on policies announced at autumn statement 2015 and earlier, including:

- A new personal savings allowance to remove tax on up to £1,000 of savings income for basic rate taxpayers and up to £500 for higher rate taxpayers;
- Reforms to dividend taxation by replacing the dividend tax credit with a tax-free dividend allowance of £5,000 and setting new dividends tax rates;
- Establishing the office of tax simplification on a statutory basis;
- A new tax relief for orchestras at a rate of 25% on qualifying expenditure.

New measures for those who persistently enter into tax avoidance schemes that are defeated by HMRC, such as a special reporting requirement and a surcharge on those whose latest return is inaccurate due to use of a defeated scheme;

A new penalty of 60% tax due to be charged in all cases successfully tackled by the general anti-abuse rule.

Draft of the clauses published today can be found in the overview of legislation in draft, which includes tax information and impact notes for each measure. All publications will be available online at: https://www.gov.uk.

Office of Tax Simplification

The Financial Secretary to the Treasury (Mr David Gauke): The Chancellor has appointed Angela Knight CBE to chair the Office of Tax Simplification (OTS). She succeeds The right hon. Michael Jack CBE who having served a full Parliament has stood down with the Chancellor’s thanks.

The OTS was established as a temporary office of the Treasury in 2010 to advise the Chancellor on options for addressing complexity in the tax system. As announced at summer Budget 2015 it will be made permanent and put on a statutory basis in Finance Bill 2016.

UN Operations in Cyprus: Call-out Order

The Minister for the Armed Forces (Penny Mordaunt): A new call-out order has been made under section 56(1B) of the Reserve Forces Act 1996 to enable reservists to continue to be called into permanent service in support of the United Kingdom’s contribution to the United Nations Peacekeeping Force in Cyprus (UNFICYP).

Over 100 reservists have been called out for UN operations in Cyprus over the last 12 months. Over the period this new order will be in force we anticipate calling out around 150 reservists, who will be fully integrated with their regular colleagues. The use of reserves in Cyprus is now considered routine business and is fully in line with our policy of having more capable, usable, integrated and relevant reserve forces. It provides reservists with an excellent opportunity to fully integrate with their paired regular unit, providing a worthwhile, rewarding and valuable contribution to the UN peacekeeping effort.

Currently, we plan on calling out only willing and available reservists who have the support of their employer.

The order takes effect from 11 December 2015 and ceases to have effect on 10 December 2016.

War Pensions Scheme Uprating 2016

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): The new rates of pensions and allowances payable under the war pensions scheme proposed from April 2016 are set out in the following tables. The annual uprating of awards and allowances for 2016 will take place from the week beginning 11 April. Rates for 2016 are unchanged in line with the September 2015 consumer prices index of negative (at -0.1%).

<table>
<thead>
<tr>
<th>Weekly rates unless otherwise shown</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>officer (£ per annum)</td>
<td>9,298.00</td>
<td>9,298.00</td>
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<tr>
<td>other ranks (weekly amount)</td>
<td>178.20</td>
<td>178.20</td>
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<tr>
<td>Age allowances payable from age 65</td>
<td></td>
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<tr>
<td>40%</td>
<td>11.95</td>
<td>11.95</td>
</tr>
<tr>
<td>Over 50% but not over 70%</td>
<td>18.35</td>
<td>18.35</td>
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### War Pensions Rates

<table>
<thead>
<tr>
<th>Category</th>
<th>2015</th>
<th>2016</th>
</tr>
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<tbody>
<tr>
<td><strong>Rates (£)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Weekly rates unless otherwise shown)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Over 70% but not over 90%</td>
<td>26.10</td>
<td>26.10</td>
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<tr>
<td>Over 90%</td>
<td>36.70</td>
<td>36.70</td>
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<tr>
<td>Disablement gratuity (one-off payment)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Specific minor injury (min.)</td>
<td>1,136.00</td>
<td>1,136.00</td>
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<tr>
<td>Specified minor injury (max.)</td>
<td>8,474.00</td>
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<tr>
<td>1-5% gratuity</td>
<td>2,834.00</td>
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<tr>
<td>6-14% gratuity</td>
<td>6,300.00</td>
<td>6,300.00</td>
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<tr>
<td>15-19% gratuity</td>
<td>11,018.00</td>
<td>11,018.00</td>
</tr>
<tr>
<td><strong>SUPPLEMENTARY ALLOWANCES</strong></td>
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<tr>
<td><strong>(WEEKLY)</strong></td>
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<tr>
<td>Unemployability Allowance</td>
<td></td>
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</tr>
<tr>
<td>Personal</td>
<td>110.10</td>
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<tr>
<td>adult dependency increase</td>
<td>61.20</td>
<td>61.20</td>
</tr>
<tr>
<td>increase for first child</td>
<td>14.20</td>
<td>14.20</td>
</tr>
<tr>
<td>increase for subsequent children</td>
<td>16.75</td>
<td>16.75</td>
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<tr>
<td>Invalidity Allowance</td>
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<tr>
<td>higher rate</td>
<td>21.80</td>
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<tr>
<td>middle rate</td>
<td>14.20</td>
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<tr>
<td>lower rate</td>
<td>7.10</td>
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<tr>
<td>Constant Attendance Allowance</td>
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<tr>
<td>exceptional rate</td>
<td>134.40</td>
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<tr>
<td>intermediate rate</td>
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<tr>
<td>full day rate</td>
<td>67.20</td>
<td>67.20</td>
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<tr>
<td>part-day rate</td>
<td>33.60</td>
<td>33.60</td>
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<tr>
<td>Comforts Allowance</td>
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<td></td>
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<tr>
<td>higher rate</td>
<td>28.90</td>
<td>28.90</td>
</tr>
<tr>
<td>lower rate</td>
<td>14.45</td>
<td>14.45</td>
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<tr>
<td>Mobility Supplement</td>
<td></td>
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<tr>
<td>Allowance for lowered standard of occupation (maximum)</td>
<td>67.20</td>
<td>67.20</td>
</tr>
<tr>
<td>Therapeutic Earnings Limit (annual rate)</td>
<td>5,408.00</td>
<td>5,408.00</td>
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<tr>
<td>Exceptionally Severe Disablement Allowance</td>
<td>67.20</td>
<td>67.20</td>
</tr>
<tr>
<td>Severe Disablement Occupational Allowance</td>
<td>33.60</td>
<td>33.60</td>
</tr>
<tr>
<td>Clothing Allowance (annual rate)</td>
<td>230.00</td>
<td>230.00</td>
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<tr>
<td>Education Allowance (annual rate) (max)</td>
<td>120.00</td>
<td>120.00</td>
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<tr>
<td><strong>WIDOW(ER)/S BENEFITS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Widow(er)s—other ranks (basic with children) (weekly amount)</td>
<td>135.15</td>
<td>135.15</td>
</tr>
<tr>
<td>Widow(er)—Officer higher rate both wars (basic with children) (£ per annum)</td>
<td>7,187.00</td>
<td>7,187.00</td>
</tr>
<tr>
<td>Childless widow(er)s’ u-40 (other ranks) (weekly amount)</td>
<td>32.37</td>
<td>32.37</td>
</tr>
<tr>
<td>Widow(er)—Officer lower rate both wars (£ per annum)</td>
<td>2,496.00</td>
<td>2,496.00</td>
</tr>
<tr>
<td>Supplementary Pension</td>
<td>90.41</td>
<td>90.41</td>
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<tr>
<td><strong>Age Allowance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) age 65 to 69</td>
<td>15.40</td>
<td>15.40</td>
</tr>
<tr>
<td>(b) age 70 to 79</td>
<td>29.60</td>
<td>29.60</td>
</tr>
<tr>
<td>(c) age 80 and over</td>
<td>43.90</td>
<td>43.90</td>
</tr>
</tbody>
</table>

## TRANSPORT

### EU Transport Council

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I will attend the final Transport Council under the Luxembourg presidency (the presidency), taking place in Brussels, on Thursday 10 December.

The presidency is planning a policy debate on social aspects of road transport ahead of the EU road initiatives that we expect to be published by the Commission in 2016. The debate is likely to focus on whether existing legislation should be clarified in order to reach a uniform interpretation of the rules in all member states, and the challenges in the enforcement of existing rules.

There will be a lunchtime debate on road safety at the request of the presidency. I welcome the opportunity to share expertise and best practice on road safety in the light of the UK’s excellent track record in this area. I look forward to hearing about the work done by EU colleagues to improve road safety among vulnerable road users in other member states.

Under any other business, there will be presentations on:

- The state of the energy union by the Commission;
- The MH17 crash following a report from the Dutch accident and investigation branch;
- An aviation strategy for Europe by the Commission following publication of its aviation package on 7 December;
- State of ratification of the Luxembourg protocol to the rail rolling stock convention, which Luxembourg will encourage other member states to ratify;
- Nominations to the ICAO Council; and
- The Netherlands’ priorities for their presidency which begins on 1 January 2016.

### Rail Franchising

The Secretary of State for Transport (Mr Patrick McLoughlin): I am pleased to inform the House of the award of two new passenger rail franchises. Following separate, rigorous competitions I intend to award the Northern franchise to Arriva, and the TransPennine...
Express (TPE) franchise to First. These awards will be confirmed subject to successful completion of a standstill period of at least 10 days.

Both franchises are due to start on 1 April 2016. The Northern franchise will run for nine years, until 31 March 2025, with an extension of one year callable at my discretion. The TPE franchise will run for seven years, until 31 March 2023, with an extension of two years callable at my discretion.

My Department set out ambitious plans for the new franchises in our invitations to tender earlier this year and both Arriva and First have gone well beyond them, exceeding our requirements. This means that these franchises will oversee the biggest transformation of rail journeys in the north of England in decades, with an unprecedented package of improvements for passengers.

Together, these operators will oversee a massive £1.2 billion boost to rail services with brand-new modern trains, more seats, more services and a host of improvements to deliver a modern, 21st century passenger experience. This one nation Government is committed to closing the economic gap between north and south, and these new franchises will help to bring the northern powerhouse to life. They will play key roles in rebalancing the economy, creating jobs, opportunity and growth, and will provide significantly better journeys across the region. Crucially, in a key step towards full devolution, these contracts will be managed in Leeds by a joint team from the Department for Transport and Rail North, which represents the region’s 29 local transport authorities.

Across both franchises, Arriva and First will provide much needed new-build trains, with the introduction of more than 500 brand-new carriages. They will also remove the outdated and unpopular Pacer trains from across the north. These plans will create space for more than 40,000 extra passengers at the busiest times across the north and bring in thousands of extra services a week for passengers. Alongside these investments the franchises performance will be improved to meet challenging targets to reduce cancellations and short-formations.

There will also be significant improvements for passengers’ experience, with the roll out of free Wi-Fi on trains and at stations and the installation of on-board media servers providing on-train entertainment and real-time passenger information to smartphones and tablets. Automatic delay compensation for season and advance purchase ticket-holders will be introduced across the region. First and Arriva will also invest more than £55 million in improving stations and bring them into the 21st century.

The new franchises will also mean significant returns to the Government and better value for the taxpayer. On TransPennine Express, First will pay premium to the Government of around £400 million over the life of the new franchise, taking the franchise out of subsidy for the first time. On the Northern franchise, Arriva will reduce the amount of annual Government subsidy required by around £140 million over nine years.

The award of these franchises is a hugely positive story for rail in the north of England. They are further proof that private sector competition is good for passengers, local communities and taxpayers. This Government promised passengers we would give them the premium-quality rail services that a northern powerhouse deserves. I am delighted that these awards will deliver exactly that.

[HCWS369]
Written Statements

Thursday 10 December 2015

BUSINESS, INNOVATION AND SKILLS

Foreign Affairs Council (Trade)

The Minister for Small Business, Industry and Enterprise (Anna Soubry): My noble Friend the Minister of State for Trade and Investment (Lord Maude of Horsham) has today made the following statement.

The EU Foreign Affairs Council (Trade) will meet in Nairobi during the 10th ministerial conference of the World Trade Organisation (WTO).

The Council will meet on the 15 December before the formal opening of the ministerial conference. I will represent the UK. We expect the Council to meet again during the ministerial conference, at least once, possibly more, but the date of subsequent meetings of Council has not yet been set.

The only substantive item on the agenda for the Council in Nairobi is the 10th ministerial conference of the WTO.

The Nairobi ministerial will be the first WTO ministerial conference in Africa. WTO members meeting in Nairobi will reflect on the achievements of the WTO in the twenty years since its founding in 1995, will discuss potential outcomes on export competition in agriculture, on development and on transparency, and consider how the WTO organises its negotiations going forward. WTO members will also welcome the accessions of Afghanistan and Liberia.

The UK wants to see substantive outcomes on export competition, development and transparency to promote flexibility in the way the WTO organises its negotiations following Nairobi and will welcome the accessions of Afghanistan and Liberia.

CABINET OFFICE

Consultant Lobbyists Regulation

The Parliamentary Secretary, Cabinet Office (John Penrose): Part 1 of the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act provides for a statutory register of consultant lobbyists. The statutory register came into force on 1 April 2015 and has increased transparency by requiring those who lobby on behalf of a third party to publicly disclose the names of their clients.

Section 22 of the Transparency Act provides that the costs of the register may be recovered from registrants via a charge. Today I have laid the Registration of Consultant Lobbyists (Amendment) (No.2) Regulations 2015 which amend regulation 5 of the Registration of Consultant Lobbyists 2015 (SI 2015/379) to increase the annual charge per registered consultant lobbyist in connection with the maintenance of the register from £700 to £950.

CULTURE, MEDIA AND SPORT

Telecommunications Council

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): The Telecommunications Council will take place in Brussels on 11 December 2015. The UK’s Deputy Permanent Representative to the EU, Shan Morgan, will represent the UK. Below are the agenda items and the positions we intend to adopt.

The first item is a progress report from the presidency on state of play on the proposal for a directive of the European Parliament and of the Council on the accessibility to public sector bodies’ websites (First reading—EM16006/11). We do not expect a debate on this item. However, if there is a debate, the intervention will outline the UK’s support for this directive in general, but state our concerns about the European Parliament’s and some member states’ desire to increase the scope of the directive beyond the Commission’s stated aims of creating a harmonised minimum EU standard.

The second item is a report from the presidency on the state of play on the negotiation in trilogues of the proposal for a directive of the European Parliament and of the Council concerning measures to ensure a high level of network and information security across the Union (this is sometimes referred to as the cyber security directive—First reading—EM6342/13). We do not expect a debate on this item.

These items will be followed by a debate on the review of the European electronic communications framework. The framework’s aim is to harmonise the regulation of electronic communications services across all EU member states. The UK’s intervention will say that the UK places high priority on access to high-quality fixed and mobile connectivity for consumers and business; and the framework must also continue to encourage competition as the main driver for private investment in infrastructure, but the limits of competition need to be understood.

We will also advocate a principled proportionate approach to ensuring consumers are protected from harm when using communications services. This is important to avoid stifling innovation and unnecessary regulatory burdens. We will also outline the UK priorities for the framework review, including investment and competition, innovation and consumer protection; and note that it is also important that we work together to conclude the review as soon as possible and ensure coherency with the other digital single market work strands.

This will be followed by two items under AOB led by the Commission, the first being information from the Commission on current internet governance issues and the second an update on the telecommunication and ICT aspects of the negotiation of the Transatlantic Trade and Investment Partnership (TTIP). We do not intend to intervene on either of these items.

Finally, the Dutch delegation will inform the Council of their priorities for their forthcoming presidency before Council adjourns until the next meeting in May 2016.
DEFENCE

**Armed Forces Covenant**

The Secretary of State for Defence (Michael Fallon): I am today laying before both Houses the 2015 Armed Forces Covenant annual report. The covenant is a promise by the nation to ensure that those who serve, or have served, and their families are treated fairly. They protect the nation with honour, courage and commitment, and deserve to be treated with fairness and respect.

The report sets out what the Government have done to uphold the principles of the covenant. The Armed Forces Act 2011 enshrined the covenant into law, setting out the requirement for the Defence Secretary to report progress annually to Parliament.

Last year we reported that every local authority in mainland Great Britain had signed the covenant, and I can confirm that over 750 employers have also now signed up.

This year particular emphasis has been given to supporting armed forces families. The Department of Health has embedded the principles of the covenant into the NHS constitution to ensure service families access healthcare where and when they need it. The schools admissions code has been amended to prioritise service children, and service families can now apply for, and be allocated a school place before they move to the area. Over 5,000 personnel have also been helped into homeownership through the forces help to buy scheme. We will aim to double this number to 10,000 by next year.

A further significant change is the inclusion of veterans from the merchant navy and Royal Fleet Auxiliary as core members of the armed forces community.

The report has been compiled in consultation with other Government Departments, representatives from the devolved Governments in Wales, Scotland and Northern Ireland, and the external members of the Covenant Reference Group, which includes the three Service Families Federations, the Confederation of Service Charities, the Royal British Legion, the Soldiers Sailors Airman’s and Families Association, the War Widows Association and Professor Hugh Strachan.

[HCWS381]

**Defence Infrastructure Organisation**

The Parliamentary Under-Secretary of State for Defence (Mark Lancaster): On 9 June 2014, *Official Report*, column 205WS, the then Secretary of State for Defence, my right hon. Friend the Member for Runnymede and Weybridge (Mr Hammond), announced the intention to examine whether the Defence Infrastructure Organisation (DIO), currently part of the Ministry of Defence, should incorporate into a Government-owned company in 2016.

We have completed this assessment and concluded that, at the present time, the MOD’S business interests are best served by the DIO retaining its current status within the Department. We assess that this will achieve further transformation by delivering rationalisation and improvements to the way the DIO delivers infrastructure to support defence capability, without the risks and costs associated with incorporation. We shall, therefore, not be pursuing incorporation.

[HCWS379]

FOREIGN AND COMMONWEALTH OFFICE

**Victims of Terrorist Incidents Overseas**

The Secretary of State for Foreign and Commonwealth Affairs (Mr Philip Hammond): For just over 10 years the Foreign and Commonwealth Office (FCO) has offered special assistance, on a case-by-case basis, to British nationals involved in a terrorist incident overseas. Since 2008, this type of assistance has been known as “Exceptional Assistance Measures” (EAM). It allows Ministers to activate special measures which go above our normal level of consular support which vary according to the circumstances of each situation. It is only activated in extremis and once other financial avenues have been exhausted.

In 2010, the policy was updated by the then Minister of State at the Foreign and Commonwealth Office to include those British nationals who had not taken out travel insurance prior to travelling. In line with standard consular policy, EAM has been applied in cases only when a British national has been directly affected, often injured or killed, in a terrorist incident. It has not been offered to British relatives of a foreign national directly involved in a terrorist incident overseas.

We have applied EAM in 2015 for a number of terrorist incidents, including the attack in Sousse in June in which 30 British nationals were killed, and most recently for the response to the attacks in Paris on 13 November. For the Sousse attack, EAM was used to repatriate the bodies of British nationals killed and to arrange medical evacuations for British nationals injured in the incident.

The FCO conducted a review of the EAM policy in 2015 involving interested parties and stakeholders. We concluded that, while there would be no changes to the overall policy, the FCO should improve the information we provide internally and externally on EAM. We will update FCO consular public advice on EAM accordingly through future publications.

[HCWS380]

**Child Safeguarding: St Helena and Ascension Island**

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): Last year the Secretary of State for Foreign and Commonwealth Affairs announced the establishment of an independent inquiry into alleged child abuse and associated cover up on the British Overseas Territory of St Helena and Ascension Island, *Official Report*, column 13-14WS, 20 November 2014, to be led by Sasha Wass QC. Today, the UK Government have published her report. I would like to thank Sasha Wass QC and her inquiry team for producing this detailed and comprehensive report.
I welcome this independent, comprehensive report and the inquiry’s finding that there is no evidence of corruption or cover up in the St Helena Police Service, the St Helena and Ascension Island Governments, the FCO or Department for International Development. The inquiry also found that there is no evidence that child abuse is either endemic or routine in St Helena or Ascension Island. These are the key issues that the inquiry was constituted to investigate and it is an important milestone for the people of St Helena and Ascension, and for those with whom the inquiry engaged that these serious allegations have been found to be without any basis.

But we cannot be complacent. The inquiry found evidence of systemic failings by social services and police in the past, although noted the significant progress in safeguarding in general, and social services provision in particular, since May 2014. The inquiry makes a number of recommendations in relation to child safeguarding institutions and procedures; the recruitment and induction of key staff; and the implementation of specialist advice on child safeguarding.

Protecting children from abuse is an absolute priority. We will continue to build on the progress that has been achieved in recent years. DFID has allocated an additional £1.2 million for safeguarding in 2015-16 on top of its contribution (£4.0 million) to the funding of the St Helena Government health and social care, leading to: the creation of a new safeguarding directorate; a reinvigorated child safeguarding board; more police officers, social workers, family centres for victims; and training for all St Helena Government employees who work with children.

The Government accept all the recommendations in this report. We intend to appoint a senior UK official, to be based in St Helena, specifically to oversee the implementation of the recommendations in the report. We will announce the details shortly, and expect the appointee to be on island in early 2016. We will update the House on implementation of these recommendations within six months.

More broadly, we are determined to build on the foundations already in place to address issues raised by the report, and to continue to meet the reasonable assistance needs of the population of the island.

I want to underscore the UK Government’s commitment to working in partnership with all territories to build vibrant and flourishing communities. I convened a joint ministerial Council last week of the elected leaders of the overseas territory Governments, where we reiterated our shared commitment to a zero-tolerance approach to child abuse in all its forms, and to ensuring a child-centred and co-ordinated approach to safeguarding based on multi-agency working, information sharing and robust risk assessment.

There are ongoing police investigations relating to issues addressed in the report. There is also the possibility of further police investigations into serious criminal offences in the future. In order to avoid prejudice to current and future investigations, the published version of the report has been redacted to remove much of the contents of Chapter 9 and associated references in the body of the report. The report will be re-published with the redactions related to Chapter 9 removed as soon as circumstances permit.

[HCWS378]
The presidency put a number of questions to Ministers about the situation across member states on the collection and retention of communications data, in the wake of the invalidation of the data retention directive by the Court of Justice of the European Union (CJEU) ruling in the case of Digital Rights Ireland (C-293/12). The presidency noted that the picture was fragmented across the EU, with some member states maintaining their domestic legislation, some introducing new measures, and a few finding their frameworks struck down by their domestic courts. Ministers were asked several questions including whether an EU or member state response was the best approach, and whether the Commission should be invited to present new legislation. The Commission stated that it had no intention of coming forward with a new proposal.

The UK, supported by four member states, urged caution, noting that access to communications data was of utmost importance and we should not rush to implement a measure if this risked ultimately reducing our operational capabilities. A number of member states supported new EU legislation, but many stressed the need to at least await the outcome of cases pending before the CJEU before proceeding. The presidency concluded that member states agreed on the legality of bulk data retention itself and that while many supported an EU measure, there was also a desire among many to await the outcome of those cases currently before the CJEU.

The presidency presented a paper on the challenges of evidence in the digital age, an issue to which the Dutch presidency will return at the informal Justice and Home Affairs Council in January. The Commission reminded member states of the importance in this context of implementing the European investigation order in full and to time. The Commission expressed concern about direct approaches to internet service providers, arguing that it could be outside a legal framework and could violate EU rules and undermine the new data protection regime. There was consensus on the need to address the challenges posed by e-evidence. The UK intervened to support looking at alternatives to formal mutual legal assistance where appropriate, acknowledging the importance of safeguards and oversight.

The presidency presented a paper on the migration crisis: judicial co-operation and the fight against xenophobia, updating Ministers on actions discussed at the October JHA Council.

The presidency and Commission provided an update on current legislative proposals. The Commission highlighted in particular the importance of reaching agreement swiftly on the data protection regulation and directive, and its optimism that this was possible before the end of the year.

The presidency noted that the western Balkans conference on 7 and 8 December will focus on migratory flows, terrorism, trafficking, firearms and judicial co-operation.

Finally, the Netherlands presented their three justice priorities: criminal co-operation on cybercrime, victims’ rights and a European forensic science area. Regarding the legislative agenda, the focus of the Dutch presidency will be the consolidation and implementation of existing instruments.

The interior day began with a discussion on passenger name records where I urged member states to take the opportunity to conclude the proposed directive. The Council agreed the compromise text negotiated with the European Parliament. Over lunch, Ministers agreed a Council declaration that all member states would make use of the option to collect data on internal EU flights and allow collection from non-carrier economic operators such as travel agencies and tour operators, with the aim of sending a strong message about the necessity of processing PNR, in advance of a vote in the European Parliament, scheduled for 10 December.

The Council approved the compromise text agreed with the European Parliament on a draft regulation on Europol. Formal adoption of the regulation is expected in the coming months. The UK has not opted in to this regulation, but will consider opting in post adoption.

Denmark updated the Council on the outcome of their referendum on moving from a block opt out of all EU Justice and Home Affairs measures to the UK and Irish opt-in model. Denmark expressed regret at the "no" vote and noted that this would make it very difficult for Denmark to participate in important EU initiatives, in particular co-operation with Europol. Denmark explained that the referendum had been heavily influenced by the uncertainty created by the situation at the borders.

The presidency updated Council on the implementation of the internal security strategy.

The presidency reminded Ministers of the strong commitments made in the 20 November Council conclusions in response to the terrorist attacks in Paris and called for rapid implementation. I noted the positive progress made, citing the Syria strategic communications advisory team, Europol’s internet referral unit and stronger standards for deactivation of firearms, but stressed that further work was required on a number of fronts: first, to reduce terrorists’ access to weapons, particularly through improving our collective understanding of firearms trafficking through better exchange of information, including on ballistics. Secondly, it was necessary to make enhanced use of existing systems; in particular the Schengen information system, and to improve the interoperability of the various EU databases, including SIS III and Eurodac. Thirdly, member states needed to step up co-operation with middle east and north African states to improve their capabilities, especially on aviation security. Finally, I stressed that all of this had to be underpinned by strong strategies to challenge extremist ideologies and prevent people from turning to terrorism in the first place.

Ministers were briefed on the EU-US dialogue which took place in Washington on 13 November.

The Council received an update on the migration situation, with the Commission calling for implementation of measures already agreed, and the EU agencies (EASO: Frontex; EU-Lisa) providing updates on their efforts regarding the external borders. Some progress was reported on hotspots but as there had been over 800,000 arrivals this year the situation remained critical.

There was broad support for the need to strengthen the external borders of the EU, with some member states advocating the development of a proposal for a European border guard.

I joined others in pressing for further, immediate progress on hotspots, reiterating the UK’s willingness to provide practical assistance. I stressed that it was critical for member states to tackle abuse of the asylum system.
by economic migrants, and that the principles underlying the Dublin regulation remained sound and should be retained. I set out that we are making good progress in our national resettlement scheme; but stressed that any further expansion of resettlement activity should be linked to actions by third countries to reduce illegal migration flows and avoid unintended “pull factors”.

The presidency provided an update on the negotiations on the permanent crisis relocation mechanism. Three meetings had taken place at technical level. However, several member states were against such a mechanism and wanted to wait to evaluate and draw lessons from the temporary mechanism. The Government do not support relocation as it is the wrong response to the migratory pressures the EU faces. It undermines the important principle that asylum should be claimed in the first safe country and does not address the causes of illegal migration.

The presidency said it would continue to progress proposals for a common EU list of safe countries of origin. Three areas for discussion were fundamental rights assessments, the interaction with national lists and the nature of implementing acts.

The Council reached political agreement on a directive on the admission of third country student and researchers, which is aimed at harmonising member states’ requirements governing the entry and stay of these groups. The United Kingdom has not opted in to the measure.

Under AOB, the presidency noted the outcomes from the Valletta conference and the EU-US ministerial meeting. The presidency also noted the upcoming EU-western Balkans forum meeting in Sarajevo on 13 December.

[HCWS386]

Terrorism Prevention and Investigation Measures

The Secretary of State for the Home Department (Mrs Theresa May): Section 19(1) of the Terrorism Prevention and Investigation Measures Act 2011 (the Act) requires the Secretary of State to report to Parliament as soon as reasonably practicable after the end of every relevant three-month period on the exercise of her TPIM powers under the Act during that period.

The level of information provided will always be subject to slight variations based on operational advice.

| TPIM notices in force (as of 30 November 2015) | 2 |
| TPIM notices in respect of British citizens (as of 30 November 2015) | 2 |
| TPIM notices extended (during the reporting period) | 0 |
| TPIM notices revoked (during the reporting period) | 0 |
| TPIM notices revived (during the reporting period) | 0 |
| Variations made to measures specified in TPIM notices (during the reporting period) | 15 |
| Applications to vary measures specified in TPIM notices refused (during the reporting period) | 8 |
| The number of subjects relocated under TPIM legislation | 2 |

The TPIM Review Group (TRG) keeps every TPIM notice under regular and formal review. The TRG met on 14 September 2015. The next TRG meetings will take place on 14 and 15 December 2015.

[HCWS382]
3. Forging strategic partnerships and influencing the international system to increase financial, political and technical commitment for tackling all forms of violence against women and girls in all contexts;

4. Leading step change in galvanising the use of evidence of what we know works to prevent violence against women and girls;

5. Eliminating FGM and child, early and forced marriage (CEFM) within a generation;

6. Driving forward a new and significant push on all forms of domestic and intimate partner violence as a policy and programme priority for the international community;

7. Stepping up global leadership on tackling violence and abuse against adolescent girls overseas.

I look forward to driving forward work on this agenda, and working with Ministers and parliamentarians to achieve our ambitious, but ultimately achievable goal of eradicating violence against women and girls for good.

[HCWS383]

WORK AND PENSIONS

Universal Credit: Local Authorities

The Secretary of State for Work and Pensions (Mr Iain Duncan Smith): The full universal credit service will be rolled out nationally for all types of claimants from May 2016, completing in June 2018. At this point we will start to move the people receiving legacy benefits to universal credit. This carefully managed process will finish by early 2021.

This means the need for local authorities to administer housing benefit for working age people will progressively reduce. Local authorities need to plan for the future and have sought clarity about implications for their staff currently administering housing benefit.

Today I can confirm that my Department does not propose to make any staff transfer arrangements for local authority staff who currently work on housing benefit for people of working age.

There has been extensive consideration of this issue and engagement with the local authority associations. As universal credit is a new benefit, delivered in a new and fundamentally different way, my Department has concluded that there will be no “relevant transfer” within the meaning of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended). Any such transfer would anyway be exempt as a transfer of administrative functions between public administrative authorities. My Department has also considered the requirements of the Cabinet Office statement of practice (COSOP). My Department has concluded that COSOP does not apply where, as here, there is no “relevant transfer” for the purposes of TUPE; and that the new and fundamentally different delivery model for universal credit makes staff transfers inappropriate.

The phased nature of this process means that the impact on local authorities can be managed in a way which minimises the need for any redundancies. Where this does not prove possible, after the exercise of all reasonable efforts to redeploy people, the Department has given local authorities a commitment that we will meet their costs of any residual redundancies.

[HCWS377]

Welfare Reform

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): Later today I will be launching a consultation on how the use of aids and appliances is taken into account when determining eligibility for the daily living component of PIP.

This is in light of concerns that the current policy in this area may not be working as intended, as was highlighted by the first independent review of the PIP assessment undertaken by Paul Gray. Evidence suggests that significant numbers of people who are likely to have low or minimal additional costs are being awarded the daily living component of the benefit solely because they may benefit from aids and appliances across a number of the activities. There have also been a number of recent judicial decisions, based on the current legislation, that have broadened the scope of aids and appliances to include articles, such as beds and chairs, that are unlikely to be a reliable indicator of extra costs.

These developments are inconsistent with the original policy intent of awarding the benefit to claimants with the greatest need to help them meet the extra costs arising from their disability or long-term health condition.

The consultation will therefore seek views on whether we should make changes to the current policy on aids and appliances in relation to the daily living component and, if we do, what these should be. The consultation document outlines five broad options for making changes but also welcomes other suggestions.

The consultation is available at: https://www.gov.uk.

[HCWS387]
FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs and General Affairs Council

The Minister for Europe (Mr David Lidington): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs will attend the Foreign Affairs Council on 14 December and I will attend the General Affairs Council on 15 December. The Foreign Affairs Council will be chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini, and the General Affairs Council will be chaired by the Luxembourg presidency. The meetings will be held in Brussels.

Foreign Affairs Council

EASTERN PARTNERSHIP

Ministers are expected to exchange views on recent developments in the Eastern Partnership States (Armenia, Azerbaijan, Belarus, Georgia, the Republic of Moldova, and Ukraine) and the future direction of the Eastern Partnership initiative following the publication of the European Neighbourhood Policy review on 18 November.

COUNTER-TERRORISM

Following the attacks in Paris on 13 November, Ministers will discuss the need to maintain a strong, unified international focus on countering the threat from Daesh; reiterating support for the global counter-ISIL coalition and affirming the commitment to working towards a long term political solution in Iraq and Syria, achieved through a comprehensive strategy. The Foreign Affairs Council is likely to reflect elements of these discussions in its conclusions. Ministers will also discuss broader counter-terrorism work by the EU, in line with its existing strategies.

EU-TURKEY

Ministers will be joined for lunch by the Foreign Minister of Turkey, Mevlut Cavusoglu. Turkey remains a key partner for the EU across a range of important issues, including regional security, counter-terrorism, energy, trade and migration. The FAC provides an opportunity to continue to develop a strategic partnership between the EU and Turkey, building on the EU-Turkey summit of 29 November. The UK will seek to reinforce that sense of partnership by encouraging discussion on a broad range of issues that reflect the breadth of the EU’s relationship with Turkey.

IRAQ

Ministers will exchange views on the political and security situation in Iraq. They will discuss how EU activity and resources, particularly those under the EU’s ISIL/Syria/Iraq strategy, can support the objectives of the global coalition to counter ISIL and longer term security, stability and prosperity in Iraq.

LIBYA

The FAC will be briefed by UN Libya special representative, Martin Kobler, on the latest developments in the UN-led political process. The UN has played a vital role in bringing the Libyan parties closer together. It is essential we continue to demonstrate our full support. The UK Government welcome the UN special representative’s urgent pressure for a deal and recognise the important role for the EU in providing immediate support to a Government of National Accord.

General Affairs Council

The General Affairs Council (GAC) on 15 December is expected to focus on: preparation of draft conclusions for the European Council on 17 and 18 December 2015; the inter-institutional agreement on better regulation; the presidency Trio programme; the European semester; and the enlargement and stabilisation and association process.

PREPARATION OF THE DECEMBER EUROPEAN COUNCIL

The GAC will prepare the draft conclusions for the 17 and 18 December European Council, which the Prime Minister will attend. The December European Council agenda is expected to include; migration; economic issues (including economic and monetary union and the single market); the UK’s renegotiation; and external relations issues including Russia/Ukraine.

INTER-INSTITUTIONAL AGREEMENT ON BETTER REGULATION (IIA)

The GAC will receive a further update on the progress of the IIA negotiations following the recent tripartite talks between the Commission, the European Parliament and the Council. The Council may also discuss the amended IIA text following political tripartite negotiations, depending on the progress made ahead of the Council.

18-MONTH PROGRAMME OF THE COUNCIL

The GAC will discuss the Trio programme of the forthcoming Netherlands, Slovakia and Malta presidencies of the Council of the European Union. We expect one of the key priorities of the Trio to be a focus on delivering stronger economic growth and improving competitiveness.

2016 EUROPEAN SEMESTER ANNUAL GROWTH REVIEW

The GAC will receive a Commission presentation of the 2016 annual growth survey (AGS) which was released on 26 November. The AGS marks the beginning of the 2016 semester process and focuses on the key themes in President Juncker’s investment plan. Within the AGS, the Commission recommends three main pillars for the EU’s economic and social policy in 2016: boosting investment, pursuing structural reforms to modernise European economies and pursuing fiscal responsibility. There is no specific commentary on the UK, however the UK supports the Commission’s headline priorities.

ENLARGEMENT AND STABILISATION AND ASSOCIATION PROCESS

The General Affairs Council will discuss the Commission’s annual enlargement package, published on 10 November, and agree conclusions on the enlargement strategy and the Western Balkans countries and Turkey. The December GAC is the annual opportunity for the Council to take stock and give direction to the EU’s enlargement strategy and pre-accession reform priorities for individual countries.
The Government’s views on the package were set out in my explanatory memorandum of 12 November 2015. We will broadly welcome the Commission’s new approach in this year’s package with improved metrics in the Country reports and a five year as opposed to annual strategy. We will reiterate our continued firm support for future EU enlargement on the basis of firm but fair conditionality, with countries moving forward on merit as they meet the conditions. We will also take the opportunity to reiterate the importance of maintaining the credibility of the enlargement process and the need for the EU to improve its approach to strategic communications in order to underline the benefits of the accession process. We will reinforce the importance of rule of law reform and economic governance to accession countries and welcome the centrality of these issues in the package.

ENIRONMENT, FOOD AND RURAL AFFAIRS

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): The Agriculture and Fisheries Council will take place on 14 December in Brussels. The Minister of State, my hon. Friend the Member for Camborne and Redruth (George Eustice) who is responsible for Farming, Food and the Marine Environment, will represent the UK.

As the provisional agenda stands, the following items will be discussed:

The primary focus will be the agreement of the Council regulation fixing the 2016 fishing opportunities for certain fish stocks and groups of fish stocks applicable in EU waters and, for Union vessels, in certain non-Union waters, as well as a proposal fixing the 2016 fishing opportunities in the Black Sea. There will be a proposal for a regulation of the European Parliament and of the Council on the manufacture, placing on the market and use of medicated feed and veterinary medicinal products. An exchange of views on Sustainable Agriculture, Forestry and Fisheries in the Bioeconomy will also take place.

There are currently six confirmed Any Other Business items which are information from the Luxembourg presidency, and two others:

- Codex Alimentarius;
- Official Food and Feed Controls;
- Aid scheme for the supply of fruit and vegetables, bananas and milk in the educational establishments;
- Measures fixing certain aids and refunds related to the common organisation of the markets in agricultural products;
- Organic production and labelling of organic products;
- Empowering young farmers;
- Deteriorating situation in the pigmeat market (requested by the Polish delegation);
- Quality concerns related to honey imported to the EU (requested by the Hungarian delegation).

HOME DEPARTMENT

National DNA Database Strategy Board

The Secretary of State for the Home Department (Mrs Theresa May): I am pleased to announce that I am, today, publishing the annual report of the National DNA Database (NDNAD) Strategy Board.

Chief Constable Chris Sims, Chair of the National DNA Strategy Board, has presented the annual report of the National DNA Strategy Board to the Home Secretary. Publication of the report is a statutory requirement under section 63AB(7) of the Police and Criminal Evidence Act 1984 as inserted by section 24 of the Protection of Freedoms Act 2012.

The report provides demonstrates the important contribution of the NDNAD to the investigation of crimes. I am grateful to the Strategy Board for its commitment to fulfilling its statutory functions.

Copies of the report will be available from the Vote Office.

[HCWS388]

[HCWS389]
Written Statements

Tuesday 15 December 2015

TREASURY

Financial Services

The Economic Secretary to the Treasury (Harriett Baldwin): The Government have today published their response to the consultation on creating a secondary annuity market (CM 9046, March 2015). The response confirms that from 6 April 2017 tax restrictions for people looking to sell their annuity will be removed, giving the 5 million people with an existing annuity, and anyone who purchases an annuity in the future, the freedom to sell their right to future income streams for an upfront cash sum. This will extend the pension freedoms already introduced in April 2015 for those reaching retirement with a pension pot. The consultation sets out further details around how the market will work, including the comprehensive consumer protection regime.

The document has been placed in the Libraries of both Houses.

[HCWS393]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Environment Council: Agenda

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rory Stewart): I will attend the EU Environment Council in Brussels on 16 December.

Following adoption of the agenda, the list of “A” items will be approved.

There will next be legislative deliberations on the proposal for a directive on the reduction of national emissions of certain atmospheric pollutants (the “National Emissions Ceiling Directive”).

Under non-legislative activities, draft Council conclusions on the mid-term review of the EU biodiversity strategy to 2020 are due to be adopted.

Over lunch Ministers will be invited to discuss the latest proposals on air quality and real driving emissions.

The following items are due to be discussed under Any Other Business:

Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH): challenges and options for improving legislation on chemical products;
Sustainable methods of producing and consuming medicine and managing the resulting waste;
19th ordinary meeting of the Contracting Parties (COP19) to the convention for the protection of the marine environment and the coastal region of the Mediterranean and its protocols (Barcelona convention, Athens, 9-12 February 2016);
Reducing pollution caused by consumption on the move: the case for a European deposit scheme;
Package of proposals aiming to promote the circular economy;
Report on the state of the energy union;
21st session of the Conference of the Parties (COP21) to the United Nations framework convention on climate change (UNFCCC) and 11th session of the Meeting of the Parties (CMP11) to the Kyoto protocol (Paris, 30 November to 11 December 2015);
Work programme of the incoming presidency.

[HCWS397]

FOREIGN AND COMMONWEALTH OFFICE

Law and Order Trust Fund Afghanistan

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): On 4 December 2015 the Foreign and Commonwealth Office fulfilled the promise given by the Prime Minister at the NATO Chicago summit in 2012 to contribute £70 million in 2015 towards the sustainment of the Afghan National Defence and Security Forces (ANDSF). This forms part of our commitment, together with international partners, to provide financial support to meet the cost of the ANDSF for each of the calendar years 2015-17.

The UK’s 2015 contribution, funded from the conflict, stability and security fund (CSSF), has been channelled through the United Nations Development Programme run Law and Order Trust Fund Afghanistan (LOTFA) to support the payment of Afghan National Police (ANP) salaries.

The development of an effective, accountable and civilianised ANP and the development of stable, transparent and effective Afghan security ministries are essential to long term stability and security in Afghanistan. The police play a fundamental role in providing security and governance in Afghanistan, as well as in helping to build trust in the legitimacy of the state. Due to the challenging security environment international support for Afghan policing continues to be required.

The UK will continue to support the development of capable and effective civilian security institutions.

[HCWS396]

OSCE Ministerial Council

The Minister for Europe (Mr David Lidington): I represented the United Kingdom at the 22nd Ministerial Council meeting of the Organisation for Security and Co-operation in Europe (OSCE), held in Belgrade, Serbia on 3 and 4 December 2015 and hosted by Serbian Foreign Minister and OSCE Chairman-in-Office Ivica Dacic. The Council is the top decision-making body of the OSCE and was attended by Ministers from across its 57 participating states.

The Council took place in the final month of a year when the OSCE has continued to be at the centre of the international response to the Ukraine crisis. In my intervention in plenary on 3 December, I expressed deep concern at the ongoing situation in eastern Ukraine.
and Crimea and repeated our strong support for Ukrainian sovereignty and territorial integrity. I underlined the Russian Federation’s responsibility for the present situation and stressed that Moscow’s illegal annexation of Crimea would not be recognised. I called on Russia to implement its commitments under the Minsk protocols, by withdrawing military personnel, equipment and weapons and using its influence with the separatist leadership. I commended the work of the OSCE’s special monitoring mission in the face of considerable challenges to its security and emphasised the need for it to have free and unimpeded access to all areas of Ukraine.

While this subject dominated the Council, a number of other important issues were discussed. In my intervention, I also noted the importance of updating political-military confidence and security building measures, including the Vienna document and the need to protect human rights and fundamental freedoms, which remain under challenge in a number of OSCE states.

I agreed the need to address other pressing issues, particularly terrorism and migration, while focusing on areas where the OSCE has a distinct role to play and can add value in co-ordination with other international actors.

Grave concern about Ukraine was expressed in plenary by many participating states including by US Secretary of State Kerry, German Foreign Minister Steinmeier, Ukrainian Foreign Minister Klimkin and EU High Representative Mogherini among others. Deep divisions meant that even a limited declaration on the OSCE’s role in, and support to, Ukraine could not be agreed despite the vast majority of OSCE states’ desire to do so.

While negotiations before and during the Ministerial Council made progress in a number of areas, divergent approaches limited the scope to reach consensus on a number of proposed declarations. Decisions or declarations were however reached on terrorism, on countering violent extremism and radicalisation leading to terrorism, on drugs and youth and security, as well as a statement on the negotiations in the Transnistrian settlement process. It was disappointing that despite the best efforts of the UK and other states, attempts to make progress on confidence and security-building measures in the OSCE region failed primarily due to further Russian obstructionism.

I and others expressed our strong support for the work of the OSCE’s autonomous institutions and I met Michael Link, Director of the Office for Democratic Institutions and Human Rights (ODIHR) and Dunja Mijatovic, the Representative on Freedom of the Media, during my visit.

In parallel, Wolfgang Ischinger, Chair of the Panel of Eminent Persons, launched under the 2014 Swiss Chairmanship, presented their final report on “European Security as a Common Project” at a side-event during the Ministerial Council.


[HCWS398]

Overseas Territories Joint Ministerial Council

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Dudderidge): I chaired the fourth meeting of the Overseas Territories Joint Ministerial Council in London on 1 and 2 December. The Council was attended by elected leaders and representatives—Anguilla, Ascension Island, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands, Gibraltar, Montserrat, Pitcairn, St Helena, Tristan da Cunha and the Turks and Caicos Islands.

Key themes of this year’s Council were building the prosperity and economic development of the territories and protecting the most vulnerable members of their populations, especially children. UK ministers and overseas territory leaders also discussed pensions, health, education, sports, child safeguarding and the role of the environment in delivering prosperity.

The Council agreed a communiqué which identified priorities and set out a number of important commitments and areas for joint work in the year ahead. On the high priority issue of company transparency, the territories agreed to hold company beneficial ownership information in central registers or similarly effective systems and to work with UK law enforcement authorities to develop timely, safe and secure information exchange processes for the purposes of law enforcement. We also agreed that all territories that have not already done so will undertake child safeguarding reviews by the end of 2016.

The communiqué reflects the commitment of the Governments of the overseas territories and the UK to continue to work in partnership to achieve the vision set out in the June 2012 White Paper: “The Overseas Territories: Security, Success and Sustainability”.

In line with our commitment in the White Paper, we will continue to report to Parliament on progress in implementing the commitments in the communiqué by UK Government Departments.

A copy of the communiqué and a report on UK progress in meeting the commitments from the 2014 Joint Ministerial Council has been published on the gov.uk website: https://www.gov.uk/government/publications/overseas-territories-joint-ministerial-council-2015-communique

[HCWS399]

HOME DEPARTMENT

Police Integrity Reform

The Secretary of State for the Home Department (Mrs Theresa May): The Government take policing integrity very seriously. It is at the heart of public confidence in the police and underpins the model of policing by consent. It is what gives rank and file officers the legitimacy to do their jobs effectively. The Home Office has responded to public confidence in police integrity by introducing a programme of measures to improve standards of conduct in the police. This
follows various high-profile cases on police failures both current and historic, as well as numerous HMIC inspections and IPCC reports relating to corruption.

We are already expanding the IPCC to deal with all sensitive and serious cases involving the police. We have introduced legislation to prevent officers from escaping dismissal by retiring or resigning; we have introduced the holding of disciplinary hearings in public; and we are introducing legally qualified chairs in disciplinary hearings. The college has produced the code of ethics; laid in Parliament (July 2014) as a statutory code of practice.

In 2016 we will go further with an important programme of reform including primary legislation in the upcoming Bill. We will make the police complaints system more independent of the police through an expanded role for PCCs. We will change the definition of a complaint and simplify the system, making it easier for the public. We will introduce a system of super-complaints to enable systemic issues to be raised.

The “Improving police integrity” consultation, and the previous Government’s response to it in March 2015, set out several proposals to strengthen the IPCC. We will bring forward legislation to implement these proposals. They include the following measures: ending managed and supervised investigations; providing the IPCC with the power of initiative to instigate investigations; clarifying the ability of the IPCC to make determinations; giving the IPCC the power of remedy; and ensuring the IPCC can present its case at disciplinary hearings following an IPCC investigation.

The measures the Government have implemented and the further reforms announced will ensure that local communities continue to trust the police to uphold the highest standards of integrity—but that where they do not, the public are able to hold the police to account.

Northern Ireland Security Situation

The Secretary of State for Northern Ireland (Mrs Theresa Villiers): This is the first written statement of this Parliament on the security situation in Northern Ireland. It covers the threat from domestic terrorism in Northern Ireland, rather than from international terrorism, which Members will be aware is the responsibility of my right hon. Friend the Home Secretary, who updates the House separately.

In the nine months since my last update to the House, the same small groups of dissident republican terrorists have continued their attempts to undermine Northern Ireland’s democratic institutions through the use of violence. The Police Service of Northern Ireland (PSNI) and MI5 have worked tirelessly to limit the threat they are able to pose. Because of these efforts the vast majority of Northern Ireland’s population are able to go about their daily lives untroubled by terrorism.

Continued vigilance is essential. The threat level in Northern Ireland from Northern Ireland-related terrorism remains SEVERE (an attack is highly likely) and continues to evolve while the threat to Great Britain is MODERATE (an attack is possible but not likely). There have been 16 national security attacks by violent dissident republicans this year in which they have sought to cause harm and death. The primary targets have been PSNI officers, but prison officers and members of the armed forces have also been targeted.

In May and July two radio-controlled explosive devices were deployed in Belfast and Lurgan in an attempt to target security forces personnel and, in June, an under-vehicle improvised explosive device was deployed against two off-duty PSNI officers at their home address in County Londonderry. Fatalities or serious casualties were avoided in these attacks by narrow margins.

In August a device initiated inside a postal van while it was parked in Palace barracks in County Down. No one was injured but there was considerable damage caused by the fire that followed to the vehicle and others nearby. In October a viable improvised explosive device was recovered from the grounds of a Londonderry hotel due to host a PSNI recruitment event, and several days later an under-vehicle device was planted in Belfast. It is fortunate that both devices were discovered before they exploded. The following day a military hand grenade was thrown at PSNI officers responding to reports of anti-social behaviour in Belfast; the grenade landed by the officers’ feet but thankfully did not explode. In November two police officers in their patrol vehicle in Belfast were extremely fortunate to escape uninjured when they were targeted with an automatic rifle.

The callous and reckless nature of these attacks means that there remains a very real threat of harm to members of the public. Even where there is no injury to people or damage to property, it is often the case that members of the public suffer significant disruption. This can include being forced out of their homes overnight, while police deal with security alerts, not knowing if the device is real or hoax and always having to assume the worst.

As part of their unsuccessful attempts to prove their relevance to a society that wants to move on, these violent dissident republicans continue to resort to brutal assaults on members of their own communities in an attempt to exert fear and control.

Our Strategic Response

The Government are clear that terrorism will not succeed in Northern Ireland; democracy and consent will always prevail. Tackling terrorism remains a tier one risk, the highest priority for this Government. This approach is demonstrated in the provision of £231 million of additional security funding to the PSNI from 2011-16.

As a result of the strategic approach to tackling the threat from Northern Ireland-related terrorism pursued by this Government, the increase in terrorist activity that emerged in 2008 has been stemmed. There were 22 national security related attacks in 2014 compared with 40 in 2010. But the need for total vigilance in the face of the continuing threat remains.

The recent security and defence review confirmed we will continue to maintain our investment in capabilities to keep the people of Northern Ireland safe. Looking ahead, as the Chancellor confirmed in the spending review and autumn statement, the UK Government are making available £160 million in additional security
funding to the PSNI over the next five years to assist their efforts to tackle terrorism. This is a significant package at a time of constrained spending and recognises the SEVERE threat from NIRT and the exceptional demands it places upon the police.

The PSNI and MI5 have continued to work incredibly hard in the period since my last update to the House, in many cases placing themselves at significant risk in order to keep people safe. The PSNI has made over 100 terrorism-related arrests of violent dissident republicans since the beginning of the year. In the Republic of Ireland, an intelligence-led operation by An Garda Siochana, the Republic of Ireland police force, resulted in a significant arrest and charge, as well as the seizure of a large quantity of bomb-making equipment. Joint working between PSNI, MI5 and the Garda remains crucial in the investigation and disruption of the violent dissident republican threat.

The Government welcome the enactment of the Justice Act (Northern Ireland) 2015 which was introduced by the Minister of Justice. Its provisions include measures to reform committal proceedings, reduce delay in criminal proceedings and enhance case management, which are important and necessary steps forward. The PSNI and MI5 go to tremendous effort to bring violent dissident republicans before the courts. It is vital, if the threat is to be tackled and people kept safe, that the criminal justice system as a whole is ready and equipped to deal with these cases. The Government welcome the commitment in the Fresh Start agreement by the Executive to further work to ensure cases can be processed through the courts more quickly.

I would like take this opportunity to pay tribute to the hard work of the Northern Ireland Prison Service who conduct themselves with exemplary dedication in what can be a very difficult environment.

Continuing Paramilitary Activity

On 20 October I published the assessment of structure, roles and purpose of paramilitary groups and made a statement to the House. The assessment stated that structures remain in place for both republican and loyalist groups. It is clear that individuals associated with paramilitary groups remain engaged in serious criminality. The continued existence and activities of these paramilitary groups, albeit much diminished from their peak, undermines the normalisation of our society. Paramilitary groups in Northern Ireland were not justified in the past and they are not justified today. During the recent political talks, the determination of the UK Government, the Northern Ireland Executive, and the Irish Government to achieve a Northern Ireland society free from the malign impact of paramilitarism was clear.

I welcome the commitments contained in the resulting Fresh Start agreement on this issue. These include an enhanced effort to tackle cross-jurisdictional organised crime, a new NI Executive strategy to disband paramilitary groups and the establishment of a monitoring and implementation body on progress towards ending paramilitarism. I look forward to continuing to work with all involved on this serious matter. Active support by members of the community and by political representatives is essential if we are to move towards a Northern Ireland where the legacy of paramilitary crime is no longer felt in our communities.

Parading Season

I applaud the efforts of all of those who worked together to ensure that the vast majority of parades across Northern Ireland were peaceful this year. While it is encouraging that we have not returned to the level of violence seen in 2013, it remains a matter of significant concern that disorder in Belfast over a three day period in July resulted in the injury of 25 police officers. This is completely unacceptable. In the same month, a rogue group of loyalists made a public statement to the media threatening PSNI officers and the Parades Commission. This too is unacceptable.

This Government will not tolerate acts or threats of violence by any part of the Northern Ireland community. The strain policing the parading season places on PSNI resources should not be ignored, with PSNI figures estimating the total cost to them of this year’s season at £6.7 million. There remains much to be done across the community to deal with instability caused by issues such as flags and parades.

Conclusion

The SEVERE level of threat we face from violent dissident republicans is likely to continue. It is likely that a number of the many attacks planned will continue to materialise but the police, working closely with the Garda, will exert every effort to disrupt this violent criminal activity and prosecute those responsible.

As the Government’s Northern Ireland manifesto made clear, there can be no greater responsibility than the safety and security of the people of Northern Ireland and of the whole of the United Kingdom. That is why will always give the fullest possible backing to the men and women of the PSNI who, working alongside other partners such as MI5 and An Garda Siochana, do such an outstanding job. I would like to thank them all for the work they do. Under this Government there will be no let-up in our efforts to ensure that terrorism never succeeds.

[HCWS394]

TRANSPORT

Rail Franchising: PQQ Passport Award

The Parliamentary Under-Secretary of State for Transport (Claire Perry): I am pleased to inform the House that today we notified the first transport companies who have been successful in their pre-qualification questionnaire (PQQ) passport application. The PQQ passport is a new approach to the Department’s rigorous prequalification process in rail franchising and represents genuine innovation in procurement practice in Government for the passenger and taxpayer.

The following 11 companies will be able to submit their expression of interest for all future franchise competitions—within the lifetime of the passport—as from today, 15 December 2015.

Abellio Transport Group Ltd
Arriva UK Trains Ltd
First Rail Holdings Ltd
Go-Ahead Holding Ltd
The quality of the submissions evidenced that we had explicitly sought high standards, integrity and professionalism from the national and international market. During the assessment stages we scrutinised and scored technical ability, strict safety standards and exemplary management practices. Our approach has resulted in a diverse and competitive market bidders from the UK and overseas who now hold the passport.

This brings a number of clear and positive outcomes: the passport is valid for a period of up to four years and in that time, applicants will be able to express their interest in all future franchise competitions without the need to submit the same information each time. This supports the Department's effort to drive innovative customer-focused thinking and delivery from operators. Putting the passenger first is at the heart of all our franchise tenders and I believe this passport will keep the market fresh and dynamic.

The Department is focused on delivering better value for taxpayers and this announcement supports that. We can now focus our efforts on managing and negotiating the life-cycle of future franchises, build the necessary long-term industry relationships and continue to encourage parties from the UK and overseas to participate in our marketplace. This announcement is a hugely positive step and I am looking forward to seeing great results from a healthy, competitive open market.

WORK AND PENSIONS

Automatic Enrolment Annual Thresholds Review

The Parliamentary Under-Secretary of State for Work and Pensions (Mr Shailesh Vara): My noble Friend the Minister of State, Department for Work and Pensions (Baroness Altmann) has made the following written statement.

I am today announcing the proposed automatic enrolment thresholds for next year.

It is intended to lay an Order before Parliament in the new year which will include the following: £43,000 for the upper limit of the qualifying earnings band.

The automatic enrolment earnings trigger will be frozen at £10,000. The lower limit of the qualifying earnings band will also remain frozen at £5,824.

I will also be placing a copy of the analysis supporting the proposed revised thresholds in the Library of the House and a copy can be found online at: www.gov.uk.
Written Statements

Wednesday 16 December 2015

ENERGY AND CLIMATE CHANGE
Committee on Radioactive Waste Management

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom): In January, my noble Friend Baroness Verma announced the commencement of the second triennial review of the Committee on Radioactive Waste Management (CoRWM). Today I am announcing the findings of that review, which I am pleased to say support the continuation of CoRWM as the most appropriate body to undertake the hugely important work of providing independent scrutiny and advice on Government’s long-term management of higher activity radioactive waste, including the geological disposal programme.

The review has also examined the governance arrangements for CoRWM in line with guidance on good corporate governance set out by the Cabinet Office and makes some recommendations to ensure that CoRWM operates in the most effective and efficient manner.

The final report of the triennial review of CoRWM can be found at: https://www.gov.uk/government/publications and I have made available copies in the Libraries of both Houses.

FOREIGN AND COMMONWEALTH OFFICE
UK National Action Plan on Women, Peace and Security

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (James Duddridge): My right hon. Friend, the Minister of State for Foreign and Commonwealth Affairs (Baroness Anelay of St Johns), has made the following written statement:

I wish to inform the House that the Foreign and Commonwealth Office, together with the Department for International Development and the Ministry of Defence, are today publishing a progress report on the UK’s third “National Action Plan on Women, Peace and Security” which was published on 12 June 2014 (Official Report, 16 June 2014, columns 72-74WS).

The national action plan sets out our priorities on women, peace and security from 2014-17. It is the guiding national policy document that sets out the direction and vision to the Government and their partners as we work to ensure that women and girls are at the centre of our efforts to prevent, respond to and resolve conflict. The report published today outlines the progress in our international and domestic work and gives examples of this against the four main pillars of women, peace and security: participation, prevention, protection, and relief and recovery. The annexes to the report also provide details of activities under way in the UK’s six chosen focus countries: Afghanistan, Burma, Democratic Republic of the Congo, Libya, Somalia and Syria.

The strategic defence and security review was clear about the importance the Government attach to work on women, peace and security and its centrality to peace and stability overseas. We will continue to collaborate with our international partners and civil society to drive forward this agenda using the international momentum from the high level review of UN Security Council Resolution 1325 in October 2015. We will increase efforts to ensure that women’s voices are represented in wider peace processes, negotiations and state-building.

We will continue to report to Parliament annually on progress, with our next report due in autumn 2016.


HOME DEPARTMENT
Crisis Relocation Mechanism and Safe Third Countries (Commission Proposals)

The Minister for Immigration (James Brokenshire): Further to the explanatory memoranda published by the Minister for countering extremism on 30 September, the Government have decided not to opt in to two Commission proposals for regulations of the European Parliament and of the Council establishing a crisis relocation mechanism amending regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing criteria and mechanisms for determining the member state responsible for examining an application for international protection lodged in one member state by a third country national or a stateless person and establishing an EU common list of safe countries of origin for the purposes of directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection, and amending directive 2012/32/EU.

The UK did not opt in to the two temporary proposals allowing for the relocation of individuals in need of international protection between EU member states which were agreed over the summer. So far implementation of these has been extremely slow with only around 160 people relocated from Italy and Greece so far. Member states continue to argue over the detail. Negotiations on a permanent relocation mechanism have also proved long and difficult and it is unlikely consensus will be reached on this in the near future. This reinforces the view that relocation is the wrong response to the crisis and that the time and effort devoted to negotiating these measures would have been far better spent on implementing practical solutions to secure the external border and provide sustainable protection in the region, a position which the UK has been calling for since the beginning of the crisis.

The Government do see merit in establishing an EU-wide safe third country list, especially for those member states who have no experience of operating such a list. However, the UK has successfully operated its own list for many years and already has established procedures and safeguards in place, including parliamentary approval before a country is designated. Opting in would also require the UK to opt in to the underlying 2013 asylum procedures directive. The UK originally did not opt in to this directive as it was deemed not to be in the national interest due to implications for immigration control and the integrity of UK legal systems. Those reasons remain valid and we see no advantage in opting in to this measure.

[HCWS403]
JUSTICE

Cremations

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): Today I am launching a consultation which seeks views on proposals for a number of changes to the Cremation (England and Wales) Regulations 2008, and for improving other aspects of cremation practice.

On 1 June 2015 David Jenkins published his report into the way infant cremations were carried out at Emstrey crematorium in Shropshire between 1996 and 2012. The report established that during this period Emstrey crematorium failed to obtain ashes to return to parents following infant cremations.

Scotland had experienced similar problems. In June 2014 Lord Bonomy’s report of his Infant Cremation Commission (ICC) found that in some Scottish cases parents had been incorrectly told that there had been, or would be, no ashes from their babies’ cremations.

I am clear that what happened at Emstrey, and sadly also at other crematoriums, should never happen again. No other family should go through the pain of not having their baby’s ashes returned to them. That is why I am taking action to make sure that after a cremation infant ashes should always be returned to their families.

A majority of the 12 Emstrey report recommendations were for the Westminster Government, including the recommendation that we consider the ICC’s 64 recommendations. In July, I announced our intention to consult on these recommendations and that consultation starts today.

The consultation will run for 12 weeks. I will be writing to families involved in these tragic events to invite them to take part. We will then carefully consider the responses we receive and will announce the changes that we will be making next year.

Copies of the consultation document will be placed in the Libraries of both Houses. The consultation is also available at: https://consult.justice.gov.uk/digital-communications/consultation-on-cremation

PRIME MINISTER

Machinery of Government Change: Pension Wise

The Prime Minister (Mr David Cameron): This written statement confirms that responsibility for the Pension Wise service will transfer from Her Majesty’s Treasury to the Department for Work and Pensions. This change will be effective from 1 April 2016.

TRANSPORT

Maritime Growth Study: Government Response

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): In November 2014, the Department for Transport launched a comprehensive study, chaired by Lord Jeffrey Mountevans, now Lord Mayor of the City of London, into maintaining the UK’s status as a world-leading maritime centre. The “Maritime Growth Study: keeping the UK competitive in a global market” was published on 7 September, the opening day of London international shipping week 2015, with a commitment from Government to formally respond to the report by the end of the year.

The last such review took place nearly two decades ago and the global economic landscape has changed significantly since then. However, one constant has been the continuing contribution of UK maritime and marine industries to our economy and in keeping seaborne trade moving worldwide. The study highlights that this has been achieved through a highly advanced, world-class maritime cluster spread across the nation that attracts investment and exports services worldwide. The sector’s direct economic contribution is at least £11 billion, while directly supporting at least 113,000 jobs and 6,600 businesses. The UK is truly a “one-stop-shop” for the global maritime market, but the study concludes that there is still much more that it can achieve.

The report recognises that other maritime centres in Europe and the Far East are experiencing rapid growth and seeking to replicate our success. Government and industry must therefore work together to reinforce the UK’s role in the global market and put our nation in the best possible position to exploit the expected doubling in world sea trade by 2030. A successful maritime sector will support the Government’s commitment to enhancing domestic productivity, rebalancing the UK economy, increasing exports and raising our global status.

The study involved extensive engagement and independent research to inform and shape its conclusions and recommendations. The process also benefited from the scrutiny and support of an industry advisory group chaired by Michael Parker, chairman of the UK arm of global shipping company, CMA-CGM, and comprising senior business leaders from across the sector.

The report encompasses Lord Mountevans’ recommendations for Government and industry, focusing on four themes in particular: Government leadership, industry leadership, the need for a skilled workforce and the opportunities for marketing maritime UK. The Government welcome his findings and will take forward the recommendations in all four of these areas, partnering with and involving industry as required.

Significant progress is already being made. A new ministerial working group for maritime growth has been established to drive growth and tackle issues impacting the sector. The working group, including representatives from industry, met for the first time last month to discuss items on maritime inward investment and export growth, as well as the opportunities presented by the Government’s proposed reform of apprenticeships. The working group will be supported by a committee that will bring together senior officials from key Departments with an interest in maritime in the new year to identify what further action is required.

Officials will shortly begin the process of updating the Government’s assessment of the seafarer requirement in the UK maritime sector so we have the most up-to-date picture of supply and demand. This will ultimately inform the chair’s recommended review of our support for maritime training (SMarT) scheme to ensure it remains fit for purpose.

A key focus of the study was the role played by the Maritime & Coastguard Agency (MCA)-administered UK Ship Register. The register has now seen nearly
12 months of modest, but continuous growth in gross tonnage. However, we will not be complacent about this success and fully support Lord Mountevans’ ambitions for the register, which were informed by evidence from the independent UK Ship Register Advisory Panel. In addition to the agency’s existing plans for creating a more efficient, flexible and customer-focused survey and inspection function, I am pleased to be able to announce the appointment of Simon Barham as director of the UK Ship Register. Simon brings a wealth of commercial shipping experience to the role and will begin the process of making the register more independent from the MCA’s regulatory functions when he starts in 2016. These improvements are being implemented against the backdrop of longer-term work by the Department exploring the scope for more significant reform of relevant MCA services, in particular the UK Ship Register.

While the specific recommendations for industry are for them to consider and respond to, the outcomes being sought, including greater co-ordination to promote the sector as a whole, are vital to achieving the chair’s vision for maritime. The Government are happy to support industry in this endeavour.

I am grateful to Lord Mountevans for his chairmanship of the project. His leadership and experience have helped to produce a compelling report on a sophisticated sector consisting of multiple markets and industries. He played an important role in successfully corraling the views of an expansive and diverse industry with varying interests. It is now for Government and industry to work in partnership to lever the findings from the study and keep the UK maritime sector at the forefront of the global market.

The report, “Maritime Growth Study: keeping the UK competitive in a global market” can be found on: https://www.gov.uk and copies were made available in the Libraries of both Houses on its publication in September. [HCWS402]
UK Steel Industry

The Secretary of State for Business, Innovation and Skills and President of the Board of Trade (Sajid Javid):

When the steel summit met on 16 October, I agreed that three ministerial-led working groups would be set up immediately to address the “5 Asks” of UK Steel and the longer-term future of the industry. This statement reports on the progress of the working groups and other action taken by Government to support the industry and steel workers.

The three working groups are:

- **Procurement**
  - chaired by Matthew Hancock (CO);
  - International Comparisons—chaired by Anna Soubry (BIS)
  - Competitiveness and Productivity—chaired by Lord O’Neill (HMT)

- **UK Steel**
  - asked at the summit that the Government should:
    - “Support local content in major construction projects: British steel must have every opportunity to be at the heart of HS2—the Government must look to unlock the significant opportunities for the steel sector and to strengthen supply chains on this and other major projects.”
  - Matthew Hancock’s group has met three times. It has brought together procurement leads from across Government—Cabinet Office, HM Treasury, Infrastructure UK, Department Energy and Climate Change, Department for Transport and Ministry of Defence—alongside representatives of the UK steel industry and the Scottish and Welsh Governments.

- **Areas focused on have been:**
  - new guidelines for Departments to apply when procuring major projects involving steel, as enabled by flexibilities in the new public contracts regulations 2015, and consistent with value for money;
  - interrogating the national infrastructure plan and government construction pipelines to better identify the future pipeline for steel; and;
  - updating the current British Standards for steel.

Specific outputs to date include:

- A new procurement policy note (PPN) on procuring steel in major projects was issued by Cabinet Office and the Crown Commercial Service on 30 October. This requires Government procurers to consider wider socio-economic impacts and benefits in their procurement objectives so that issues such as skills, responsible sourcing, good supply chain management, and health and safety capability can be taken into account where relevant. This will help to level the playing field so that the true value and competitive edge of UK steel is fully recognised. The PPN applies to all central Government Departments, their Executive agencies and non-departmental public bodies; and directly to any major procurement projects with a significant steel component, where the overall project requirement has a capital value of £10 million or above. The PPN is at:

Further detailed guidance on how social issues should be taken into account in the procurement of steel for major projects was issued on 11 December. This covers all key stages of the procurement lifecycle, including pre-procurement, requirements and specifications, use of labels and standards—including reference to parts of BES 6001 relevant to responsible sourcing of steel—selection of suppliers, award of contracts, contract conditions and contract management. The guidance is at:
indicative quantities of steel have been mapped for key projects in the infrastructure and government construction pipelines, including HS2, new nuclear and offshore wind, and shared with industry. Steps have also been agreed with industry on how to make better use of the pipelines as they are updated on a six monthly basis.

The British Standards Institute (BSI) has agreed to revise and update the voluntary British Standard BS4499 which applies to steel reinforcement bar (rebar), in the absence of a harmonised European standard. The revision, which is now being consulted on with a view to being implemented in spring 2016, addresses concerns about the type and quantities of alloys and other “exotic” ingredients being added to some imported rebar that is used in construction. The revisions involve changes relating to: (a) Traceability, which means that chemical composition details will have to be listed, similar to an ‘ingredients’ label on food; and (b) Limits placed for the first time on the amount of boron and other alloys that can be added to rebar.

The Procurement Group will meet again in January.

International Comparisons

UK Steel asked at the summit that the Government should:

“Continue to back EU-level action on anti-dumping measures which support the UK steel sector against the rapid rise in global imports and push the European Commission to speed up its investigation process and action. Industry also suggests other member states get the Commission to accelerate and prioritise its trade defence investigations so as to get results quicker to prevent dumping.

In July, we voted in favour of EU anti-dumping measures on the import of Chinese wire rod products. We have also voted in favour of anti-dumping measures on the imports of steel tubing products and lobbied successfully for an investigation into cheap imports of reinforcing steel bar.

The UK Government has been calling, at all levels for steel cases to be given priority. I have met with Commissioner Malmström to discuss how anti-dumping investigations can be accelerated and other related measures. Discussions have also taken place with other EU Ministers.

Following continued engagement with the Commission on the speed of investigations, the Commission has responded rapidly to an industry request for registration of cold-rolled flat steel products. This means that imports of this product will be registered in a timely manner so that, if appropriate, any future anti-dumping measures agreed will apply retrospectively from the date of registration rather than when the investigation has been completed. We will continue to press the Commission to ensure that ongoing investigations and requests for action will result in similarly rapid response from the Commission.

State Aid

We have undertaken a review of how other EU member states support their energy intensive industries within existing rules. This work concluded that the UK is currently making full use of the scope to provide state aid compliant support to industry through the suite of measures in the energy intensive industry compensation package. However, we are looking to see if there may be opportunities to make greater use of the EU’s general block exemption regime in other areas, particularly energy efficiency. Further, more detailed discussions will take place with industry.

We have looked into claims of wrong-doing in other EU member states and have found no evidence to back up these claims. We have shared this conclusion with industry and the unions and asked them to provide us with any further evidence they may have. The industry has raised concerns about interventions by the Italian Government in favour of Ilva with the European Commission. The Commission is currently investigating this matter. Given the importance of ensuring a fair and level playing-field across the EU, we have asked the Commission to be extremely vigilant and respond quickly wherever suspicions of wrongdoing arise.

We have also examined state aid regimes in non-EU countries and have concluded that there is substantial subsidisation of steel sectors.

The International Comparisons group will next meet in January.

Competitiveness and Productivity

UK Steel asked at the summit that the Government should:

“Fully implement the energy intensive industry compensation package ahead of April 2016. The sector is currently still paying 70% of the policy costs that the full package aims to address.”

Addressing concerns about existing support given from other EU member states to steel companies that may be out with state aid rules.

Anti-dumping

Industry and Government have agreed to work together on forthcoming anti-dumping cases. This includes full evidence sharing, clarity on the timetable for each case and agreement on, if, how and when the Government should intervene. We are also working with industry on identifying ways for the Commission to accelerate and prioritise its trade defence investigations so as to get results quicker to prevent dumping.

We have also been involved in the negotiations to reduce import duties on reinforcing steel bar.

The Scottish and Welsh Governments have also been involved.

Areas focused on have been:

Identifying opportunities for joint working between industry and Government on current and forthcoming anti-dumping cases;

What more could be done to support the steel industry by speeding up anti-dumping cases and how we can work with our international counterparts to address steel dumping, in particular from China;
Specific outputs to date include:

**Energy Costs:** The Prime Minister announced on 28 October that compensation for energy intensive industries would be paid from the date state aid clearance comes through. Today, we have received approval from the European Commission for the UK Government to commence relief in line with our initial notification for the most electricity intensive businesses for the costs of renewables policy in their bills. We are going further and at autumn statement 2015 the Chancellor announced that energy intensive industries, including the steel industry, will be exempt from the policy costs of the renewable obligation and feed-in tariffs, to ensure that they have long-term certainty and remain competitive. Compensation will continue to be paid until the exemption is in place. This commitment will give the UK steel industry greater certainty around energy costs. Relief from energy policy costs will save industry hundreds of millions of pounds.

**Business Rates:** Through the working group, industry have had direct discussions with HMT to feed into the review of business rates and to give more detailed evidence on the impact on investment in plant and machinery. The review of business rates will be fiscally neutral and will report at Budget 2016.

**Regulation—Industrial Emissions:** The Government confirmed to the steel industry in October that it will be able to take advantage of special flexibilities to comply with new EU rules on emissions. The EU industrial emissions directive (IED) was the industry’s primary concern and could have added millions of pounds of additional costs to the industry in January 2016 at a time when it is already facing unprecedented global pressures. The UK pushed for transitional arrangements and derogations in the IED, and both will benefit the steel industry following detailed work between Government and steel companies.

**Regulation—Other:** The industry was invited to highlight any other regulatory concerns to the working group. None were identified, though the working group stands ready to take evidence and act should any other regulatory issues emerge.

**Improvements to competitiveness:** A workshop was organised to bring together representatives from the steel industry, trade unions and Government in order to brainstorm interventions that could increase competitiveness within the areas of skills, innovation, exports and inward investment. Officials are working on the most promising proposals from these workshops to identify actions that industry and Government may wish to explore.

As an immediate step on innovation, £400,000 has been provided this year to enable the centre for process innovation on Teesside to extend its partnership programme to steel and other metals companies. The programme, which started with the chemicals industry, is focused on equipping SMEs in the supply chain to innovate and grow. The extension follows a recommendation in the metals strategy and will be delivered with support from the Metals Processing Institute.

**Industry future:** We have been working very closely with steel stakeholders to understand the needs of the sector both now and going forward. Through the Competitiveness and Productivity Steel working group an independent external report has been commissioned to identify the relative strengths and weaknesses of the UK steel industry, and consider how this could change over different time horizons. The outcomes will support the UK steel industry develop a strategic forward plan, and will help clarify how HMG could support competitiveness in the sector over the short, medium and long term.

The Competitiveness and Productivity group will next meet in the new year.

**Local support**

Notwithstanding the actions we can take as Government to support the industry, the UK steel sector is facing severe challenges and many companies have had to take difficult commercial decisions. There is no straightforward solution to the complex global forces facing the steel industry; the price of some steel has halved over the past year alone, there is 30% overproduction across the world, European demand has not returned to pre-crisis levels and recent currency fluctuations have added further pressure.

I realise this is an incredibly difficult time for the employees affected by recent job losses, as well as their families and the local communities in which they live. The Government are committed to doing all we can to give these employees the help and training needed to quickly return to work and we have made available up to £89 million in support packages for those who have been affected.

Recently my ministerial colleagues the right hon. Anna Soubry, Minister for Small Business, Industry and Enterprise, and Nick Boles, Minister of State for Skills visited Scunthorpe and Redcar respectively to better understand the issues currently facing the communities and how our support is having a real impact. We remain in regular contact with the companies and communities affected.

In Redcar, following the sudden closure of SSI in October, we set up a taskforce, chaired by Amanda Skelton, and agreed a support package worth up to £80 million over £40 million of the support package is aimed at skills and jobs creation and includes:

- £3 million which has been made available to colleges in the region to support re-training activity, as well as a further £2.65 million skills funding to plug any gaps in skills provision not available via the further education offer;
- £1.7 million to ensure that the 50 apprentices who were with SSI can continue their apprenticeships with alternative employers; a £16.5 million jobs and skills fund to help local firms employ former SSI workers or their spouses in full-time or part-time jobs for a minimum of three years;
- £16 million support for firms in the SSI supply chain and wider Tees Valley impacted by the Redcar steelworks closure, to safeguard jobs, provide the stimulus to create new posts and provide expert assistance to help them expand their business
- £750,000 to fund advice and grants to start up a new business.

This is in addition to statutory payments made to former employees, which have been processed rapidly by the Redundancy Payments Service to ensure individuals received the money as quickly as possible.

These initiatives have so far seen 500 affected individuals find new employment. I am also pleased to confirm that
all 51 apprentices that were affected by the sudden closure of SSI are in education, training or have been placed with employers.

In order to support the Tees Valley area going forward and ensure a strong economic outlook, Lord Heseltine has been appointed to lead the Tees Valley Inward Investment Initiative. He will be working to advance specific investment projects, to conduct a wider analysis on unlocking growth in the area and to help the new combined authority make the most of its new devolved powers. He has visited the region and met with key people on organisations several times and will be reporting back in the new year.

In Scunthorpe, we have announced a package, worth up to £9 million, jointly with Tata, to support Tata steelworkers, the local economy and supply chain. We are working closely with a local taskforce, chaired by Baroness Liz Redfern, to deliver this support. This package includes:

- £3 million from UK Steel Enterprise (Tata’s Regeneration arm) “to support job creation”
- £3 million of match funding from the Government to provide “support for more start-up businesses and companies that are looking to expand and create jobs”.
- £3 million of training of affected employees through local further education colleges.

We remain in close contact with Tata to understand their ongoing issues and how we can support them.

I am pleased to inform the House that Administrators for Caparo Group have been able to complete sales for all but one of the remaining business entities, preserving over 1,100 jobs mainly in the West Midlands.

[CABINET OFFICE]

**Public Bodies Reform Programme**

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): In May 2010, the coalition Government committed to reviewing public bodies, with the aim of increasing accountability for actions carried out on behalf of Government. The 2010 to 2015 public bodies reform programme delivered the biggest reform of the public bodies in a generation.

Its successes included:

- reducing the number of public bodies by over 290, by abolishing more than 190 and merging over 165 bodies into fewer than 70;
- 98% of planned abolitions and mergers completed;
- reducing administrative spend by a cumulative £3 billion over the life of the programme to the end of March 2015, comfortably exceeding the original estimate of £2.6 billion;
- an Act of Parliament, the Public Bodies Act 2011, to facilitate the abolition, merger and reform of public bodies;
- improved accountability through bringing the functions of over 75 bodies closer to democratically-elected representatives;
- and
- increased funding from alternative sources and volunteering by moving some organisations outside the public sector under innovative delivery models.

We have delivered our promise. The landscape is now smaller, more accountable and efficient, with reduced administrative costs, ensuring better value for money to the public. This remarkable achievement is thanks in no small part to the committed public servants who have embraced the spirit of reform.

Full details of the reforms are available at: https://www.gov.uk/public-bodies-reform.

“Public Bodies 2015”

The public bodies report was first published by the Cabinet Office in 1980 and is now a single transparent source of top-level data on all non-departmental public bodies, executive agencies and non-ministerial departments.

“Public Bodies 2015” details the broad range of public bodies sponsored by the UK government and provide further detail on the success of the 2010 to 2015 public bodies reform programme. The Cabinet Office will today publish “Public Bodies 2015” at: https://www.gov.uk/government/publications/public-bodies-2015 and I am also today placing it in the Library of the House. The online data set will be updated quarterly where applicable.

Public Bodies Reform 2015-20

I can also announce the Government’s approach to public bodies reform from 2015 to 2020. We have worked in partnership with leaders of public bodies and departments to develop a new two-tier approach to transformation.

Instead of just piecemeal reviews, of individual arm’s length bodies, we will look at how groups of quangos can be merged, share back offices or work better together. So the first tier is a set of cross-departmental, functional reviews, covering several ALBs in similar or related areas of Government. This will initially cover bodies with regulatory functions. The review, led by Amanda Spielman, Chair of OFQUAL, will be delivered through partnership with arm’s length bodies, the Cabinet Office and other Departments.

Each ALB will continue to be reviewed each Parliament. So the second tier is a programme of tailored reviews, for those not falling into a functional review, or for those which may require a more in-depth review in addition to a review of some aspects within a functional review. It develops the triennial review programme, extending the scope of reviews to include executive agencies and non-ministerial Departments. Departments will have greater flexibility to dovetail with wider policy reviews. Crucially, every ALB will be reviewed at least once in the lifetime of each Parliament.

Attachments can be viewed online at: http://www.parliament.uk/writtenstatements.

[HCWS428]

**Transparency Update**

The Minister for the Cabinet Office and Paymaster General (Matthew Hancock): Enhancing transparency and accountability continues to be at the heart of our approach to Government, ensuring that Whitehall’s elected representatives and senior officials uphold the highest standards in public life through transparency and democratic scrutiny.

In support of this aim, the Government are today publishing:

The list of Ministers’ Interests. Under the terms of the “Ministerial Code”, Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their ministerial position and their private interests, financial or otherwise. The list captures those interests relevant to Ministers’ ministerial responsibilities, and
should be read alongside the two parliamentary registers. In addition, we have today published an update report by the Prime Minister’s Independent Adviser on Ministers’ Interests, Sir Alex Allan.

The list of special advisers. The list sets out the names of the special advisers in post as of December 2015, each special adviser’s pay band, and actual salary—where this is higher than the senior civil service entry-level salary—together with details of the total pay bill for 2014-15 and the estimate for 2015-16. The cost has fallen from last year, and the cost represents just 0.08% of the civil service pay bill.

Details of the salaries of officials in Departments, agencies and non-departmental public bodies earning £150,000 and above. Excluding machinery of government transfers, the number of people of people earning £150,000 and above in central Government has reduced by a third since 2010.

Details of ministerial meetings with external organisations and overseas travel, ministerial and special adviser gifts and hospitality, the use of official residences and the Prime Minister’s UK visits and charity receptions for the period April to September 2015.

Details of Permanent Secretary meetings with external organisations, and senior officials travel and gifts and hospitality for the period April to September 2015.

Copies of the list of ministerial interests and the list of special advisers have been placed in the Libraries of both Houses. All publications will be available on gov.uk. Attachments can be viewed online at http://www.parliament.uk/writtenstatements.

[HCWS439]

TREASURY

Banking Act 2009 Reporting

The Economic Secretary to the Treasury (Harriett Baldwin):
The Treasury has laid before the House of Commons a report required under section 231 of the Banking Act 2009 covering the period from 1 April 2015 to 30 September 2015. Copies of the document are available in the Vote Office and the Printed Paper Office.

[HCWS433]

COMMUNITIES AND LOCAL GOVERNMENT

Community and Business Recovery Fund (Storm Desmond)

The Secretary of State for Communities and Local Government (Greg Clark): I would like to pay tribute to the excellent work of the emergency services, the Army, local authority staff and members and the many voluntary and community organisations and residents that have done so much to help the people who have suffered as result of Storm Desmond.

I would also like to update hon. Members on the actions that the Government are taking to help communities and businesses impacted by Storm Desmond.

I am determined to get funding to areas quickly to help residents and business owners who are “rallying round” to rebuild their communities. I can confirm that county councils in Cumbria, Lancashire, Northumberland, North Yorkshire and Herefordshire have now received an initial £10.5 million payment from the community and business recovery scheme to support affected communities in those areas.

It forms the first payment from the new dedicated community and business recovery fund announced by my right hon. Friend the Chancellor of the Exchequer to help residents and businesses back on their feet and into their properties, Official Report, 9 December 2015, column 983.

This new fund will be managed by the councils themselves, to ensure money can go quickly to people who need it most, without facing unnecessary delays caused by red tape and bureaucracy.

Communities are coming together to rebuild their lives in the aftermath of Storm Desmond. I have seen for myself both the damage and destruction caused by Storm Desmond and the way in which communities are rallying round to help each other through this difficult time.

Supporting the recovery

The Government have made clear their determination to stand squarely behind those communities hit by flooding in the wake of Storm Desmond.

The Government have confirmed that we will provide over £60 million of support. The £47 million community and business recovery scheme will:

provide local authorities with over £500 for each household affected by flooding; for example, it can be used to help people with temporary accommodation costs while they work to get them back into their homes.

provide grants of up to £5,000 for householders to protect their home from future flooding; for example, install new flood barriers, replace doors and windows with water resistant alternatives, or move electricity sockets up to a safer level.

ensure flood affected businesses that have had their trading disrupted can get back on their feet, with funding equivalent to an average of £2,500 provided to local authorities for each business affected and funding specifically provided for farmers to help restore their land.

We have offered council tax and business rate relief to those affected. As part of the recovery scheme, my Department will make funding available to enable councils to offer a 100% council tax discount to anyone who is unable to occupy their home and a 100% business rates discount for firms that have been impacted by flooding. This will be made available on at least as generous terms as in 2013-14.

We have activated the Bellwin emergency scheme and have made it simpler and easier to access, responding to local concerns. The Bellwin grant will be available at 100% above threshold. We have reduced thresholds for upper-tier authorities and allowed upper-tier authorities with responsibility for fire services to claim Bellwin on a comparable basis to standalone fire authorities for fire-related costs.

[HCWS442]

Green Belt Protection

The Minister for Housing and Planning (Brandon Lewis):

This statement confirms changes to national planning policy to make intentional unauthorised development a material consideration, and also to provide stronger protection for the green belt, as set out in the manifesto.
The Government are concerned about the harm that is caused where the development of land has been undertaken in advance of obtaining planning permission. In such cases, there is no opportunity to appropriately limit or mitigate the harm that has already taken place. Such cases can involve local planning authorities having to take expensive and time-consuming enforcement action.

For these reasons, we introduced a planning policy to make intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. This policy applies to all new planning applications and appeals received since 31 August 2015.

The Government are particularly concerned about harm that is caused by intentional unauthorised development in the green belt.

For this reason the planning inspectorate will monitor all appeal decisions involving unauthorised development in the green belt to enable the Government to assess the implementation of this policy.

In addition we will consider the recovery of a proportion of relevant appeals in the green belt for the Secretary of State’s decision to enable him to illustrate how he would like his policy to apply in practice. Such appeals will be considered for recovery under the criterion set out in 2008: “There may on occasion be other cases which merit recovery because of the particular circumstances.”

After six months we will review the situation to see whether it is delivering our objective of protecting land from intentional unauthorised development.

The national planning policy framework makes clear that most development in the green belt is inappropriate and should be approved only in very special circumstances. Consistent with this, this statement confirms the Government’s policy that, subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the green belt and any other harm so as to establish very special circumstances.

[HCWS423]

CULTURE, MEDIA AND SPORT

Sports Strategy

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch): I am today publishing the Government’s new sport strategy “Sporting Future: A New Strategy for an Active Nation”.

This new strategy for sport and physical activity represents a significant shift in Government policy on sport. It moves beyond merely looking at how many people take part and instead considers what people get out of participating in sport and what more can be done to tackle head on the flattening levels of participation and high levels of inactivity in this country. It also considers the value of broader engagement in sport, whether through volunteering, watching sport, or enjoying the shared pride that comes from sporting success.

Through this strategy, Government is redefining what success in sport means, with a new focus on five key outcomes: physical wellbeing, mental wellbeing, individual development, social and community development and economic development. In future, funding decisions will also be made on the basis of the social good that sport and physical activity can deliver.

There are several demographic groups whose engagement in sport and physical activity is well below the national average. Government will focus on these under-represented groups, including women and girls, disabled people, those in lower socioeconomic groups and older people. Government will also broaden Sport England’s remit so that it becomes responsible for sport outside school from the age of five, rather than 14.

This strategy sets out how we will transform the way in which success is measured by replacing the Active People survey with a new survey called Active Lives. This will enable Government to capture how active people are overall—rather than how often they take part in any particular sport. A new set of key performance indicators will be used to test progress towards the five key outcomes.

Government is reaffirming its commitment to Olympic and Paralympic success but also extending that ambition to non-Olympic sports where we will support success through grassroots investment in those sports, and by sharing UK Sport’s knowledge and expertise.

This strategy sets out plans to introduce a new, mandatory governance code that will be rigorously enforced and will help tackle doping, match-fixing and corruption wherever they occur in sport. We will make the sport sector stronger and more resilient through changes in governance, developing the workforce, and reducing the reliance on public funding. We will also introduce a new “duty of care” for all athletes and participants, to make sure that sport is safe for and inclusive of everyone.

It is Government’s ambition that all relevant Departments work closer together to create a more physically active nation, where our children and young people have access to the best sporting opportunities available and people of all ages and backgrounds enjoy the many benefits that sport and physical activity bring, at every stage in their lives.

I am grateful to all those who contributed to the sport strategy consultation which ran through the summer of 2015 and received over 3,000 responses. The responses to the consultation showed that the sector is united in our ambition to be a truly successful and thriving sporting nation. This strategy sets out our plan for achieving this.

The strategy is being deposited in the Libraries of both Houses and is available at: https://www.gov.uk/government/publications/sporting-future-a-new-strategy-for-an-active-nation

Attachments can be viewed online at http://www.parliament.uk/writtenstatements.

[HCWS415]

Telecommunications Council

The Minister for Culture and the Digital Economy (Mr Edward Vaizey): The Telecommunications Council took place in Brussels on 11 December 2015. The UK’s Deputy Permanent Representative to the EU, Shan Morgan, represented the UK.
The first item was a progress report from the presidency regarding the proposal for a directive of the European Parliament and of the Council on the accessibility to public sector bodies’ websites (First reading—EM 16006/11). There was no substantive debate on this item.

The second item was a report from the presidency on the outcome of negotiations, specifically trilogues, regarding the proposal for a directive of the European Parliament and of the Council concerning measures to ensure a high level of network and information security across the Union (First reading—EM6342/13). There was no substantive debate on this item.

These items were followed by a round-table debate on the review of the European electronic communications framework. EU Commissioner Oettinger introduced the debate by noting that the EU had moved away from the era of fixed-line telephones, and highlighted the range of new technologies which are reliant on internet connectivity.

Member state interventions by Finland, Sweden, Denmark, Estonia, the UK, Slovakia, Poland, Belgium, Czech Republic, Ireland, Latvia and Lithuania all spoke against over-regulating the new “over-the-top” services such as WhatsApp or Skype. However, Germany, France, Spain, Greece and Portugal spoke in support of the need for “equivalent” regulation for such services.

Delivering investment in telecommunications networks through competition was also a common theme, as was the importance of flexibility in EU state aid to support investment in areas where the market was not well placed to deliver.

Many member states also raised the issue of spectrum management, and although several spoke of the benefits of increased co-ordination between member states for the allocation of spectrum, none supported a greater role for the Commission.

Better regulation was also raised by several member states, who saw the review of the electronic communications framework as a good opportunity to reduce the regulatory burden on operators. The UK’s intervention was as per my pre-Council statement (HCWS384).

This was followed by two items under AOB led by the Commission. The first being information from the Commission on current internet governance issues, and the second an update on the telecommunication and ICT aspects of the negotiation of the Transatlantic Trade and Investment Partnership (TTIP). There were no substantive interventions on either of these items.

Finally, the Dutch delegation informed the Council of their priorities for their forthcoming presidency before Council adjourned until the next meeting in May 2016. [HCWS429]

DEFEENCE

UK Embedded Forces

The Secretary of State for Defence (Michael Fallon): During my oral statement on 20 July 2015 (Official Report, column 1233), I committed to continuing to be transparent about UK service personnel embedded in other nations’ armed forces on operations.

Today I am publishing details of UK Service personnel embedded in other nations’ armed forces who are deployed on operations together with those who work on operations in deployed coalition or single nation headquarters roles. Embeds play an important role in enhancing our national security interests around the world, strengthening our relationships with key allies and developing our own capabilities. These personnel perform a wide range of roles for their host nation including staff in headquarters planning for operations and training missions, members of a ship’s company, helicopter pilots, transport pilots, fast-jet pilots and aircrew and air traffic control.

Following this first report to the House, future updates will be published annually through my Department’s annual report and accounts. For operational and personal security reasons the information that can be routinely released is limited.

All of our armed forces, including embeds, are bound by and operate in accordance with the law of England and Wales and international law, in particular, the law of armed conflict.

UK SERVICE PERSONNEL EMBEDDED IN OTHER NATIONS’ ARMED FORCES AND DEPLOYED ON OR IN SUPPORT OF OPERATIONS. (Data correct as at 30 November 2015)

<table>
<thead>
<tr>
<th>Host National Heads of Mission</th>
<th>Embedded HQ Staff</th>
<th>Embedded Exchange Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Canada</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>New Zealand</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>United States of America</td>
<td>13</td>
<td>17</td>
</tr>
<tr>
<td>Coalition HQs</td>
<td>94</td>
<td></td>
</tr>
<tr>
<td>EU HQs</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>NATO HQs</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>UN HQs</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>147</td>
<td>30</td>
</tr>
</tbody>
</table>

Notes:
The data comprises: “UK service personnel embedded in another nation’s armed forces, who are deployed on operations together with those who work on operations in deployed coalition or single nation headquarters roles”.

Due to the short nature of some attachments, the figures change regularly. The information is a snap-shot as at 30 November 2015.

[HCWS431]

EDUCATION

Reformed GCSE and A-level Content

The Minister for Schools (Mr Nick Gibb): The Government are reforming GCSEs and A-levels to be rigorous and more knowledge-based and to match the qualifications used in the best education systems in the world.

Schools are now teaching some of the new reformed GCSEs and A-levels, and we have already published reformed subject content for those GCSEs and A-levels to be taught from September 2016. Content for reformed GCSE subjects can be found on the Department for Education website for AS and A-level subjects.

The new GCSEs will be more academically demanding and will be qualifications that command the confidence of students, employers, and further and higher education
institutions. At A-level, our reforms aim to ensure that they prepare students for undergraduate study and the world of work.

Today I am publishing revised subject content for some of the GCSEs and AS and A-levels that will be taught in schools from September 2017:

- GCSEs in astronomy, business, economics, engineering, geology and psychology; and
- AS and A-levels in environmental science, design and technology, music technology and philosophy.

The astronomy GCSE requires greater depth of knowledge, for example by expanding topic areas such as the evolution of the stars. The content has also been brought up to date to reflect the latest knowledge, and the mathematical requirements are more demanding.

The business GCSE content has added breadth and depth with new requirements to understand business decision-making in more detail, including business growth and development.

The new economics GCSE content is more demanding and includes detailed requirements for specific mathematical knowledge. All students will now be required to understand more of the essential concepts of economics, and depth and breadth have been increased by adding a number of new topics.

The engineering GCSE has increased demand through a greater emphasis on systems-related content and requiring additional mathematical knowledge. A detailed section on testing and investigation has been introduced which includes content such as predicting performance through calculations, simulations and modelling.

Environmental science AS and A-level requires students to know and understand the science behind environmental issues and, in line with other reformed science A-levels, to use scientific theories, models and ideas.

The new geology GCSE content has increased demand by requiring increased mathematical knowledge, and the study of new content on planetary geology and a greater number of minerals, rock types and fossil groups. Fieldwork remains a fundamental part of the subject, with students required to spend at least two days engaged in fieldwork.

In music technology AS and A-level content, students are now required to develop an in-depth knowledge of the principles of sound and audio technology and the development of recording and production technology. Recording and production techniques for both corrective and creative purposes are also included.

Philosophy AS and A-level content will enable students to gain a thorough grounding in key philosophical questions and concepts. Students are required to study the ideas of key philosophers.

Psychology GCSE content will require all students to study five compulsory topics (development; memory; psychological problems; social influence; and the brain and neuropsychology) and two optional topics. The study of these is underpinned by the study of key theories and all students will be required to develop a strong understanding of research methods, including quantitative analysis.

The new design and technology A-level will require all students to study the iterative design processes and technical principles that are at the core of contemporary design practice. There will be options in design engineering, product design and fashion textiles to allow students to specialise. Students will also undertake a substantial design and make task at A-level.

School Revenue Funding Settlement 2016-17

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): Today I am announcing details of school revenue funding for 2016-17. My announcement includes the dedicated schools grant (DSG), the education services grant (ESG) and the pupil premium.

The distribution of the DSG to local authorities will continue to be set out in three spending blocks for each authority: a schools block, a high-needs block and an early years block.

The schools block has been allocated on the basis of the schools block units of funding announced in my statement to the House on 16 July 2016. To protect schools from significant budget reductions, we will continue with a minimum funding guarantee that ensures no school sees more than a 1.5% per pupil reduction in its 2016-17 budget—but excluding sixth form funding and ESG—compared to 2015-16, and before the pupil premium is added.

We have been able to provide an additional £92.5 million for the DSG high-needs block. The high needs block supports provision for pupils and students with SEN and disabilities (SEND), from their early years to age 25, and alternative provision for pupils who cannot receive their education in schools.

The DSG early years block comprises funding for the 15 hour entitlement for three and four-year-olds; participation funding for two-year-olds from the most disadvantaged backgrounds; and the early years pupil premium. The rates per child for this block will be maintained at their 2015-16 level.

The ESG retained duties rate will remain at £15 per pupil. We have applied an efficiency saving to the ESG general funding rate for 2016 to 2017, and the rate will reduce from £87 per pupil to £77 per pupil. We will continue to provide a protection to limit the reduction of academies’ budgets as a result of changes to the ESG.

The pupil premium per pupil amounts for 2016-17 will be protected at the current rates, which are:

<table>
<thead>
<tr>
<th>Pupils</th>
<th>Per pupil rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disadvantaged pupils: Primary</td>
<td>£1,320</td>
</tr>
<tr>
<td>Disadvantaged pupils: Secondary</td>
<td>£935</td>
</tr>
<tr>
<td>Pupil Premium Plus: Looked After Children (LAC) (^1)</td>
<td>£1,900</td>
</tr>
<tr>
<td>and those adopted from care or who leave care under a Special Guardianship Order or Child Arrangements Order (formerly known as a residence order).</td>
<td></td>
</tr>
<tr>
<td>Service children</td>
<td>£300</td>
</tr>
</tbody>
</table>

\(^1\) A looked after child is defined in the Children Act 1989 as one who is in the care of, or provided with accommodation by, an English or Welsh local authority.

Pupil premium allocations for financial year 2016 to 2017 will be published in June 2016 following the receipt of pupil number data from the spring 2016 schools and alternative provision censuses.
As announced in the Chancellor’s spending review statement we will introduce a national funding formula from 2017. We will consult on proposals in the new year. Details of these arrangements have been published on gov.uk.

ENERGY AND CLIMATE CHANGE
Onshore Oil and Gas: Licence Awards and Environmental Monitoring

The Minister of State, Department of Energy and Climate Change (Andrea Leadsom):
14th Onshore Licensing Round

I am pleased to inform the House that the Oil & Gas Authority (OGA)—the UK’s oil and gas regulator—has today announced that licences for a total of 159 blocks are being formally offered to successful applicants under the 14th onshore oil and gas licensing round.

A petroleum exploration and development licence (PEDL) gives the licensee exclusivity over an area of land for onshore hydrocarbon exploration, appraisal and extraction, including for shale gas and oil as well as conventional forms of oil and gas. To be clear, a PEDL does not itself give any permission for operations to begin. Before the licensee can begin any operations such as drilling, hydraulic fracturing or production, they must be granted a number of further permissions and consents. These include, for example, planning permission, environmental permits from the Environment Agency, scrutiny by the Health and Safety Executive, and OGA consents under the provisions of the PEDL.

The 14th onshore oil and gas licensing round was launched on 28 July 2014 and closed on 28 October 2014. A total of 95 applications were received from 47 companies covering 295 ordinance survey blocks. Following scrutiny of the applicants’ competency, financial viability, environmental awareness and geotechnical analysis, and following the decision not to award PEDLs in Scotland and Wales, 159 blocks were taken forward for further consideration.

In August 2015, the OGA announced its intention to offer PEDLs covering 27 blocks. In addition to this, 132 blocks were subsequently subjected to further detailed assessment in accordance with the Conservation of Habitats and Species Regulations 2010, and a public consultation on that assessment was carried out. Following the conclusion of the consultation process, the OGA is now satisfied that the approval of the 14th licensing round, and the offer and eventual award of each of the PEDLs under round, will not have an adverse effect on the integrity of any protected European site. As a result, the OGA is today offering PEDLs for a total of 159 blocks. For 75 of these blocks, the PEDL will contain a condition that prohibits all or specific activities in parts of the block.

The 159 blocks covered by today’s announcement will be incorporated into 93 onshore PEDLs. A map of the licence blocks being offered can be found at: https://www.gov.uk/guidance/oil-and-gas-licensing-rounds.

Gas is central to our long-term energy security. The gas used to heat our homes is among the cheapest and most secure in Europe, despite the decline in our domestic gas production from the North Sea. However, we cannot be complacent. We currently import around half of our gas needs, but by 2030 that could be as high as 75%. That is why we were encouraging investment in our shale gas exploration so we can add new sources of home-grown supply to our real diversity of imports.

This licensing round will see the great majority of the UK’s shale prospectivity licensed to be explored and tested. The 14th onshore licensing round has attracted a high quality of proposed work programmes and a mix of conventional and unconventional proposals. About 75% of the blocks being offered relate to shale oil or gas.

Once the companies being offered these licences accept these offers, they will be issued with PEDLs covering the blocks which they have been awarded, and will subsequently be able to begin planning their future strategies for exploration activities.

I have today written to all Members of the House within whose constituencies licences are being offered.

Environmental Monitoring

Following the award of funding in the autumn statement 2014, DECC has grant-funded a research consortium led by the British Geological Survey to support it to create a baseline of environmental data in the Vale of Pickering, North Yorkshire, as well as expanding the consortium’s existing base-lining activity in Fylde, Lancashire. Applications for shale gas activity have been made in each area. The Government wish to ensure that a robust and independently gathered baseline of data on environmental conditions, such as the quality of ground-water or air and the levels of seismic activity, is in place prior to the start of shale gas operations in these areas, which are dependent on consents including planning permission. If shale gas projects take place in future in these areas, future data can be checked against these “baseline” data. This would allow any significant changes to be flagged for further scrutiny.

The Government regard such independent baseline data as important to building public trust in the first exploration-phase wells developed by the UK shale gas industry, in addition to the industry’s own monitoring data, which is provided to regulators. Our aim is therefore to provide support for appropriate baseline monitoring for areas identified for the first exploration-phase wells. This work will be reviewed periodically alongside the development of the industry.

Renewal Energy Cost Control Measures

The Secretary of State for Energy and Climate Change (Amber Rudd): The Government are committed to cost-effective decarbonisation of our electricity supply and to protecting consumer bills by controlling costs under the levy control framework. Levy control framework projections published in July showed a significant overspend. This underlined the fact that we cannot afford to continue providing unchecked support for the renewables industry via demand-led schemes. As we transition to a low-carbon economy as cost effectively as possible, finding new sources of energy that are cheap, reliable and clean is essential.
Earlier in the year, we announced a package of proposed cost control measures that would help tackle this projected overspend on renewable support schemes. This included:

- Measures to constrain support for sub-5MW solar under the renewables obligation (RO)—our monitoring of this technology scale since the closure of the RO to solar over 5MW demonstrated much higher levels of deployment than expected.
- A review of the feed-in tariff (FIT), designed to put the scheme back on an affordable, sustainable footing and to ensure that we were not overcompensating projects—a requirement of our state aid approval.

We have consulted extensively on these proposals and taken on board views from a wide range of stakeholders. In considering their responses, we have sought to balance the different needs of industry, consumers and communities—and to target support where it is most needed. We consider that we have struck the right balance in the final policy decisions we are publishing today.

Today DECC is publishing a package of documents setting out measures to introduce cost control under for renewable energy support schemes. This includes:

- the Government response to the consultation on the feed-in tariff review;
- the Government response to the consultation on ending support for small-scale solar PV under the RO;
- a consultation on a banding review for small-scale solar PV under the RO.

**Government response to the feed-in tariff review**

DECC launched a consultation on the future of the feed-in tariffs (FITs) scheme on 27 August 2015. This proposed a number of measures to meet two core objectives: to comply with our state aid approval requiring that the UK Government review the support offered by the FITs scheme every three years; and to control the cost of the scheme to limit the impact on consumer bills.

Today we are publishing our response to this consultation. Our measures seek to maintain a solar industry which, in the medium term, can continue to reduce its costs and move towards subsidy-free deployment, and to provide other technology sectors with tapered support over the coming years.

The Government response to the consultation sets out the following key decisions:

- Updated generation tariffs, revised in response to evidence on technology costs received during the consultation.
- Introduction of deployment caps to limit spend on the scheme to £100 million by the end of 2018-19.
- The reintroduction of pre-accreditation for solar PV and wind generators over 50kW and all hydro and anaerobic digestion generators. We removed pre-accreditation last October to control costs under the scheme by limiting the value of the deployment surge in response to tariff reductions. Under the revised, cost-controlled scheme, pre-accreditation can play an important role for projects with longer lead-in times, such as those developed by the community energy sector.
- Measures to pause acceptance of new applications to the scheme for up to four weeks in the new year. This will allow time for the implementation of cost-control measures, ensure better value for money for the bill payer by offering revised tariffs to investors, and preserve budget for the future of the scheme.

On several other areas in the consultation DECC does not intend to introduce changes now, but will build on the points made in responses to this consultation to produce more detailed future proposals. These include energy efficiency criteria, the export tariff, smart meters, grid issues and sustainability criteria for anaerobic digestion. DECC also intends to consult on revised tariffs for new anaerobic digestion and micro-CHP installations in the new year.

**Renewables obligation—support for small-scale solar and banding review**

When DECC confirmed the closure of the renewables obligation (RO) to solar PV projects of 5MW and above last year, we made it clear we would monitor the pipeline of smaller solar PV projects, and take action if needed to control costs.

Because the monitoring indicated deployment was growing more rapidly than previously forecast, on 22 July 2015 we published a consultation relating to sub-5kW solar PV projects proposing the early closure of the RO, the removal of grandfathering for projects not accredited on 22 July, and a banding review. We received 94 responses in total, from across the solar industry, and from local authorities, community groups, NGOs and individuals.

Having reviewed the responses carefully, we consider that the approach we set out for the RO remains the right one, so today we are announcing that we intend to implement the measures largely as consulted upon. Specifically, we will be:

- Closing the renewables obligation across Great Britain to new solar PV capacity at 5MW and below from 1 April 2016.
- Introducing grace period arrangements to protect those developers who have preliminary accreditation, or have already made a significant financial commitment on or before 22 July 2015—the date of which the consultation document was published—or who experience grid delay beyond their control.
- Removing grandfathering from 22 July 2015 for solar projects in England and Wales, unless they have made a significant financial commitment on or before 22 July 2015.

We do intend to make two minor changes to the policy consulted upon:

- A change to prevent projects that made invalid or incomplete planning applications from benefiting from the grace period or exception to the changes to grandfathering policy.
- A change to confirm our intention that projects meeting the criteria for the exception to the removal of grandfathering will receive the currently applicable support rate when they commission.

Updated evidence on costs published today highlights a risk that we could be overcompensating projects under the RO if support is paid at current levels while it remains open.

So we are also publishing a consultation document proposing new bandings for solar PV at 5MW and below, and proposals for an additional banding grace period.

**Decarbonising electricity generation—progress report**

I am also providing a report to Parliament on progress in decarbonising electricity generation in the period 2012-14, a requirement under the Energy Act 2010. Good progress has been made, for example low-carbon electricity’s share of generation increased to a record 39% in 2014. The Government remain committed to affordable, reliable clean energy to ensure we can meet our climate change commitments.
ENVIRONMENT, FOOD AND RURAL AFFAIRS

Air Quality

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): I have today issued the UK plan for improving air quality. This plan sets out a comprehensive approach that will reduce health impacts and meet our environmental and legal obligations by implementing a new programme of clean air zones. It is available at:


Under this plan, by 2020 the most polluting diesel vehicles—old polluting buses, coaches, taxis and lorries—will be discouraged from entering the centres of Birmingham, Leeds, Southampton, Nottingham and Derby. Newer vehicles that meet the latest emission standards, and private cars, will be unaffected.

Over recent decades, air quality has improved significantly. Between 2005 and 2013 emissions of nitrogen oxides have fallen by 38% and particulate matter has reduced by more than 16%. Over the past five years the Government have committed over £2 billion to help bus operators upgrade their fleets, reduce pollution from a range of vehicles such as refuse trucks and fire engines through cutting edge technologies, and promote the development of clean alternative fuels such as powering taxis with liquid petroleum gas in Birmingham.

In order to bring the UK into legal compliance and to reduce concentrations of nitrogen dioxide below 40 micrograms clean air zones will be introduced in five cities. These zones will reduce the pollution in city centres and encourage the replacement of old, polluting vehicles with modern, cleaner vehicles. Similar zones in Germany and Denmark have been shown to improve air quality.

These zones will target air quality hot spots. Following scoping studies, which Government will provide funding for, councils will consult on the details on these zones.

In Birmingham, Leeds, Southampton, Nottingham and Derby, these zones will cover old diesel buses, coaches, taxis and lorries. Newer vehicles that meet the latest emissions standards will not need to pay and, under this plan, no private car will have to pay. The local authorities will have to set charges at levels designed to reduce pollution, not to raise revenue—beyond recovering the costs of the scheme.

Birmingham and Leeds will also discourage old polluting diesel vans and implement other measures including park and ride schemes, signage, changes in road layouts and provision of infrastructure for alternative fuels.

Many companies have already started to update their fleets to modern, cleaner vehicles. For example, by 2017 British Gas will have replaced at least 10% of their commercial fleet with electric vehicles, reducing emissions compared to their old diesel vans. The new electric vans also represent a saving over their diesel counterparts. In London the cost savings could be as high as 20%, with other locations saving between 6% and 10%.

The Environment Agency, winner of Green Fleet of the Year 2015, has committed to increase the number of ultra-low emission vehicles to more than 100 by the end of 2015.

Another example of businesses modernising their fleet is Reading Buses—38% of their fleet are “ultra-clean” drastically reducing their emissions. Drivers are also given advice on fuel efficient eco-driving techniques.

One of the main reasons our cities continue to face air quality problems is the failure of diesel vehicles to deliver expected emission reductions in real-world driving conditions. We have recently secured agreement in the EU to introduce more stringent emissions testing across the EU, ensuring that vehicles live up to their low emission credentials. Our plans fully factor in current car performance and future performance standards following this agreement.

The Mayor of London has a well-developed strategy for improving air quality by 2025, including the implementation of an ultra-low emission zone by 2020, retrofitting of buses and licensing new taxis to be zero-emission capable from 2018. We will continue to support and monitor the delivery of the Mayor’s plans.

Bovine TB

The Secretary of State for Environment, Food and Rural Affairs (Elizabeth Truss): Today I am updating the House on the implementation of our 25-year strategy to eradicate bovine TB in England.

The strategy is delivering results with more than half the country on track to be officially free of the disease by 2019.

Badger control operations in Somerset, Gloucestershire and Dorset were all successful in meeting their targets. The UK chief veterinary officer’s advice is that the results show that industry-led badger control can deliver the level of effectiveness required to be confident of achieving disease control benefits. As part of our strategy the Government want to see badger control over a wider number of areas next year. This is in line with the UK chief veterinary officer’s advice on what is needed to realise disease control benefits at regional level.

Bovine TB is the greatest animal health threat to the UK. Dealing with the disease is costing the taxpayer £100 million each year. Last year alone over 26,000 cattle had to be slaughtered in England to control the disease, causing devastation and distress for farmers and rural communities across large swathes of the country.

The Government are taking strong action to deliver a long-term plan to eradicate the disease and protect the future of the UK’s dairy and beef industries. The comprehensive strategy includes strengthening cattle testing and movement controls, improving biosecurity on farm and when trading, and badger control in areas where TB is rife.

The low-risk area, covering over half of England, is on track to achieve officially TB-free status by the end of 2019. This would be the first time anywhere in England has enjoyed this status.

The approach of tackling the disease in cattle and in wildlife has worked in Australia, is working in New Zealand and Ireland and is supported by the Government and DEFRA chief scientists, the UK chief vet and other leading vets.
To further improve our cattle movement controls, the Government plan to introduce statutory post-movement testing next year for cattle entering the low-risk area. This will reduce the risk of importing TB-infected animals from higher risk areas and bring this part of England in line with Scotland. In November 2015, DEFRA, in partnership with AHDB, the NFU, BCVA and Landex, launched a campaign to step up biosecurity measures in farms and in the cattle trade and help protect herds from bovine TB.

We have also overseen the successful completion of the first year of six private badger vaccination projects funded under the badger edge vaccination scheme. The ongoing worldwide shortage of BCG vaccine and the need to prioritise available stocks for humans is impacting on supply for badger vaccination projects. Following advice from Public Health England, I have taken the decision to suspend attempts to source BCG vaccine for the badger edge vaccination scheme and other private badger vaccination deployment projects in England until the supply situation is resolved. This follows the decision of the Welsh Government to do the same.

Our long-term research to develop an oral TB vaccine for badgers and an effective TB vaccine for cattle is ongoing.

The European Commission has endorsed DEFRA’s bovine TB eradication programme for ongoing financial support in 2016.

To ensure we have a successful and resilient industry, I am determined to enable all available measures necessary to eradicate this devastating disease as quickly as possible. We will continue to deliver on our 25-year strategy for a TB-free England.

The DDF was publicly announced on 21 October and is an investment fund that currently stands at £100 million for the discovery of new approaches to dementia research and drug development.

The limited partnership deed for the DDF includes clauses relating to indemnification. The majority of indemnifications are made by the DDF itself rather than the investors and is therefore limited to £15 million. However, there is also a direct indemnification made by all the investors, including the Department of Health. The direct indemnification is triggered in certain circumstances largely relating to where the Department of Health has provided inaccurate or misleading information. Such circumstances are highly unlikely and most are within the Department’s own control. The Department was advised by external legal advisers that it is not possible to quantify any potential liabilities. The Department has taken steps to mitigate the risks of the liability being realised. A senior Department of Health civil servant has been allocated as the senior responsible owner (SRO) for the Government’s investment into the DDF. The SRO, among other things, has responsibility for final sign off for providing any information to the DDF on behalf of the Department.

If the liability is called, then provision for any payment will be sought through the normal supply procedures. The Treasury has approved the proposal.

Attachments can be viewed online at: http://www.parliament.uk/writtenstatements

Health Council

The Parliamentary Under-Secretary of State for Health (Jane Ellison): The Health Council met in Brussels on 7 December 2015 as part of the Employment, Social Policy, Health and Consumer Affairs (EPSCO) Council meetings. I represented the UK.

Member states adopted Council conclusions on the reduction of alcohol-related harm, personalised medicine for patients, supporting people living with dementia and lessons learned from the Ebola outbreak. A number of member states called on the European Commission to commit to a new EU alcohol strategy. The UK recognised the huge pressure on public services which results from alcohol misuse and welcomed the presidency’s work. The UK stressed the importance of sharing information on best practice but cautioned that any further EU action on alcohol had to focus on areas of existing competence and had to fully respect member states’ primary responsibility for the public health of their populations. On dementia, the UK underlined the importance of the issue and highlighted the considerable alignment with the Prime Minister’s challenge on dementia 2020.

The Luxembourg presidency gave a brief update on triilogue discussions regarding medical devices and in-vitro devices regulations and outlined progress made through the general approach agreed in October. The presidency outlined that further positive steps had been taken on a number of issues through triilogue discussions.

The Commission gave an update on its report on trans fats in foods published on 3 December 2015. The Commission stated work would now begin on an impact assessment that would consider the available evidence.
The Dutch delegation set out its priorities for its upcoming EU presidency, which begins on 1 January. These include anti-microbial resistance, innovative medicine, and healthy foodstuffs.

Regulation of Health and Social Care Professionals

The Parliamentary Under-Secretary of State for Health (Ben Gummer): The Government remain committed to reform of the regulation of health and—social care professionals. The Government are grateful for the work of the Law Commissions of England and Wales, Scotland and Northern Ireland in making recommendations and has been considering how best to take these forward.

Our priorities for reform in this area are better regulation, autonomy and cost-effectiveness while maintaining and improving our focus on public protection. We intend to consult on how these priorities can be taken forward, taking account of the Law Commissions’ work on simplification and consistency and building on the Professional Standards Authority for Health and Social Care’s paper “Rethinking regulation” published in August 2015. We will present proposals that give the regulators the flexibility they need to respond to new challenges in the future without the need for further primary legislation.

We recognise the need for some immediate reform in this area. Subject to parliamentary time we plan to take forward reforms to regulators’ rule-making process and the way that the larger regulators deal with concerns about their registrants. This will improve accountability and make the system more efficient and effective.

This Government remain committed to the principle of proportionate regulation of healthcare professionals. Having considered the arrangements already in place to ensure that public health specialists from backgrounds other than dentistry or medicine are appropriately registered and qualified, the Government do not consider that extending statutory regulation to this professional group is necessary. To this end, they will not be taking forward secondary legislation in this regard.

Southern Health NHS Foundation Trust

The Secretary of State for Health (Mr Jeremy Hunt): NHS England will today publish the Mazars report on Southern Health NHS Foundation Trust. It will be available on the NHS England website at: https://www.england.nhs.uk/south/our-work/find-invest-reports. I want to update the House on the action that the NHS will be taking in response.

The report describes, as I set out to the House on 10 December (Official Report, Col 1141-2), a lack of leadership, focus and sufficient time spent in the trust on carefully reporting and investigating unexpected deaths of mental health and learning disability service users. The report found that there had been no effective, systematic management and oversight of the reporting of deaths and the investigations that follow.

I am determined that we learn the lessons of this report, and use it to help build a culture in which failings in care form the basis for learning for organisations and for the system as a whole.

As a first step, I am announcing a number of measures today to address both the local issues at Southern Health NHS Foundation Trust and the systemic issues raised in the report.

The Care Quality Commission will undertake a focused inspection of southern healthcare early in the new year, looking in particular at the Trust’s approach to the investigation of deaths. As part of this inspection, the CQC will assess the Trust’s progress in implementing the action plan required by monitor and in making the improvements required during their last inspection, published in February of this year.

Avoidable mortality—understanding, action and improvement. The report reinforces the point that we need to do more across providers to understand and tackle the problem of avoidable mortality. Bruce Keogh and Mike Durkin are therefore writing to medical directors to describe the offer of help to providers (the mortality audit tool, case-note review methodology and reiterating the Government’s commitment to delivering medical examiners) setting out how to use the audit tool to supply data to support understanding and improvement.

Learning Disability and mortality—The learning disability mortality review will support improvement by acting as a repository for anonymised reports pertaining to people with learning disabilities from a variety of sources, in particular anonymised copies of serious case reviews and Ombudsman Reports. This project will start in January 2016.

The Care Quality Commission will also be undertaking a wider review into the investigation of deaths in a sample of all types of NHS trust (acute, mental health and community trusts) in different parts of the country. As part of this review, we will assess whether opportunities for prevention of death have been missed, for example by late diagnosis of physical health problems.

I will continue to update the House on progress in each of these areas. I will place a copy of the report in the Library of both Houses once it has been published by NHS England.

Government’s Mandate to NHS England 2016-17

The Secretary of State for Health (Mr Jeremy Hunt): Today the Government have laid before Parliament the mandate to NHS England for 2016-17. This mandate has been produced following public consultation, and will take effect from 1 April 2016.

The mandate sets the Government’s objectives for NHS England, as well as its budget. In doing so, the mandate sets direction for the NHS, and helps ensure NHS England is accountable to Parliament and the public. In accordance with the Health and Social Care Act 2012, the Secretary of State must publish a mandate each year, to ensure that NHS England’s objectives and any underpinning requirements remain up to date.

This mandate confirms this Government’s commitment to increase spending on the NHS in real terms every year in this Parliament. The NHS will receive £10 billion more per year in real terms by 2020-21 than in 2014-15. This investment backs in full the NHS’s own five year forward view and will mean patients receive seven-day health services, with hospitals providing the services people need at the weekend and people able to access a GP at evenings and weekends.

This mandate was produced following engagement with the statutory consultees, NHS England and Healthwatch England, and public consultation. We are grateful to those who responded. The public response
The Government are committed to (Mike Penning):

to navigate.

system making that process more transparent and easier

responsibility for key parts of the police complaints

bring forward legislation to enable PCCs to take on

between emergency services. The Government intend to

rescue services as part of driving greater collaboration

commissioner (PCC) model by further strengthening

building on the success of the police and crime

parliament.uk/writtenstatements.

The Minister for Policing, Crime and Criminal Justice

G6: London

The Secretary of State for the Home Department
(Mrs Theresa May): On 9 and 10 December 2015, the
UK hosted the most recent meeting of the informal G6
group of Ministers of the Interior.

I chaired the meeting which was attended by the
Interior Ministers of Germany (Mr Thomas de Maiziere),
Spain (Mr Jorge Fernandez Diaz), France (Mr Bernard
Cazeneuve), and Italy (Mr Angelino Alfano) and the
Polish Ambassador to the UK (Mr Witold Sobkowski).
The United States of America were represented by the
Attorney General (Ms Loretta E. Lynch) and the Secretary
of Homeland Security (Mr Jeh Johnson). The European
Commissioner for Migration, Home Affairs and Citizenship
(Mr Dimitris Avramopoulos) also attended.

The meeting commenced on the evening of 9 December
with a working dinner where we discussed the threat
from Daesh/ISIL and how the Governments represented
can collectively step up the fight against terrorism.
Our discussion focused on the importance of sharing
information, aviation security, and the practical steps
we can take to counter extremism and radicalisation,
including by working with and empowering communities.
We had a very productive and informative discussion
and there was collective agreement to publish a statement
outlining our shared commitment to countering terrorism
through a strong yet proportionate national and
international response. The draft was produced overnight
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international response. The draft was produced overnight

on the expected level of behaviour of a PCC, and that they

have powers to require the PCC to respond.

The consultation ends on 10 March 2016. Copies of the
consultation paper have been placed in the Library of
the House.

The proposed changes to the complaints system ensure
the fundamental principle of the PCC policy, that of
accountability to the electorate, is not undermined. The
proposals will improve the transparency of the complaints
procedure and deliver more satisfactory outcomes for
complainants.

[HCWS437]

HOME DEPARTMENT

Police and Crime Commissioners Public Consultation:
Complaints

The Minister for Policing, Crime and Criminal Justice
(Mike Penning): The Government are committed to
building on the success of the police and crime
commissioner (PCC) model by further strengthening
their role; for example, the Government are proposing
to enable PCCs to take on the governance of fire and
rescue services as part of driving greater collaboration
between emergency services. The Government intend to
bring forward legislation to enable PCCs to take on
responsibility for key parts of the police complaints
system making that process more transparent and easier
to navigate.

With PCCs taking on a greater role in the handling of
complaints made against their police force, and with the
responsibilities held by a PCC increasing, I believe the
time is right to amend the system for complaints made
against a PCC. I have today published a consultation
paper to seek views on proposals to improve the system
for handling non-serious complaints made about a PCC.
The consultation paper proposes:

- Clarifying, through non-statutory guidance, what constitutes
  a complaint, ensuring police and crime panels (PCPs), who
  scrutinise the work of PCCs, take forward complaints about
  a PCC’s conduct rather than their policy decisions.
- Providing PCPs with greater investigatory powers to seek
  evidence pertinent to a complaint.
- Clarifying, through non-statutory guidance, the parameters of
  "informal resolution" and setting out that, where agreement
  cannot be reached, it is open to PCPs to make recommendations
  on the expected level of behaviour of a PCC, and that they
  have powers to require the PCC to respond.

The consultation ends on 10 March 2016. Copies of the
consultation paper have been placed in the Library of
the House.

The proposed changes to the complaints system ensure
the fundamental principle of the PCC policy, that of
accountability to the electorate, is not undermined. The
proposals will improve the transparency of the complaints
procedure and deliver more satisfactory outcomes for
complainants.

[HCWS440]
and the importance of identification. The discussion also touched on the broader questions of how best we ensure asylum systems are helping the right people, addressing migratory flows at source and upstream and reducing the abuse of asylum systems.

The second plenary session of the day covered data protection and the importance of striking an appropriate balance between privacy and security. There was a discussion on the recent developments in data protection, including the judgment of the Court of Justice of the European Union in the case of “Schrems” (C-362/14), the new EU data protection package and the role of communication service providers and how we can work effectively with them.

Over lunch, the discussion turned to modern slavery and I invited the UK’s independent anti-slavery commissioner, Kevin Hyland, to introduce the session by sharing his experiences on upstream prevention and innovative approaches in source countries. All those at the table shared their experiences of tackling modern slavery which varied in approach and success. The discussion then moved on to the question of working with business to eliminate demand in supply chains. In conclusion there was collective agreement on the importance of the sharing of best practice between countries to address this appalling issue.

The final plenary discussion of the day addressed the threat posed by illicit firearms and built on the recent discussions at the Justice and Home Affairs Council. The European Commission noted the UK’s longstanding contribution on this debate and gave a clear exposition of their approach to the firearms deactivation regulation and the amendments to the firearms directive. The discussion covered the benefits of enhanced information sharing and the importance of tracking the movement of firearms. I concluded the discussion by noting the collective agreement on the direction partners were taking to tackle the threat from illegal firearms and encouraged others to consider this issue and share their experience.

The informal chairmanship of the G6 group will now pass to Italy, who will host the next meeting.

I would like to take this opportunity to thank Barnardo’s, which provided the child trafficking advocates service during the trial, the University of Bedfordshire for undertaking the evaluation of the trial and the 23 local authorities and all the other parties involved who played such a significant role in supporting the trial. Child victims of trafficking are among the most vulnerable in our society. This report sets out our response to the evaluation of the independent child trafficking advocates trial and what steps we intend to take to ensure trafficked children get the protection they need.

I would also like to thank my parliamentary colleagues for their ongoing advice and support in this area and I look forward to your continued support as we take this important work forward.

[HCWS435]

**Overseas Domestic Workers**

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): I am today publishing the independent review of the overseas domestic worker visa. The Government commissioned the report in March 2015 as part of their commitment to stop modern slavery in all its forms. James Ewins QC was asked to undertake an assessment of how far existing arrangements for the admission of overseas domestic workers are effective in protecting such workers from abuse and exploitation, and to make recommendations. The Government have now received the completed report, for which it thanks Mr Ewins, and is considering carefully the recommendations which it makes. The Government’s response to the report will be announced in due course.

The report can be found at https://www.gov.uk/government/organisations/home-office and a copy will be placed in the Library of the House.

[HCWS427]

**Police Grant Report England and Wales 2016-17**

The Minister for Policing, Crime and Criminal Justice (Mike Penning): I have today placed in the Library my proposals for the aggregate amount of grant to local policing bodies in England and Wales for 2016-17, for the approval of the House. Copies are also available in the Vote Office.

On 25 November, the Chancellor announced that police spending would be protected in real terms over the spending review period, when precept is taken into account. This is an increase of up to £900 million in cash terms by 2019-20.

The Chancellor’s statement reinforces this Government’s commitment to protect the public. That has been true over the last five years and remains the case for the coming Parliament. At the same time as protecting the overall spending envelope for the police, the Government committed to finishing the job of police reform.

Since 2010 we have seen some of the biggest changes to policing in a generation. Crime is down by over a quarter. There is significantly greater local accountability and transparency and police leaders have taken the
opportunity to radically reform the way they deliver services to the public. Police officers have been taken out of back-office roles and resources focused on front-line delivery, putting officers back on the streets where the public expect them to be. Police forces are working more closely than ever before to reduce costs and duplication, and have started to work more closely with other emergency services through co-location and collaboration in areas such as fire and mental health.

But as Her Majesty’s inspectorate of constabulary has set out, there remain further efficiencies to be made from improved and better use of IT, from greater collaboration between forces and with other public services, and from improving workforce productivity. Better, more collaborative procurement alone can save the police up to £350 million in real terms by 2019-20. We trust that police and crime commissioners (PCCs) and chief constables will do everything in their power to continue to drive those efficiencies, safeguard the quality of policing and continue to reduce crime.

The Department for Communities and Local Government (DCLG) will today publish proposals for the distribution of funding to English local authorities for 2016-17. A further £4.2 million of council tax freeze grant funding, previously paid to local policing bodies by DCLG, will be paid by the Home Office in 2016-17. This follows the permanent transfer of £500 million of other legacy council tax grants and £3 billion of “formula funding” from DCLG to the Home Office in previous years, reflecting our ambition to simplify police funding arrangements over this Parliament.

The Welsh Government set out their proposals for the allocation of funding in 2016-17 for local policing bodies in Wales.

The overall settlement will increase counter-terrorism police funding in real terms to £670 million and includes extra investment to continue the job of police reform. It provides transformation funding to develop and deliver specialist capabilities such as those required to tackle cybercrime and other emerging changes in crime, and enable a major uplift in firearms capability and capacity so that we can respond quickly and forcefully to a firearms attack. By protecting overall police spending, we will be able to deliver these changes and we will do so ensuring local identity and accountability is not lost in the process.

This settlement also includes within it the police share of the £1 billion investment costs of the emergency services network (ESN), demonstrating the importance the Government place on investing in ESN’s future capability and confidence in the substantial financial savings it will deliver.

For 2016-17, direct resource funding for each PCC, including precept, will be protected at flat cash levels, assuming that precept income is increased to the maximum amount available. This means that no PCC will face a reduction in cash funding next year compared to this year, and the majority will see marginal increases in their spending power.

I have set out below how we propose to allocate the police funding settlement between the different funding streams and between police force areas for 2016-17.

| Table 1: The 2015 spending review settlement for the police |
|---------------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|
|                                | 2015-16 (£m)   | 2016-17 (£m)   | 2017-18 (£m)   | 2018-19 (£m)   | 2019-20 (£m) |
| Change (£m)                   | Cash change percentage | Real change percentage |
| Government funding (excl CT) | 8,271           | 8,378           | 8,497           | 8,631           | 8,785         |
| o/w Home Office               | 8,099           | 8,204           | 8,321           | 8,453           | 8,604         |
| o/w DCLG                      | 37              | 37              | 37              | 37              | 0             |
| o/w Welsh Government          | 135             | 137             | 139             | 141             | 143           |
| Precept                       | 3,105           | 3,194           | 3,286           | 3,379           | 3,474         |
| Total                         | 11,376          | 11,572          | 11,783          | 12,010          | 12,259        |

*Central Government funding includes Airwave which has been brought into the police settlement and council tax freeze grant amounts which were not known at the time of the 2015-16 annual police settlement.

| Table 2: Police revenue funding 2016-17 |
|---------------------------------|-----------------|-----------------|-----------------|-----------------|
|                                | 2016-17 (£m)   |
| Central Government funding*    | 8,995           |
| o/w CT Police Grant**          | 640             |
| o/w Airwave                    | 204             |
| o/w Police Private Finance Initiatives | 73              |
| o/w Legacy Council Tax Grants  | 545             |
| Overall core Government settlement funding | 7,534          |
| Reallocations                  | 218             |
| o/w Direct Entry               | 4.6             |
| o/w Emergency Services Network | 80              |
| o/w Independent Police Complaints Commission | 32              |
| (for the transfer of integrity functions) |
| o/w Innovation Fund            | 55              |
| o/w Major Programmes (HOB and NPDP) | 21.8         |
| o/w Special Grant              | 25              |
| Transformation Fund            | 76              |
| Total direct government funding | 7,239           |
| Government formula funding     | 7,061           |
| cash change                    | -41             |
| cash change percentage from 15-16 | -0.6%        |
| real change percentage         | -2.3%           |
| National and international Capital City Grants | 178          |
| o/w City of London Police      | 4.5             |
| o/w Metropolitan Police        | 173.6           |
| Precept                       | 3,194           |
| Overall resource funding***    | 10,978          |
| cash change                    | 51              |
| cash change percentage         | 0.5%            |
| real cut                      | -1.2%           |

* includes £14 million baseline adjustment for NCA in 2016-17. A separate baseline transfer has been applied for HMIC.
** Additional capital of £30 million will be provided for CT policing.
*** Comprises formula funding, NICC grants, legacy council tax grants and precept

Provisional force-level allocations of these grants—excluding counter-terrorism police grant—for each force area in England and Wales for 2016-17 are set out in Table 4. Further detail is set out below.

Counter-terrorism police funding

I will continue to allocate specific funding for counter-terrorism policing over the course of the spending review period to ensure that the police have the capabilities to
deal with the terrorist threats that we face. The settlement will increase counter-terrorism police funding in real terms to £640 million revenue. Additional capital of £30 million will be provided.

Police and crime commissioners will receive full counter-terrorism funding allocations in the new year. For security reasons these allocations will not be available in the public domain.

BASELINE ADJUSTMENTS

Her Majesty's Inspectorate of Constabulary (HMIC)

We will provide £9.2 million to HMIC to continue its programme of thematic inspections and more wide-ranging PEEL inspections. The PEEL assessments are strong evidence of how HMIC “shines a light” on policing outcomes and value for money. They give the public a clear, independent view of the quality of policing in their local area. The public can use this information to challenge their local force and through their police and crime commissioner, hold it to account. From 2016-17 this funding will form a permanent baseline transfer to HMIC.

In addition to ensuring that no force area will face a cash reduction in direct resource funding, I have also made funding available for a number of key priorities, set out below.

REALLOCATIONS

Emergency Services Network (ESN)

A total of £80 million will be reallocated for ESN which will give all officers priority access to 4G mobile broadband data on a single network, including in some areas where it is currently not available at all, allowing them to get even more benefits from mobile working than many forces are already achieving. This investment will bring productivity and operational benefits as well as substantial savings to the taxpayer of around £400 million per year, with the police accounting for around £260 million of that saving.

Major Programmes

This year we will provide £21.8 million from the police settlement to support the continuing development of Home Office biometrics, a transformation programme looking to provide a single platform for all users—police, immigration and border, counter-terrorism and Her Majesty’s Passport Office—for all three biometric platforms (fingerprint, DNA and face), and the national police database programme that will develop a new national platform whose scope is likely to include that of the current police national computer, police national database and automatic number plate recognition systems.

Independent Police Complaints Commission (IPCC)

This is the third year of funding for the expansion of the IPCC to investigate all serious and sensitive allegations involving the police. At the midway point in 2015-16 the IPCC have opened more independent investigations than it delivered in the whole of 2014-15. In 2016-17 I am providing £32 million from the police settlement to allow the IPCC to expand and focus on investigating the most serious and sensitive cases.

College of Policing

£4.6 million will be given to the College of Policing to deliver direct entry schemes. These schemes aim to attract, select and train exceptional people who have the potential to become senior leaders in policing. This will widen the talent pool from which police leaders can be drawn, open up police culture to new influences and foster an environment where challenge and innovation are welcome. Next year the College of Policing will be opening a new direct entry route in to policing at the rank of inspector to further open up policing ranks and encourage people from different stages in their careers to consider policing.

Police Special Grant

This is the second year we have decided to provide funding from the police settlement for the discretionary police special grant contingency fund, which supports police force areas facing significant and exceptional events which might otherwise place them at financial risk. In 2016-17 I am providing £25 million from the police settlement for police special grant.

Police Innovation Fund

I will continue to promote innovation, collaboration and improved efficiency by allocating £55 million to the police innovation fund for 2016-17. This year, we want to reward more breakthrough ideas than ever before. We will continue to fund high-quality, large-scale, “implementation-ready” bids to bring innovation to life more quickly. But we are also looking for ideas for smaller scale, early-stage, “proof-of-concept” bids to make ideas a reality, at scale and pace.

POLICE TRANSFORMATION FUND

New Transformation Funding

After consideration, we are allocating £38 million new transformation funding to incentivise and facilitate transformation in policing to invest in cross-force specialist capabilities, to exploit new technology and to improve how we respond to changing threats. Further details will be provided in the new year.

Firearms capability and capacity

We will provide £34 million to enable a national uplift in armed policing capability and capacity to respond more quickly and effectively to a firearms attack. This will be distributed via the counter-terrorism policing grant.

Digital justice and digital investigations

I have decided to provide £4.6 million for policing to begin the critical work of setting up a comprehensive, joined up programme of digital transformation. My priorities for digital policing reform can be divided into three component parts: public contact, digital investigation and intelligence and digital first. This reallocation will ensure these are established as funded programmes that can begin to deliver tangible results in 2016. Joining these together will not only ensure a consistent approach, but will also provide better value for money through economies of scale.

OTHER FUNDING

National and International Capital City Grant

The Metropolitan Police, through the Greater London Authority, will receive national and international city (NICC) funding worth £174 million, and the City of London will also receive increased NICC funding worth £4.5 million. This is in recognition of the unique and additional demands of policing the capital city, and also ensures that total direct resource funding to both forces is similarly protected.
Council tax referendum principles

As announced as part of the spending review, additional flexibility will be given to the 10 PCCs in England with the lowest precept levels each year (the lower quartile), so that they can raise their precept by up to £5 per year per band D household. Other PCCs in England will face a 2.0% referendum threshold each year.

The PCCs to receive this £5 flexibility in 2016-17 are Northumbria, West Midlands, West Yorkshire, Sussex, Essex, Kent, Hertfordshire, South Yorkshire, Greater Manchester and Cheshire.

The Communities Secretary will announce the council tax referendum principles for local authorities in England in 2016-17 shortly. After considering any representations, he will set out the final principles in a report to the House and seek approval for these in parallel with the final local government finance report. Council tax in Wales is the responsibility of Welsh Ministers.

Legacy Council Tax Grants

In 2016-17 we will provide council tax freeze grant to PCCs in England relating to the 2011-12, 2013-14 and 2014-15 and 2015-16 council tax freeze schemes and local council tax support (LCTS) funding previously paid to PCCs in England by DCLG. This will total £507 million in 2016-17.

The Common Council of the City of London (on behalf of the City of London Police) and the Greater London Authority (on behalf of the Mayor’s Office for Policing and Crime) will also receive council tax freeze grant relating to the 2011-12 freeze grant scheme. The Greater London Authority will also receive an amount for the 2013-14, 2014-15 and 2015-16 schemes. These sums will continue to be paid from outside of the police funding settlement by DCLG. There will be no new freeze grant schemes in 2016-17.

Police Capital

I still intend to allocate the majority of capital funding directly to local policing bodies. Like last year all local policing bodies will receive the same percentage change in capital grant. I will continue to maintain a capital contingency. Indicative figures are set out in Table 3, and I will consider whether further reallocations are required.

Table 3: Police Capital

<table>
<thead>
<tr>
<th>Local Policing Body</th>
<th>Police Capital Grant</th>
<th>Police Special Grant Capital</th>
<th>NPAS</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avon and Somerset</td>
<td>105.0</td>
<td>1</td>
<td>16.5</td>
<td>82.5</td>
</tr>
<tr>
<td>Bedfordshire</td>
<td>40.3</td>
<td>-</td>
<td>-</td>
<td>40.3</td>
</tr>
<tr>
<td>Cambridgeshire</td>
<td>48.5</td>
<td>-</td>
<td>-</td>
<td>48.5</td>
</tr>
<tr>
<td>Cheshire</td>
<td>61.5</td>
<td>-</td>
<td>-</td>
<td>61.5</td>
</tr>
</tbody>
</table>

Table 4: Provisional revenue allocations for England and Wales 2016-17

<table>
<thead>
<tr>
<th>Local Policing Body</th>
<th>HO core (including Rule 1)</th>
<th>Welsh Government</th>
<th>Ex-DCLG Formula Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of London</td>
<td>18.4</td>
<td>-</td>
<td>33.6</td>
</tr>
<tr>
<td>Cleveland</td>
<td>46.2</td>
<td>-</td>
<td>38.5</td>
</tr>
<tr>
<td>Cumbria</td>
<td>28.7</td>
<td>-</td>
<td>30.8</td>
</tr>
<tr>
<td>Derbyshire</td>
<td>62.1</td>
<td>-</td>
<td>37.7</td>
</tr>
<tr>
<td>Devon and Cornwall</td>
<td>102.7</td>
<td>-</td>
<td>63.1</td>
</tr>
<tr>
<td>Dorset</td>
<td>41.2</td>
<td>-</td>
<td>17.3</td>
</tr>
<tr>
<td>Durham</td>
<td>42.7</td>
<td>-</td>
<td>37.0</td>
</tr>
<tr>
<td>Dyfed-Powys</td>
<td>32.1</td>
<td>5.1</td>
<td>12.9</td>
</tr>
<tr>
<td>Essex</td>
<td>102.8</td>
<td>-</td>
<td>55.9</td>
</tr>
<tr>
<td>Gloucestershire</td>
<td>34.4</td>
<td>-</td>
<td>19.5</td>
</tr>
<tr>
<td>Greater London</td>
<td>861.5</td>
<td>-</td>
<td>749.8</td>
</tr>
<tr>
<td>Greater Manchester</td>
<td>226.6</td>
<td>-</td>
<td>181.4</td>
</tr>
<tr>
<td>Gwent</td>
<td>42.4</td>
<td>-</td>
<td>30.1</td>
</tr>
<tr>
<td>Hampshire</td>
<td>120.0</td>
<td>-</td>
<td>63.1</td>
</tr>
<tr>
<td>Hertfordshire</td>
<td>71.4</td>
<td>-</td>
<td>36.4</td>
</tr>
<tr>
<td>Humbershire</td>
<td>67.2</td>
<td>-</td>
<td>46.6</td>
</tr>
<tr>
<td>Kent</td>
<td>106.3</td>
<td>-</td>
<td>66.6</td>
</tr>
<tr>
<td>Lancashire</td>
<td>100.6</td>
<td>-</td>
<td>79.2</td>
</tr>
<tr>
<td>Leicestershire</td>
<td>65.3</td>
<td>-</td>
<td>39.6</td>
</tr>
<tr>
<td>Lincolnshire</td>
<td>38.4</td>
<td>-</td>
<td>20.3</td>
</tr>
<tr>
<td>Merseyside</td>
<td>122.5</td>
<td>-</td>
<td>112.8</td>
</tr>
<tr>
<td>Norfolk</td>
<td>50.2</td>
<td>-</td>
<td>28.8</td>
</tr>
<tr>
<td>North Wales</td>
<td>46.3</td>
<td>4.9</td>
<td>21.6</td>
</tr>
<tr>
<td>North Yorkshire</td>
<td>41.7</td>
<td>-</td>
<td>27.0</td>
</tr>
<tr>
<td>Northamptonshire</td>
<td>43.2</td>
<td>-</td>
<td>24.2</td>
</tr>
<tr>
<td>Northumbria</td>
<td>110.1</td>
<td>-</td>
<td>107.4</td>
</tr>
<tr>
<td>Nottinghamshire</td>
<td>77.9</td>
<td>-</td>
<td>48.1</td>
</tr>
<tr>
<td>South Wales</td>
<td>87.5</td>
<td>-</td>
<td>72.2</td>
</tr>
<tr>
<td>South Yorkshire</td>
<td>100.6</td>
<td>-</td>
<td>77.5</td>
</tr>
<tr>
<td>Staffordshire</td>
<td>66.5</td>
<td>-</td>
<td>39.9</td>
</tr>
<tr>
<td>Suffolk</td>
<td>40.7</td>
<td>-</td>
<td>22.9</td>
</tr>
<tr>
<td>Surrey</td>
<td>62.2</td>
<td>-</td>
<td>29.2</td>
</tr>
<tr>
<td>Sussex</td>
<td>97.8</td>
<td>-</td>
<td>53.9</td>
</tr>
<tr>
<td>Thames</td>
<td>141.2</td>
<td>-</td>
<td>73.9</td>
</tr>
<tr>
<td>Valley</td>
<td>31.0</td>
<td>-</td>
<td>17.4</td>
</tr>
<tr>
<td>Warwickshire</td>
<td>66.3</td>
<td>-</td>
<td>43.4</td>
</tr>
<tr>
<td>West</td>
<td>250.8</td>
<td>-</td>
<td>180.3</td>
</tr>
<tr>
<td>West Midlands</td>
<td>171.5</td>
<td>-</td>
<td>129.3</td>
</tr>
<tr>
<td>West Yorkshire</td>
<td>37.5</td>
<td>-</td>
<td>20.7</td>
</tr>
<tr>
<td>Wiltshire</td>
<td>4,112.0</td>
<td>9.9</td>
<td>136.8</td>
</tr>
<tr>
<td>Total</td>
<td>2,802.2</td>
<td>507.4</td>
<td></td>
</tr>
</tbody>
</table>

Table 5: Change in total direct resource funding

<table>
<thead>
<tr>
<th>Force Area</th>
<th>2015-16</th>
<th>2016-17</th>
<th>Cash change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avon and Somerset</td>
<td>269.3</td>
<td>270.7</td>
<td>0.5%</td>
</tr>
<tr>
<td>Bedfordshire</td>
<td>99.6</td>
<td>100.0</td>
<td>0.4%</td>
</tr>
</tbody>
</table>
The consultation proposals form part of the Government’s continuing programme of policing reforms, including changes to the police complaints and disciplinary systems.

Public confidence in the police is the basis for our long-established model of policing by consent. The IPCC plays a critical role in securing and maintaining public confidence, providing independent oversight of the police complaints system and investigating the most serious and sensitive matters involving the police. I am committed to ensuring that the IPCC has the resources and powers it needs to perform these vital functions.

In March 2013, I announced that resources would be transferred to the IPCC to enable it to expand to undertake many more independent investigations. This major change programme is progressing well and in 2014-15 the IPCC started more than twice the number of investigations it began in the previous year. The IPCC are taking on more again this year, while concluding more cases than ever before.

On 12 March 2015 I gave a statement to the House in which I set out a number of radical reforms on police integrity which included giving the IPCC new powers and strengthening its role as an independent oversight body. The Government will be legislating for these changes in the forthcoming policing Bill.

As part of this package of reforms, I also asked the IPCC to consider reforms to its governance arrangements and structure to help it, as a significantly larger organisation, to deliver more cases and to increase public confidence in the reformed police complaints system.

Following the publication of the IPCC’s proposals in August, I invited Sheila Drew Smith OBE, a member of the Committee on Standards in Public Life, to undertake an independent review of the IPCC’s proposals, in particular to consider their likely impact on public confidence and, as appropriate, provide recommendations for alternative reforms to governance structures.

Today I am publishing Sheila Drew Smith’s report alongside the public consultation on the Government’s proposed reforms to the IPCC’s governance. I am proposing that the existing commission model should be replaced by a single Crown appointee, supported by a unitary board, providing one single, clear line of decision-making in the organisation from top to bottom. These changes, and others set out in the consultation, are designed to deliver a more capable, more resilient IPCC, with clear lines of accountability and decision-making, and will help ensure that complaints made against the police are responded to in a way that builds trust and public confidence, and allows lessons to be learned.

I would like to record my thanks to the IPCC and to Sheila Drew Smith for their efforts in considering these important changes.

The public consultation will run until 28 January 2015. Following the publication of a response to the consultation, the Government intend to legislate as soon as practicable. Copies of the consultation document and of Sheila Drew Smith’s report will be placed in the Library of the House and also published alongside the public consultation via the Home Office pages on the gov.uk website.

I hope that those with an interest in the IPCC will take the time to respond to the consultation.

The Secretary of State for the Home Department (Mrs Theresa May): Today, I am launching a public consultation on reforming the governance structure of the Independent Police Complaints Commission (IPCC).

### Table 5: Change in total direct resource funding*

<table>
<thead>
<tr>
<th>Force Area</th>
<th>2015-16 £m</th>
<th>2016-17 £m</th>
<th>Cash change £m</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cambridgeshire</td>
<td>128.1</td>
<td>128.9</td>
<td>0.8</td>
<td>0.6%</td>
</tr>
<tr>
<td>Cheshire</td>
<td>169.5</td>
<td>170.9</td>
<td>1.4</td>
<td>0.8%</td>
</tr>
<tr>
<td>City of London</td>
<td>55.4</td>
<td>56.8</td>
<td>1.4</td>
<td>2.5%</td>
</tr>
<tr>
<td>Cleveland</td>
<td>122.3</td>
<td>122.5</td>
<td>0.3</td>
<td>0.2%</td>
</tr>
<tr>
<td>Cumbria</td>
<td>99.2</td>
<td>99.7</td>
<td>0.5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Derbyshire</td>
<td>160.7</td>
<td>161.4</td>
<td>0.7</td>
<td>0.4%</td>
</tr>
<tr>
<td>Devon and Cornwall</td>
<td>278.0</td>
<td>279.5</td>
<td>1.5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Dorset</td>
<td>118.4</td>
<td>119.3</td>
<td>1.0</td>
<td>0.8%</td>
</tr>
<tr>
<td>Durham</td>
<td>112.5</td>
<td>112.7</td>
<td>0.2</td>
<td>0.2%</td>
</tr>
<tr>
<td>Dyfed-Powys</td>
<td>93.3</td>
<td>94.1</td>
<td>0.8</td>
<td>0.8%</td>
</tr>
<tr>
<td>Essex</td>
<td>260.8</td>
<td>263.4</td>
<td>2.5</td>
<td>1.0%</td>
</tr>
<tr>
<td>Gloucestershire</td>
<td>104.3</td>
<td>105.1</td>
<td>0.8</td>
<td>0.8%</td>
</tr>
<tr>
<td>Greater</td>
<td>2,517.4</td>
<td>2,522.4</td>
<td>5.0</td>
<td>0.2%</td>
</tr>
<tr>
<td>Greater Manchester</td>
<td>541.2</td>
<td>542.9</td>
<td>1.7%</td>
<td>0.3%</td>
</tr>
<tr>
<td>Gwent</td>
<td>117.8</td>
<td>118.5</td>
<td>0.7</td>
<td>0.6%</td>
</tr>
<tr>
<td>Hampshire</td>
<td>299.1</td>
<td>300.6</td>
<td>1.5</td>
<td>0.5%</td>
</tr>
<tr>
<td>Hertfordshire</td>
<td>181.1</td>
<td>182.9</td>
<td>1.8</td>
<td>1.0%</td>
</tr>
<tr>
<td>Humberside</td>
<td>169.4</td>
<td>169.8</td>
<td>0.5</td>
<td>0.3%</td>
</tr>
<tr>
<td>Kent</td>
<td>273.1</td>
<td>275.5</td>
<td>2.4</td>
<td>0.9%</td>
</tr>
<tr>
<td>Lancashire</td>
<td>258.9</td>
<td>259.5</td>
<td>0.6</td>
<td>0.2%</td>
</tr>
<tr>
<td>Leicestershire</td>
<td>167.7</td>
<td>168.5</td>
<td>0.7</td>
<td>0.4%</td>
</tr>
<tr>
<td>Lincolnshire</td>
<td>108.4</td>
<td>109.1</td>
<td>0.7</td>
<td>0.7%</td>
</tr>
<tr>
<td>Merseyside</td>
<td>307.0</td>
<td>307.0</td>
<td>0.0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Norfolk</td>
<td>145.5</td>
<td>146.5</td>
<td>1.0</td>
<td>0.7%</td>
</tr>
<tr>
<td>North Wales</td>
<td>139.8</td>
<td>141.1</td>
<td>1.3</td>
<td>0.9%</td>
</tr>
<tr>
<td>North</td>
<td>137.1</td>
<td>138.2</td>
<td>1.1</td>
<td>0.8%</td>
</tr>
<tr>
<td>Yorkshire</td>
<td>239.1</td>
<td>240.0</td>
<td>0.9</td>
<td>0.4%</td>
</tr>
<tr>
<td>Northamptonshire</td>
<td>119.2</td>
<td>119.9</td>
<td>0.7</td>
<td>0.6%</td>
</tr>
<tr>
<td>Northumbria</td>
<td>259.5</td>
<td>260.3</td>
<td>0.8</td>
<td>0.3%</td>
</tr>
<tr>
<td>Nottinghamshire</td>
<td>188.9</td>
<td>189.5</td>
<td>0.6</td>
<td>0.3%</td>
</tr>
<tr>
<td>South Wales</td>
<td>255.1</td>
<td>256.5</td>
<td>1.5</td>
<td>0.6%</td>
</tr>
<tr>
<td>South</td>
<td>239.1</td>
<td>240.0</td>
<td>0.9</td>
<td>0.4%</td>
</tr>
<tr>
<td>Staffordshire</td>
<td>176.7</td>
<td>177.6</td>
<td>0.8</td>
<td>0.5%</td>
</tr>
<tr>
<td>Suffolk</td>
<td>110.9</td>
<td>111.6</td>
<td>0.7</td>
<td>0.6%</td>
</tr>
<tr>
<td>Surrey</td>
<td>205.0</td>
<td>207.1</td>
<td>2.1</td>
<td>1.0%</td>
</tr>
<tr>
<td>Sussex</td>
<td>249.7</td>
<td>252.1</td>
<td>2.5</td>
<td>1.0%</td>
</tr>
<tr>
<td>Thames Valley</td>
<td>369.7</td>
<td>371.9</td>
<td>2.2</td>
<td>0.6%</td>
</tr>
<tr>
<td>Warwickshire</td>
<td>89.5</td>
<td>90.1</td>
<td>0.6</td>
<td>0.7%</td>
</tr>
<tr>
<td>West Mercia</td>
<td>198.5</td>
<td>199.8</td>
<td>1.3</td>
<td>0.6%</td>
</tr>
<tr>
<td>West</td>
<td>522.8</td>
<td>524.0</td>
<td>1.2</td>
<td>0.2%</td>
</tr>
<tr>
<td>North Midlands</td>
<td>404.6</td>
<td>406.3</td>
<td>1.7</td>
<td>0.4%</td>
</tr>
<tr>
<td>West Yorkshire</td>
<td>102.8</td>
<td>103.5</td>
<td>0.6</td>
<td>0.6%</td>
</tr>
<tr>
<td>Wiltshire</td>
<td>10,927.0</td>
<td>10,977.8</td>
<td>50.8</td>
<td>0.5%</td>
</tr>
</tbody>
</table>

*This includes all formula grant, NICC grants and legacy council tax grants and police precept. This assumes that PCCs in England increase their precept to the maximum referendum limit in 2016-17, PCCs in Wales raise council tax by 2% and tax base growth of 0.5% across England and Wales.

[HCWS426]

Independent Police Complaints Commission

The Secretary of State for the Home Department (Mrs Theresa May): Today, I am launching a public consultation on reforming the governance structure of the Independent Police Complaints Commission (IPCC).
JUSTICE

HMCTS

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): I will today publish the Government response to the consultation on proposals to increase court and tribunal fees. The consultation paper was published on 22 July 2015 and the consultation closed on 15 September 2015.

The Government announced in the spending review that it will be investing £700 million in reforming the courts and tribunals during the next five years. This crucial investment will allow us to modernise and improve the service we provide to the public.

There remains a need to ensure the courts are not placing too great a burden on the taxpayer. Courts and tribunals in England and Wales cost £1.7 billion in 2014-15, but we only recovered £700 million in income. That is a net cost to the taxpayer of around £1 billion.

It is therefore right that we ask for a greater contribution from court users who can afford to pay more. We have balanced this need alongside the responses we received to our consultation and decided to:

Implement fee increases of 10% across the range of civil proceedings, including enforcement proceedings, determination of costs proceedings, and civil business in the magistrates courts.

Introduce fees for the first time in the General Regulatory Chamber and the tax chamber of the First-tier Tribunal and in the Upper Tribunal Tax and Chancery Chamber.

Keep the maximum fee cap in money claims at £10,000. A number of consultees were concerned about the proposal to raise the cap to £20,000. We accept that it is too soon to understand the full impact of the first round of fee increases introduced in March this year. We will therefore not implement the further increase at this stage, but keep this option under review.

Introduce a fee of £20 for an appeal against a financial penalty in the tax chamber. Some respondents felt that it was unfair to charge an issue fee of £100 for an appeal against a financial penalty of £100 or less imposed by HM Revenue and Customs, so we have decided to introduce a lower fee than initially proposed.

Introduce fees of £100 to issue proceedings in the Property Chamber and £200 for a hearing. There will be an exception for proceedings relating to rent levels and pitch fee applications, where a lower fee of £20 will apply. This will mean fees are more proportionate to the amount in dispute. We will not implement the higher fees for leasehold enfranchisement proceedings that were proposed in the consultation paper at this stage, so these proceedings will be subject to the standard fees in the chamber.

Defer any decision on whether to introduce a fee for bringing an appeal against a decision of the Information Commissioner until the Independent Commission on Freedom of Information reports next year.

HMCTS’s remissions scheme will apply to all of the new and increased fees, with the exception of those in the Immigration and Asylum Chamber of the First-tier Tribunal where there is a separate exemptions policy to protect vulnerable users. As proposed in the consultation document, we will introduce an additional exemption for those whose humanitarian protection or refugee status is at risk of being revoked.

Fees are never popular, but they are necessary if we are to reduce the burden of the courts and tribunals on the taxpayer.

We have sought to protect the vulnerable at every stage. We have also listened very carefully to concerns raised during the consultation and modified our proposals accordingly.

This balanced package will put the courts and tribunals on a more sustainable footing as we create a modern efficient service, fit for the 21st century.

Full details of how the Government intend to take forward these proposals are set out in the consultation response document which has been published on the gov.uk website.

[HCWS438]

Insolvency Litigation

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): My noble friend the Minister of State for Civil Justice (Lord Faulks QC) has made the following written statement:

The Government have made a priority of addressing the high costs of civil litigation in England and Wales.

To that end, part 2 of the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012 reforms the operation of no win no fee conditional fee agreements. Those reforms came into effect generally in April 2013 but were delayed in respect of insolvency proceedings.

After further consideration the Government have decided that the no win no fee reforms should now be applied to insolvency proceedings. The provisions will come into force for these cases in April 2016.

It has already been announced that there will be a post-implementation review of the LASPO Act part 2 reforms between April 2016 and April 2018. The review will take place towards the end of that period. The review under section 48 of the Act in relation to mesothelioma cases will also take place as part of the post-implementation review.

[HCWS420]

Prisons

The Lord Chancellor and Secretary of State for Justice (Michael Gove): I will today publish the Government’s response to the Harris review into self-inflicted deaths in custody of 18 to 24-year-olds.

The Government are grateful to Lord Harris of Haringey and the Harris review panel for their report on this important review.

We must never simply accept self-harm and self-inflicted deaths as an inevitable feature of prison life. Reducing the rates of violence, self-harm and deaths in custody is a priority for the National Offender Management Service. I have already made clear that our prison system needs urgent reform. I have also asked Charlie Taylor to review the current system of youth justice. We will be setting out more detail on our plans for reform in due course.

The Government’s response to the Harris review sets out the wide range of action we are taking to reduce self-harm and self-inflicted deaths in custody, including giving greater support to those with mental health vulnerabilities who come into contact with the criminal justice system and improving the management of “safer cells” in prisons. We are also increasing the number of prison staff. Over the last year we recruited 2,340 prison officers, a net increase of 540.

The Harris review, and our response, will help to address the serious problems of self-harm and self-inflicted deaths as we develop our wider reforms to make prisons places of decency, hope and rehabilitation.
The response will be laid today and copies will be available in the Vote and Printed Paper Offices. The response will also be published online at: www.gov.uk

[HCWS419]

Ex-armed Services Personnel and the Criminal Justice System

The Minister for Policing, Crime and Criminal Justice (Mike Penning): I am today publishing an update on the progress that has been made in addressing the rehabilitation needs of ex-armed services personnel in the criminal justice system (CJS), as agreed by the Ministry of Justice in the Government response to the independent review into former service personnel in the CJS by Stephen Phillips QC MP, published in December 2014.

I reiterate my belief that we have an obligation to ensure those who serve in the armed forces are not disadvantaged as a result of their service. We are clear that all offenders, including those with a military history, should have the support they need to turn their lives around and stop offending.

The key to providing better services to ex-service personnel who find themselves in the CJS is to make sure that we identify them. I am pleased to see that the early data collected by the liaison and diversion services programme and the basic custody screening tool at prison reception, show that the number of ex-service personnel in the criminal justice system continues to remain small.

We are also working to consolidate our understanding of the needs of this group of offenders. We published two pieces of analyses last year, which found that, in general, the needs of ex-service personnel are broadly similar to those of other offenders, although specific areas of need may be more prevalent. For example, ex-service personnel had similar levels of reported general mental health problems to other prisoners, but may have greater levels of need in depression and post-traumatic stress disorder. A fully rolled-out liaison and diversion service will provide a real opportunity to meet the mental health needs, as well as other vulnerabilities, of ex-service personnel, and we will continue to drive this.

I am pleased that the covenant reference group identified support to ex-service personnel in the CJS as one of the funding priorities for the £10 million armed forces covenant fund 2015-16. The Government have also awarded £1 million to Care after Combat and £1.6 million to Skillforce to support their work with ex-service personnel.

The full update can be found at: https://www.gov.uk/government/publications/former-members-of-the-armed-forces-and-the-criminal-justice-system and copies will be placed in the Libraries of both Houses.

[HCWS412]

PRIME MINISTER

Muslim Brotherhood Review

The Prime Minister (Mr David Cameron): I have today laid before both Houses the main findings of the internal review I commissioned in the last Parliament, to improve the Government’s understanding of the Muslim Brotherhood; establish whether the Muslim Brotherhood’s ideology or activities, or those of individual members or affiliates, put at risk, damaged, or risked damaging the UK’s national interests; and where appropriate inform policy.

The review involved substantial research and wide consultation, including Muslim Brotherhood representatives in the UK and overseas, and an open invitation to other interested parties to submit written contributions.

It is a complex subject: the Muslim Brotherhood comprises both a transnational network, with links in the UK, and national organisations in and outside the Islamic world. The movement is deliberately opaque, and habitually secretive.

Since the authors completed their initial research in 2014, and during the course of the Government’s examination of the findings, further allegations of violence carried out by supporters of the Muslim Brotherhood have surfaced, which the Government will continue to investigate, taking action as appropriate.

As the Muslim Brotherhood continues to evolve so must our understanding of it. The findings have revealed much that we did not know but work will continue to ensure we keep up to date with developments.

The Government consider the following the most important findings.

The Muslim Brotherhood’s foundational texts call for the progressive moral purification of individuals and Muslim societies and their eventual political unification in a caliphate under Sharia law. To this day the Muslim Brotherhood characterises western societies and liberal Muslims as decadent and immoral. It can be seen primarily as a political project.

Parts of the Muslim Brotherhood have a highly ambiguous relationship with violent extremism. Both as an ideology and as a network it has been a rite of passage for some individuals and groups who have gone on to engage in violence and terrorism. It has stated its opposition to al-Qaeda (AQ) but it has never credibly denounced the use made by terrorist organisations of the work of Sayyid Qutb, one of the Brotherhood’s most prominent ideologues. Individuals closely associated with the Muslim Brotherhood in the UK have supported suicide bombing and other attacks in Israel by Hamas, an organisation whose military wing has been proscribed in the UK since 2001 as a terrorist organisation, and which describes itself as the Palestinian chapter of the Muslim Brotherhood. Moreover, despite the Egyptian Muslim Brotherhood’s public condemnation of violence in 2012-13 and afterwards, some of their supporters have been involved in violent exchanges with the security forces and other groups. Media reports and credible academic studies indicate that in the past 12 months a minority of Muslim Brotherhood supporters in Egypt have engaged alongside other Islamists in violent acts. Some senior leaders have publicly reiterated the Muslim Brotherhood’s commitment to non-violence, but others have failed to renounce the calls for retribution in some recent Muslim Brotherhood statements.

Muslim Brotherhood-associated and influenced groups in the UK have at times had a significant influence on national organisations which have claimed to represent Muslim communities—and on that basis have had a dialogue with Government—charities and some mosques.
But they have also sometimes characterised the UK as fundamentally hostile to Muslim faith and identity; and expressed support for terrorist attacks conducted by Hamas.

Aspects of the Muslim Brotherhood’s ideology and activities therefore run counter to British values of democracy, the rule of law, individual liberty, equality and the mutual respect and tolerance of different faiths and beliefs. The Muslim Brotherhood is not the only movement that promotes values which appear intolerant of equality and freedom of faith and belief. Nor is it the only movement or group dedicated in theory to revolutionising societies and changing existing ways of life. But I have made clear this Government’s determination to reject intolerance, and to counter not just violent Islamist extremism, but also to tackle those who create the conditions for it to flourish.

The main findings of the review support the conclusion that membership of, association with, or influence by the Muslim Brotherhood should be considered as a possible indicator of extremism.

We will therefore keep under review the views that are promoted and activities that are undertaken by Muslim Brotherhood associates in the UK, in Arabic as well as English. We will consider whether any action under the counter-extremism strategy or as part of our wider work may be appropriate; including action in line with the new engagement policy the Government will develop to ensure central and local government do not inadvertently provide legitimacy or a platform for extremists. We will challenge extremists’ poisonous narratives and promote positive alternatives that show vulnerable people that there are better ways to get on in life.

We will continue to:

- refuse visas to members and associates of the Muslim Brotherhood who are on record as having made extremist comments, where this would be conducive to the public good and in line with our existing policy guidelines and approach to extremism in all forms;
- seek to ensure charities that have links to the Muslim Brotherhood are not misused to support or finance the Muslim Brotherhood instead of their lawful charitable purpose; strengthen liaison arrangements with international partners to ensure that allegations of illicit funding or other misuse of charities are robustly investigated and appropriate action taken;
- enforce the EU asset freeze on Hamas; and
- keep under review whether the views and activities of the Muslim Brotherhood meet the legal test for proscription.

We will also intensify scrutiny of the views and activities that Muslim Brotherhood members, associates and affiliates—whether based in the UK or elsewhere—promote overseas. As our counter-extremism strategy makes clear, insights from our overseas posts will help the Government better understand drivers, networks and ideologies. We will continue to consult, and share information and analysis with, Governments in the middle east and north Africa as appropriate. We will then take further decisions and actions as needed.

The Council held a policy debate on social aspects in road transport, which also covered broader market objectives. Several member states made it clear that they could not support further market liberalisation without a greater harmonisation of social conditions. However I joined others in calling for a more balanced framework to ensure that social measures do not create barriers to the freedom to provide services. During the debate two member states called for an extension of existing licensing rules to bring vehicles below 3.5 tonnes into scope, in order to ensure fair competition. I flagged significant reservations on any such extension due to our concerns over the likely rise in enforcement costs and potential negative impact on road safety.

Under any other business, there were several aviation items, including: a presentation from the Commission on its proposed aviation package, published on 7 December, which aims to enhance competitiveness, improve growth and maintain high EU standards in safety, security, environment, social provisions and passenger rights; a presentation from the Netherlands on the investigation into the crash of flight MH17; and information from Bulgaria, together with other member states in the International Civil Aviation Organisation (ICAO) central European rotation group, on the 2016 election to the ICAO Council.

The Commission also gave a brief presentation on its state of the energy union report encouraging further member state action, in particular calling on member states to start drafting their national energy and climate plans, and updated member states on transport security following recent tragic events. The presidency encouraged member states to ratify the Luxembourg protocol, relating to the financing and purchasing of rail rolling stock, and finally, the Netherlands outlined their transport priorities for their upcoming presidency which include taking forward negotiations on aviation proposals, opening trilogue discussions with the European Parliament on the ports services regulation and completing them on the fourth railway package, and promoting developments in innovative technology.

Following formal Council business I attended the lunchtime debate on road safety, which discussed ways in which to reduce fatalities and serious injuries across the EU, and held bilateral meetings with my French and Polish counterparts, as well as thanking the Luxembourg Minister for their very competent presidency.

Ministerial Cars

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I am publishing today details of the charges incurred by Departments for the use of official Government cars provided to Ministers by the Government Car Service (GCS) during the financial years 2012-13, 2013-14, and 2014-15. Charges to Departments have not increased since 2010. The GCS has reduced its running costs by over two thirds since the start of the reform programme and we are committed to continue reducing the cost to the taxpayer of the provision of secure ministerial cars. As a result of a series of changes, including closure of the Government mail service, overall operating costs have fallen from £21.617 million in 2010-11 to £6.325 million in 2014-15.

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I attended the final formal Transport Council meeting under the Luxembourg presidency (the presidency) on 10 December 2015.

Ministerial Cars

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I am publishing today details of the charges incurred by Departments for the use of official Government cars provided to Ministers by the Government Car Service (GCS) during the financial years 2012-13, 2013-14, and 2014-15. Charges to Departments have not increased since 2010. The GCS has reduced its running costs by over two thirds since the start of the reform programme and we are committed to continue reducing the cost to the taxpayer of the provision of secure ministerial cars. As a result of a series of changes, including closure of the Government mail service, overall operating costs have fallen from £21.617 million in 2010-11 to £6.325 million in 2014-15.
The charges recorded in this statement reflect the service model which came into effect in April 2012. This provides Departmental Pool Cars which are a shared resource for a Department to use as efficiently as possible. In addition, the Car Service offers a small pre-bookable service utilising any spare capacity.

These charges do not necessarily reflect the total spend on car services for Ministers as some Departments have arrangements with other providers. The Chancellor uses the Government Car Service to supply a driver and vehicle for his protection package whereas the Prime Minister, Home, Foreign, Defence and Northern Ireland Secretaries of State use the Metropolitan Police.

Attachments can be viewed online at: http://www.parliament.uk/writtenstatements [HCWS436]

Walking and Cycling Investment Strategy

The Parliamentary Under-Secretary of State for Transport (Mr Robert Goodwill): I am today publishing the Government’s timetable for the development of the first cycling and walking investment strategy (CWIS).

In February 2015, the Government introduced a duty through the Infrastructure Act 2015 for the Secretary of State for Transport to bring forward a cycling and walking investment strategy in England. In July, part 2 of the Infrastructure Act (cycling and walking investment strategies) was enacted.

The document, setting the first cycling and walking investment strategy, sets a long-term vision for walking and cycling to 2040 through a series of consecutive five-year strategies. Our starting principle for the development of the investment strategy is a desire for cycling and walking to become the norm for short journeys or as part of a longer journey in places that are designed first and foremost for people on foot or bicycle.

The document also sets out the elements that will form the first investment strategy, which will be a step towards delivering our manifesto commitment to double cycling—an ambition document and statement of funds available, governance structures, a performance monitoring framework, and a national walking and cycling infrastructure plan study. I plan to undertake public consultation on the draft first CWIS next spring with publication following in the summer.

I will be placing a copy of this statement and the document “Setting the First Cycling and Walking Investment Strategy” in the Libraries of both Houses.

Attachments can be viewed online at http://www.parliament.uk/writtenstatements. [HCWS413]
Petition

Monday 30 November 2015

PRESENTED PETITION
Petition presented to the House but not read on the Floor

School Funding Model

The petition of residents of Rutland and Melton,
Declares that the petitioners believe the existing school funding model in England is arbitrary and unfair; further declares that the ten best funded areas of England have on average received grants of £6,300 per pupil this year, compared to an average of £4,200 per pupil in the ten most poorly funded areas of England; and further declares that the petitioners welcome the Government’s commitment to introduce fairer school funding.

The petitioners therefore request that the House of Commons supports the earliest possible introduction of a new National Funding Formula for schools in England.

And the petitioners remain, etc.
Petition

Tuesday 1 December 2015

PRESENTED PETITION
Petition presented to the House but not read on the Floor

School Funding Model

The petition of residents of Bosworth,

Declares that the petitioners believe the existing school funding model in England is arbitrary and unfair; further declares that the ten best funded areas of England have on average received grants of £6,300 per pupil this year, compared to an average of £4,200 per pupil in the ten most poorly funded areas of England; and further declares that the petitioners welcome the Government’s commitment to introduce fairer school funding.

The petitioners therefore request that the House of Commons supports the earliest possible introduction of a new National Funding Formula for schools in England.

And the petitioners remain, etc.—[Presented by David Tredinnick.] [P001558]

Petitions in the same terms were also presented by the right hon Member for Leigh (Andy Burnham) [P001581]; the hon. Member for Hereford and South Herefordshire (Jesse Norman) [P001607]; the hon. Member for Tonbridge and Malling (Tom Tugendhat) [P001612]; the hon. Member for Tamworth (Christopher Pincher) [P001622]; the right hon. Member for East Yorkshire (Sir Greg Knight) [P001653]; and the hon. Member for Huntingdon (Mr Djanogly) [P001654].

Petition was also presented

The petition of residents of Cambridge,

Declares that the petitioners believe the existing school funding model in England is arbitrary and unfair; further declares that the ten best funded areas of England have on average received grants of £6,300 per pupil this year compared to an average of £4,253 per pupil in Cambridge; and further declares that the petitioners welcome the Government’s commitment to introduce fairer school funding.

The petitioners therefore request that the House of Commons supports the earliest possible introduction of a new National Funding Formula for schools in England.

And the petitioners remain, etc.—[Presented by Daniel Zeichner.] [P001605]
Petition

Thursday 3 December 2015

PRESENTED PETITION
Petition presented to the House but not read on the Floor
School Funding Model

The petition of residents of Charnwood,
Declares that the petitioners believe the existing school
funding model in England is arbitrary and unfair; further
declares that the ten best funded areas of England have
on average received grants of £6,300 per pupil this year,
compared to an average of £4,200 per pupil in the
10 most poorly funded areas of England; and further
declares that the petitioners welcome the Government’s
commitment to introduce fairer school funding.

The petitioners therefore request that the House of
Commons supports the earliest possible introduction of
a new National Funding Formula for schools in England.

And the petitioners remain, etc.—[Presented by Edward
Argar.]

[P001658]
Petition

Monday 7 December 2015

OBSERVATIONS

COMMUNITIES AND LOCAL GOVERNMENT

Parking restrictions in Scunthorpe

The petition of residents of Scunthorpe County Constituency,

Declares their objections to the parking restrictions which have recently been imposed by North Lincolnshire Council on Newland Drive, Scunthorpe.

The petitioners therefore request that the House of Commons urges the Secretary of State for Communities and Local Government to request North Lincolnshire Council to review the new parking restrictions and the impact on local residents.

And the petitioners remain, etc.—[Presented by Nic Dakin, Official Report, 4 November 2015; Vol. 601, c. 1082.]

Observations from The Parliamentary Under-Secretary of State for Communities and Local Government (Marcus Jones):

The Department is aware of the views of the residents of Scunthorpe in relation to the parking restrictions imposed on Newland Drive by North Lincolnshire Council.

Parking is ultimately the responsibility of local authorities, and it is up to them to decide the best approach for their areas. However, traffic regulation orders need to meet the best interests of road users, communities and businesses. Inappropriate and over-zealous parking rules make it unnecessarily harder for people to park responsibly and go about their everyday lives.

Government are aware that traffic regulation orders can appear not to factor in the opinions of local residents, which is why we published guidance on this issue in March 2014, entitled 'Right to challenge parking policies'.
Petition

Wednesday 9 December 2015

OBSERVATIONS

COMMUNITIES AND LOCAL GOVERNMENT

Greenbelt land in Morecambe and Lunesdale

The petition of residents of Morecambe and Lunesdale, Declares that the petitioners believe that there should not be any building allowed by Lancaster City Council's Local Plan on the Greenbelt in Bolton Le Sands and Hest Bank.

The petitioners therefore request that the House of Commons urges the Government to encourage Lancaster City Council to take steps to support the residents in Morecambe and Lunesdale and to ensure that plans to ring-fence the Greenbelt marked GB4 are scrapped and that places to build homes are sought in other areas.

And the petitioners remain, etc.—[Presented by David Morris, Official Report, 25 November 2015; Vol. 602, c. 1458.]

Observations from the Minister of State for Housing and Planning (Brandon Lewis):

Green Belts are created by local authorities, who are required to protect them in line with national policy set out in the national planning policy framework. The framework states that, to preserve the openness of the Green Belt, inappropriate development, including most forms of house-building, should not be approved there except in very special circumstances. It also makes clear that a Green Belt boundary can be altered only in exceptional circumstances, using the local plan. Local authorities, working with their communities, have to determine the best location for new homes. Guidance was issued last year to remind local authorities that they must have due regard to national policies, such as Green Belt policy, which indicate that development should be restricted and which may restrain an authority's ability to meet its housing need.

We want local communities to be in charge of planning their areas. Only in very exceptional circumstances would the Secretary of State intervene in the plan-making process, and I see no reason to do so in this instance. When any Green Belt review has been completed and the local plan revised, the draft plan is submitted for formal examination by a planning inspector. The inspector, who exercises independent judgement in the name of the Secretary of State, will consider the plan in the light of legal requirements and whatever policy requirements in the framework are material. If the petitioners have fresh evidence at that stage, this may be taken into account if relevant. The inspector then provides a report to the local authority, indicating whether its draft plan has met the legal tests and is sound, or else making recommendations. A plan will be found sound only if it is properly prepared, justified, effective and consistent with national policy in the framework.
Petition

Thursday 10 December 2015

OBSERVATIONS

HOME DEPARTMENT

Anti-social behaviour in Rushey Fields Park (Leicester)

The petition of residents of Leicester,

Declares that urgent steps need to be taken to stop anti-social behaviour, attacks and robberies by groups of young people on users and nearby residents of Rushey Fields Park in Leicester and further that it is the only green space in the area and this kind of behaviour is discouraging people who are concerned for their safety and welfare from using the park.

The petitioners therefore request that the House of Commons urges Leicester City Council to put CCTV security measures in place and increase police patrols to discourage anti-social behaviour, robberies and attacks on park users and nearby residents.

And the petitioners remain, etc.—[Presented by Keith Vaz, Official Report, 25 November 2015; Vol. 602, c. 1458.]

Observations from the Parliamentary Under-Secretary of State for the Home Department (Karen Bradley):

The Government recognise that anti-social behaviour and associated criminality can have a significant impact on the quality of life in communities affected by it, and that left unchecked, it can make people’s lives a misery.

The Anti-social Behaviour, Crime and Policing Act 2014 introduced new and flexible powers to enable the police, local authorities and other partners to take effective action to stop such behaviour and to protect our communities. A number of areas are making good use of these powers to address anti-social behaviour within their communities.

It must, however, be for the local authority and the police, using their professional expertise, knowledge and judgement, to determine whether to make use of the new powers to tackle the problems being experienced in Rushey Fields Park, and whether other responses, including the use of police patrols may be appropriate.

The possible use of CCTV in the area will be one of a number of competing priorities and demands upon the budget of Leicester City Council. CCTV systems are one of the tools available to the local authority and its partners to fulfil its statutory responsibilities under section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in its area. It is, however, a matter for local partners to determine whether and how best to deploy and operate CCTV systems, taking into account the resources available and guidance in the surveillance camera code of practice.
Petition

Tuesday 15 December 2015

OBSERVATIONS

TRANSPORT

Wheelchair access to railway stations

The petition of residents of the Sherwood constituency, Declares that the platform at Kirkby-in-Ashfield train station is not accessible to wheelchair users; further that this is discriminatory and adversely affects the quality of life of those who require a wheelchair to get around as it prevents them from being able to travel in a dignified and independent fashion; further that the platform at Kirkby-in-Ashfield train station should be fully accessible to all train users; and further that another local petition on this matter was signed by 472 individuals.

The petitioners therefore request that the House of Commons urges the Government to put measures in place to ensure that the platform at Kirkby-in-Ashfield train station is accessible to wheelchair users.

And the Petitioners remain, etc.—[Presented by Mark Spencer. Official Report, 24 November 2015; Vol. 602, c. 1329.]

Observations from the Parliamentary Under-Secretary of State for Transport (Claire Perry):

The Government are committed to improving accessibility at railway stations. However, many of the stations date from a time when the needs of disabled customers were simply not considered, and at present only around 460 of our 2,500 stations have step free access to and between every platform.

The Government have therefore continued with the Access for All programme, launched in 2006, which by 2019-20 will have provided step free access at more than 200 stations and has already delivered smaller scale access improvements at over 1200 stations.

In 2013, the DfT asked the rail industry to nominate stations for the latest tranche of Access for All funding. Sixty eight stations were chosen from the 278 nominated. The stations were selected according to their annual passenger numbers, weighted by the incidence of disability in the area (using Census data). The preferences of the train operating companies, local factors such as proximity to a hospital and the availability of any third party funding were also taken into account. A number of stations were also chosen to ensure a fair geographical spread across the UK.

East Midlands Trains nominated 11 of their stations, but did not put forward Kirkby-in-Ashfield. It could not therefore be considered for funding. All of the available funding is now allocated until at least 2019. Should further funding become available in the future we will commission new nominations for projects, but it will be for the train operators to prioritise their own nominations.

Where passengers are unable to use a particular station then the train operating company is obliged to provide alternative transport at no additional cost. This obligation is part of their licence to operate issued by the Office of Rail and Roads, as well as helping to meet the Equality Act 2010 requirement to provide reasonable access to their services. In most cases the operator will provide an accessible taxi to the next station that can be used.
Petition

Petition presented to the House but not read on the Floor

School Funding Model

The petition of residents of Maidstone & The Weald,
Declares that the petitioners believe the existing
school funding model in England is arbitrary and
unfair; further declares that the ten best funded areas
of England have on average received grants of £6,300
per pupil this year, compared to an average of £4,200
per pupil in the ten most poorly funded areas of
England; and further declares that the petitioners
welcome the Government’s commitment to introduce
fairer school funding.

The petitioners therefore request that the House of
Commons supports the earliest possible introduction of
a new National Funding Formula for schools in England.

And the petitioners remain, etc.—[Presented by
Mrs Helen Grant.]
Petitions

Thursday 17 December 2015

PRESENTED PETITION

Petition presented to the House but not read on the Floor

Tax Credits

The petition of residents of the Wakefield constituency,

Declares that the petitioners are strongly opposed to the Government’s proposed cuts to tax credits which will cost working families up to £1,300 a year.

The petitioners therefore request that the House of Commons reconsiders the proposals and stop the tax credit cuts.

And the petitioners remain, etc. [P001666]

INTERNATIONAL DEVELOPMENT OBSERVATIONS

Treatment of West African Institute for Trypanosomiasis Research personnel in Nigeria

The petition of Geoffrey Moffat,

Declares that the petitioner carried out two tours of duty as a field officer in Nigeria between 1957 and 1961 with the quasi-government organisation W.A.I.T.R (West African Institute for Trypanosomiasis Research); further that the petitioner believes he was treated unjustly and that he should have not been recruited in the manner he was; further that on arrival in Nigeria, he was denied the usual formal induction process; further that later, the petitioner had his terms of service deceitfully changed; further that the petitioner believes that information was withheld from him by the Colonial Office following termination of his services; further that such information would have enabled him to put forward a formal redress of grievance to W.A.I.T.R; further that since 1961, the petitioner has continuously complained to the Colonial Office and its successor, DFID, about his shameful treatment; further that in 2011, the petitioner submitted a twelve page analysis supporting his allegation to DFID but believes that it was not put in front of the Minister for political consideration; further that the petitioner notes that he had received a very poor (mainly wartime) education and following short R.A.F service had intended to undertake extended higher education; further that the petitioner gave up the opportunity for education to take up long term employment with W.A.I.T.R because qualifications were not required; and further that this meant that the petitioner was extremely disadvantaged when his employment was terminated without any provision for readjustment.

The petitioner therefore requests that the House of Commons urges the Government to set up an independent inquiry into treatment of W.A.I.T.R personnel in Nigeria, particularly in relation to the petitioner’s own service and further requests that in doing so, considers the case of John Hare (author of “Last Man In”) who received compensation after similar treatment.

And the petitioner remains, etc.—[Official Report, 22 October 2015; Vol.600, c. 10P.]

Observations from Minister of State, Department for International Development (Desmond Swayne): Mr Moffat served for a short time at the West African Institute for Trypanosomiasis Research (WAITR) in Nigeria in the late 1950s. He was appointed by the Crown Agents in 1957 on a probationary agreement for two tours of service of 18-24 months each as a Field Officer. At the end of his second tour, his contract was not renewed, as the country was heading towards independence and there was no prospect of a permanent and pensionable post for him at the Institute. He left Nigeria in 1960 at this point.

Since then, however, he has maintained that he should receive compensation for loss of career prospects as an overseas officer, along the lines of that paid to certain permanent members of the Colonial Service whose careers were interrupted when Nigeria achieved independence. This is not the case as the facts concerning his appointment clearly exclude him from consideration for compensation arrangements.

Although the original offer of employment referred to a prospect of appointment subsequently to the permanent and pensionable establishment, the Crown Agents contract which he signed deliberately contained no reference to permanence, as his was a probationary appointment. Furthermore, he specifically acknowledged at the time, as officers were required to do, that he had not been promised a pensionable appointment.

Towards the end of Mr Moffat’s first tour, and with Nigerian independence in sight, the Institute was overtaken by the need to employ local people in field officer posts, and it became clear that there was no prospect of his being considered for a permanent and pensionable appointment. The Institute paid Mr Moffat a gratuity for his first tour and he was then switched to straight contract terms for the second tour at the 10% higher rate of salary associated with these terms. His employment ended on completion of the second tour. He then left Nigeria on terminal leave in August 1960. Mr Moffat never held a permanent post and therefore cannot claim compensation for loss of permanent and pensionable employment. The Institute were not committed to providing him with a permanent post, nor did they do so.

Mr Moffat has sought to persuade Ministers and officials in DFID that the British Government have not paid proper regard to the claims of people like himself who, although not actually in permanent and pensionable employment, nevertheless felt that they had lost career prospects as a result of the move to independence. There is no doubt that the British Government’s arrangements for pension protection and ex-gratia compensation clearly excluded all except permanent and pensionable Colonial Service officers in quasi-governmental bodies like WAITR.

The Government’s view is that Mr Moffat has no case for compensation, as he was never employed substantively, nor was the Government under any obligation to offer him a substantive permanent and pensionable appointment.
Ministerial Correction

Monday 14 December 2015

ENVIRONMENT, FOOD AND RURAL AFFAIRS
Fisheries Policy

The following is an extract from the speech of the Minister of State, Department for Environment, Food and Rural Affairs, the hon. Member for Camborne and Redruth (George Eustice) in the debate on Fisheries Policy in Westminster Hall on 3 December 2015.

George Eustice: We are rebalancing the quota. We have made it clear that 25% of the uplift will go to the under-10s. We are doing that by giving the first 100 tonnes to the under-10s, and 10% thereafter. That will mean that next year, for instance, much of the inshore fleet will have a substantial increase in the amount of mackerel they have. There will probably be a trebling of the amount of mackerel, which they will then be able to trade as currency.
[Official Report, 3 December 2015, Vol. 603, c. 223WH.]

Letter of correction from George Eustice:

An error has been identified in the response I gave to the debate on Fisheries Policy on 3 December 2015.

The correct response should have been:

George Eustice: We are rebalancing the quota. We have made it clear that 25% of the uplift will go to the under-10s. We are doing that by giving the first 100 tonnes to the under-10s, and 10% thereafter. That will mean that next year, for instance, much of the inshore fleet will have a substantial increase in the amount of North sea haddock they have. There will probably be a trebling of the amount of haddock, which they will then be able to trade as currency.
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